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# **ETHICS**

## **Revised Edition**

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# **Ethics**

## **Revised Edition**

### **Volume 1**

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*Edited by*

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## PUBLISHER'S NOTE

*Ethics, Revised Edition*, is the first revision of Salem Press's well-received *Ethics*, which was published in 1994. This new edition adds more than 200 completely new articles to the set, raising the total to 1,007 essays and 6 appendices. This edition also updates and expands many of the original essays and adds other new features. The main thrust of this edition is on applied ethics, with particular emphasis on current issues.

Ethics, in one form or another, has been a central issue in history since the earliest human beings began living together in communities. Throughout human history, people have always wondered whether they were being held accountable for their actions by a higher power or powers. Those believing that such higher powers exist have needed to know what their relationships with those powers are and what they are required to do or not to do. Those lacking such beliefs have needed to believe that their lives have meaning; they, in turn, have wondered how they should act and what they should do. In addition, all people need to know what other people expect of them and what the limits of their freedom of action are. All these questions are essentially ethical matters.

### ISSUES IN ETHICS

Many of the basic ethical issues with which early human societies wrestled still confront modern societies. However, early societies did not confront the vast variety of complex ethical issues that modern societies face. As societies have grown larger and more complex, and as human knowledge and technological ability have increased, the numbers and varieties of ethical issues that human beings face have also increased. For example, the twentieth century development of computer technology introduced knotty problems regarding privacy rights, the replacement of human workers by robots, and the possibility of artificially created intelligent beings. Along with the modern medical technologies that have extended human life spans have come complex bioethical questions such as balancing the needs of the productive young and the nonproductive old. Recent advances in biotechnology have raised a host of new ethical questions about genetic engineering and other matters that members of earlier societies could never have imagined.

Recent decades have seen unprecedented concerns about gross inequities in the worldwide distribution of food, resources, and power. These questions become more glaring as the world becomes more crowded and more interdependent and as the gaps between the rich and the poor and the powerful and the weak grow larger. These changes are raising questions about how much responsibility those who have the means to prosper should take for promoting the welfare of those who lack the resources to survive.

Religion is another field in which new ethical questions are being posed. Throughout much of the world, traditional attitudes toward religion have changed, and many societies have seen growing numbers of their members reject the old ethical and moral codes of the religions into which they were born, while not finding other codes to replace them. At the same, many religious leaders, politicians, and other public figures have demonstrated that their own personal codes of ethics will not bear scrutiny. These developments and others have led many people to focus more attention on secular ethics. As a consequence, governments, professional organizations, industries, and individual businesses have adopted codes of ethics in attempts to improve their images, and many educational institutions have added ethics classes and programs to their curricula.

### EXPANDED COVERAGE IN THIS EDITION

As the world enters the twenty-first century, new questions are being asked about political, economic, social, and scientific ethics. Examples of topics new to this edition range from the etiquette of cell-phone use and the pirating of digital media to the permissible limits of stem-cell research and the role of religion in world terrorism. As Dr. John K. Roth points out in his Introduction to this revised edition, the past decade alone has raised ethics questions that were not imagined when the first edition of *Ethics* was published.

Before the appearance of the first edition of *Ethics* in 1994, students interested in learning more about ethics had to consult many separate, specialized studies to gain a general knowledge of applied ethics. Salem Press created *Ethics* in its Ready Reference series to provide the first comprehensive reference



work examining all aspects of applied ethics as well as the more traditional ethical areas of religion and philosophy. *Ethics, Revised Edition*, expands the earlier work's coverage by addressing many ethics issues that have come to prominence over the past decade. These include such religious topics as church-state separation, faith healers, Islamic ethics, the jihad concept, religion and violence, the Roman Catholic priests sexual abuse scandal, Scientology, and televangelists.

*Ethics, Revised Edition*, also gives particular attention to business and labor ethics, with new articles on such topics as advertising, several aspects of computer misuse, corporate compensation, professional athlete incomes, downsizing and outsourcing, and the tobacco industry. New topics relating to political and economic issues include Congress, distributive justice, famine as an instrument of oppression, care of the homeless, lobbying, lotteries, minimum wage laws, and the fairness of taxes. Personal and social ethics issues are the subject of a similar number of new essays, which include topics ranging from cell-phone etiquette and workplace dress codes to premarital sex and professional resumes.

The revised edition's increased emphasis on applied ethics can also be seen in the new essays on contemporary newsmakers whose ethical behavior—whether positive or negative—has been in the news. These people include William Bennett, Bill Clinton, Louis Farrakhan, Saddam Hussein, Jesse Jackson, Martha Stewart, and Desmond Tutu.

Some of the most important topics of the new essays concern the burgeoning field of bioethics. New topics in this field include biometrics, assisted suicide, cloning, genetic engineering, and stem-cell research. International relations is another field that is constantly raising new ethics questions. Among the topics covered in new essays in this field are the Bosnia conflict; globalization; Iraq; and terrorism. New topics dealing with ethics questions relating to more purely military issues include biological warfare and bioterrorism, child soldiers, the just war theory, mercenary soldiers, peacekeeping missions, and war crimes trials.

#### **FORMATTING OF ARTICLES**

Every article is written to emphasize the relevance of ethics to its subject. To that end, each essay begins with ready-reference top matter providing

such information as dates and places of birth and death for important personages; dates of important events; a line identifying the most relevant type of ethics to which the topic relates; and a summary statement of the subject's significance in the field of ethics. In addition, at the end of every entry, a list of cross-references to other articles is provided to help guide readers to related subjects covered in the set. Within the main body of each article, clear subheads are provided to help guide readers.

More than half the articles in the set—all those 500 or more words in length—include bibliographies. The bibliographies of all the original articles in the set have been updated through mid-2004. Additional bibliographical information is provided in an appendix in volume 3.

#### **SPECIAL FEATURES**

The essays in *Ethics, Revised Edition*, are illustrated by 180 photographs and more than 200 maps, graphs, charts, and textual sidebars. The set's attention to current ethical concerns can be seen in the selection of photographs—more than one third of which were created after the publication of the first edition of *Ethics*.

The 6 appendices in volume 3 include an annotated list of organizations and Web sites devoted to ethics issues, with addresses and Web site information; a comprehensive and categorized bibliography; a glossary of basic ethics terminology; a biographical directory of people mentioned in the essays; a list of Nobel Peace Prize winners through 2004; and a Time Line of Primary Works in Moral and Ethical Philosophy.

The set's three indexes include a categorized list of essay topics arranged by types of ethics, an index of personages, and a detailed subject index.

#### **ACKNOWLEDGMENTS**

Reference works of this kind would not be possible without the generous support of many scholars. Salem Press would like to thank the 366 writers who contributed essays to the original and revised editions. We are especially grateful to contributors who responded to our call for updates of original articles. We are also grateful to Professor John K. Roth, of Southern California's Claremont McKenna College, who has served as consultant for both editions of *Ethics*.

# INTRODUCTION: OLD AND NEW IN ETHICS

Ethics is at once as old as human existence and as new as today's dilemmas and tomorrow's possibilities. It is thus both the same and different as experience unfolds and history develops. Considering how and why those claims make sense may help to introduce this revised and expanded edition of *Ethics*.

Among the defining characteristics of human life are the abilities to think, make judgments, and remember. Human beings are also identified by webs of social relationships. They are members of families and societies; they have networks of friends, neighbors, and associates. As history has unfolded, human beings have participated in political and religious traditions and have become members of communities and citizens of nation-states. Enriched and complicated by human memories of past actions and their consequences, these characteristics and relationships require human beings to make evaluations. With the structure of human life and our environments forcing people to make choices and to live or die with the consequences of their decisions, human existence is unavoidably inseparable from distinctions between what is right and wrong, just and unjust, good and evil.

As human beings, we all deal constantly with factual matters. However, we also make value judgments, issue prescriptive statements, and formulate normative appraisals. In short, we try to figure out what we ought to do. Few of us are always and entirely content with the ways in which the events that surround us unfold. Often, we ask, How *should* events turn out? There is nothing new about these realities. They have been with humanity from its beginnings.

Whenever concepts such as *justice vs. injustice*, *right vs. wrong*, *good vs. evil* are employed, ethics comes into play. However, what it means to say this requires close examination. Many factors enter into the evaluations that we as human beings make. These factors include our different cultural backgrounds, religious training or lack of it, and the influences of our families, teachers, and friends. Ethics may refer simply to the value judgments that people make and to the beliefs that people hold—individually and collectively—about what is right or wrong, good or evil, precious or worthless, beautiful or ugly, and sacred or

profane. Value judgments affect everything we do: from the ways that we spend our money to the interests that our nations defend. Taken in this sense, it may be argued that every person, community, and nation is ethical. All persons, communities, and nations have normative beliefs and make evaluative judgments. However, to understand ethics adequately, a sharper focus is needed.

## THE SCOPE OF ETHICS

Ethics involves much more than a primarily descriptive use of the term suggests. For example, ethics also refers to the study of value judgments and the ways in which such judgments influence—and are influenced by—institutions. The study of value judgments has historical dimensions; it may concentrate, for example, on how a society's values have changed or developed over time. In one way or another, work of this sort has also been going on for centuries. Its roots are in the earliest human awareness that groups and persons are not identical, that they think and act differently.

How important is wealth? Is religion desirable? What kinds of education should the young receive? Versions of questions such as these are ancient, and responses to them both reflect and depend upon the value commitments that people make. Historically, people have taken varied positions on ethical issues, even as they have exhibited persistent continuity about some fundamental convictions such as those, for instance, that condemn murder. If ethics is inseparable from human existence, however, the manifestations of that fact are many and varied. Arguably, comparative study of ethical beliefs and practices throughout human history is likely to confirm that their variety is more pronounced than their commonality.

Ethics does not end with either descriptions or studies of human beliefs and actions. The core of ethics, in fact, lies elsewhere. People make value judgments when they say, for example, that abortion is wrong or that the death penalty is right. Does the variety of values, and especially the arguments that conflicting value judgments can produce, mean that value judgments are culturally relative and even per-

sonally subjective? Or, are some value judgments objectively grounded and true for everyone? For centuries, philosophers and religious teachers have debated such questions, which are crucial parts of ethics as normative inquiry.

Although agreement about how to answer these questions is not universal, ethics would not be *ethics* if it failed to emphasize the importance of critical inquiry about the values that people hold. For example, much can be learned by asking, “Is this value judgment true, and, if so, why?” Much can also be learned by asking, “What makes some values positive—for example, courage, honesty, and trust? Why are other values negative—for instance, hatred, selfishness, and infidelity?”

In the form of critical inquiry about values, ethics contends that nothing is truly good or right simply because someone desires or values it. In fact, to say that something is good or right simply because someone values it would contradict one of the most fundamental experiences of human beings; differences between what is valuable and what is not depend on more than an individual’s feelings or a culture’s preferences. We know this because our value judgments can be mistaken. We often criticize, change, or even reject our judgments because we learn that they are wrong. Thus, while people may not agree about values, the questions that critical inquiry raises—for example, how should we evaluate the values we hold, and which values matter most?—are at the heart of ethics. Again, such insights are not new. Buddha, Confucius, Moses, Jesus, Socrates, and Plato brought them to life thousands of years ago, and even those ethical pioneers had predecessors in earlier history.

### THE ETHICAL FAILINGS OF HUMAN BEINGS

Ethics is as old as human existence itself. Its basic questions, concerns, and fundamental vocabulary have exhibited considerable continuity amid the accompanying diversity. One of the reasons is that another feature of human life also remains deeply entrenched, namely, that human beings so often make bad judgments, inflict harm, lay waste to things that are good, treat each other brutally, rob, rape, and kill. Ethics attempts to check and correct those tendencies by urging all people to make human life more caring and humane and by showing how it can be more just and promising. Such work is an indispensable part of ethics.

Unfortunately, human abuses of human life are often so great that ethics seems too fragile and weak to achieve what we hope—at least in our better moments—that it can accomplish. Ethical theory and teaching have a long history, but it hard to say with clarity and confidence that humankind has made steady moral progress. The twentieth century, after all, was arguably the most murderous in human history. Moreover, there is no assurance that the twenty-first will be an improvement, despite the fact that there may be more talk than ever about the need for ethics. Human life is full of discouragement, cynicism, and despair produced by human folly, miscalculation, and wrongdoing. Undeniably, the importance of ethics looms large because the core issue remains: Will human beings ever take their ethical responsibilities seriously enough?

Concerns of this kind have led philosophers to offer new approaches to ethical reflection. French philosopher Emmanuel Levinas is a case in point. After losing much of his family to Nazi butchery during the Holocaust of World War II, Levinas argued that ethical theory had failed to concentrate on something as obvious and profound as the human face. By paying close and careful attention to the face of the other person, he suggested, there could be a reorientation not only of ethics but also of human life itself, for our seeing of the other person’s face would drive home how closely human beings are connected and how much the existence of the other person confers responsibility upon us.

Working in a different but related way, the late twentieth century American philosopher John Rawls proposed a form of ethical deliberation that could make human life more just. He suggested that we consider ourselves behind what he called a “veil of ignorance.” In that position, we would not know our exact status or role in the world, but we would be able to deliberate constructively about the rights and rules that we would all find reasonable to implement. Rawls thought that such deliberation would place a high priority on liberty and equality. Much of his work in *A Theory of Justice* (1971) and other influential writings was devoted to considering how those values could best be mutually supportive. Rawls did not conclude that deliberation behind the veil of ignorance would lead reasonable persons to expect that everyone should be treated exactly alike. Inequality of the right kind could be beneficial for everyone, but

for that condition to hold, caring attention would always have to be paid to those who are the least well-off.

Levinas and Rawls are by no means the only recent innovators in ethical theory. This edition of *Ethics* covers many thinkers who have contributed to contemporary ethical thought. Nor is it true that Levinas, Rawls, and their most recent peers have developed their ideas independently of previous traditions in ethics. Levinas, for example, took seriously the ancient Jewish teaching that human beings are created in the image of God. The face of the other person, therefore, has at least traces of the divine within it and deserves respect accordingly. Rawls reinvented the idea of the social contract, which thinkers such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau developed in the seventeenth and eighteenth centuries. Levinas, Rawls, and their twenty-first century counterparts build upon and move beyond previous theories, trying to help humankind to respond to the ethical dilemmas of our time.

### CHANGING PERSPECTIVES

Ethical theory is not only a historical matter. It goes on and on, partly because the seminal thinkers of the past keep provoking reflection on the questions they raised and partly because human experience requires ethics to break new ground. The first edition of this encyclopedia appeared in 1994. As the twentieth century drew to its close, it became clear that humanity faced ethical issues that had not existed a hundred or even fifty years earlier. For example, although the world knew nothing of nuclear weapons in 1894, their threat shadowed the world in 1994. In 1944, World War II and the Holocaust raged, but it was only during that year that Raphael Lemkin coined the term *genocide*. The grim reality denoted by that term erupted again in Rwanda in 1994, but too late to receive attention in the first edition of *Ethics*.

The Internet was coming into widespread use during the early 1990's, but only one decade later it is affecting our lives—and our ethics—in ways that would scarcely have been imaginable in 1994. Stem-cell research was not a household word in 1994; however, as the twenty-first century unfolds, the issues

surrounding it are contested in national political debates. “Nine Eleven” meant nothing in 1994, but the attacks on the World Trade Center and the Pentagon on September 11, 2001, made the devastation of terrorism all too real and ignited a new kind of war, one that has no clear end in sight.

Human experience and ethical dilemmas go hand in hand. As some problems appear to be resolved or eliminated, new ones rise up or old ones reappear in different and even novel forms. Hunger, poverty, and crime, for example, are age-old, but their shapes and sizes and the resources for dealing with them change with developments in politics, economics, technology, religion, and even ethics itself. Arguably critical ethical reflection would not exist—there would be no need for it—if human beings knew everything, understood all the consequences of their actions, never made mistakes, always agreed with one another about what to do, and put exactly the right policies into practice. Human experience, however, is neither that clear nor that simple. Our knowledge is incomplete. We do make mistakes; we do disagree. Often, human life is full of conflict because different people do not see eye to eye about what is true and right. Thus, human life simmers, boils, and at times erupts in controversies, debates, and disputes. All too often, issues intensify and escalate into violence, war, and even genocide.

Fortunately, those destructive responses are not the only ones that human beings can make. Ethical reflection may prove insufficient to save the day; nevertheless it remains crucial, and it is ignored at our peril. Done well, ethical thinking can focus a community's attention helpfully and stimulate constructive activity—education, cooperation, better understanding, caring, and beneficial political and economic action. Human experience will keep moving so that third, fourth, and fifth editions of this encyclopedia will be necessary. Meanwhile the contributors to this second edition have written with the hope that their scholarship can assist people to understand contemporary life better and to make their own thoughtful responses to the ethical issues that require attention both now and in the future.

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# **ETHICS**

## **Revised Edition**

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## Abelard, Peter

IDENTIFICATION: French theologian and philosopher

BORN: c. 1079, Le Pallet, Brittany

DIED: April 21, 1142, Chalon-sur-Saône, Burgundy

TYPE OF ETHICS: Medieval history

SIGNIFICANCE: Abelard was one of the earliest schoolmen to advance the study of dialectics (logic) and applied it to theology and moral philosophy; his later famous theory of intention was considered too radical at the time. He authored numerous works on theology, philosophy, logic, ethics, and biblical exegesis.

In his autobiographical *The Story of My Misfortunes* (*Historia calamitatum*, c. 1132), Abelard describes his rise to fame as a philosopher and theologian. His love affair with Héloïse—attested in their correspondence—compelled him to leave the cathedral school of Paris and become a monk at St. Denis. Later, Abelard became the leader of a hermitage, the Paraclete, which he gave to Héloïse and her nuns. He remained a wandering maverick because of his dialectics and his sharp criticism of monasticism. His *Sic et non* (c. 1123) used the new methods of the schools, which consisted of posing problems and resolving them by means of logic and close textual analysis. Older methods of teaching and writing consisted of the presentation of texts and commentaries on those texts.

Because Abelard's writings were twice condemned by the Church, his influence is difficult to gauge. As an ethical thinker, Abelard viewed himself as a monastic reformer who sought to restore the eremitic spirit to religious practice. Unlike his contemporaries, he believed that some monks should use the new dialectical methods to intensify the monastic life. As an admirer of the ancient pagan philosophers, he tried to reconcile natural law ethics with Christian morality and doctrine. Abelard defined sin as consenting to an evil will (concupiscence) rather than as

performing evil actions. He believed that actions were, in themselves, morally neutral.

*Thomas Renna*

SEE ALSO: Christian ethics; Natural law; Post-Enlightenment ethics; Religion.

## Abolition

DEFINITION: Movement to abolish slavery in the United States based upon moral, rather than practical, considerations

DATE: Mid-eighteenth century to 1865

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: The abolition movement attempted to apply the concepts of Christian brotherhood and democratic egalitarianism to race relations; it helped to end slavery in the United States.

The most prolonged social struggles within the United States have been in the area of race relations. Although the nation was founded upon the principle that “all men are created equal,” American citizens continued to hold large numbers of African Americans in bondage until 1865. Those who participated in the abolitionist movement called Americans to a higher ethical standard. They demanded that both slaveholder and nonslaveholder take responsibility for the institution of slavery and take immediate measures to liberate their fellow countrymen.

### HISTORY

Antislavery sentiment predates the American Revolution. By the mid-eighteenth century, American Quakers such as John Woolman and Benjamin Lay were denouncing slavery as un-Christian. The rationalism of the Enlightenment, with its stress upon natural law, added ammunition to the arsenal of critics of slavery.

The egalitarian rhetoric of the Revolutionary era

**Time Line of Abolition in the U.S. States**

<i>Year</i>	<i>State</i>	<i>Year</i>	<i>State</i>
1777	Vermont	1862	Washington, D.C.
1780	Pennsylvania		Western Territories
1783	Maine	1863	West Virginia
	Massachusetts	1864	Louisiana
	New Hampshire		Maryland
1784	Connecticut	1865	Delaware
	Rhode Island		Kentucky
1787	Illinois		Missouri
	Indiana		Tennessee
	Michigan		Alabama
	Ohio		Arkansas
	Wisconsin		Florida
1799	New York		Georgia
1804	New Jersey		Mississippi
1820	Iowa		North Carolina
1846	Oregon		South Carolina
1850	California		Texas
1858	Minnesota		Virginia
1861	Kansas	1866	Oklahoma

illustrated the irony of slaveholders fighting for liberty. As a result, most northern states abolished slavery by 1784. New York and New Jersey did so afterward. Southern whites believed that they could not afford to abolish slavery, yet they felt the need to justify the institution on ethical grounds. They concentrated on humanizing the institution and argued that it was a “necessary evil.”

Antislavery feeling receded after 1793 because of fear of slave revolts, the increasing profitability of slavery following the invention of the cotton gin, and new scientific theories that reinforced racism. The leading antislavery organization during the early nineteenth century was the American Colonization Society (ACS). The ACS attempted to resettle free blacks in Africa and encouraged voluntary emancipation without challenging the right to own human property. The colonization plan allowed liberal slaveholders and moderate members of the clergy to rationalize their guilt over slavery.

In 1825, a great Protestant religious revival swept the northeastern region of the country. Ministers such as Charles Grandison Finney preached a new perfec-

tionist theology that sought to counter the growing worldliness of Americans. This revival sparked a host of humanitarian crusades designed to protect the rights of the disadvantaged and to cleanse American institutions of contamination.

By the early 1830’s, many evangelical reformers began to view slavery and racism as sinful because racism violated the Christian ethic of equality. Known as immediate abolitionists, they demanded the immediate and unqualified liberation of slaves and an end to racial discrimination. With the formation of the American Anti-Slavery Society in 1833, abolitionist speakers toured the northern states attempting to rally support for their cause. Abolitionists were frequently attacked by angry mobs, and their literature was destroyed in southern post offices.

The abolition movement failed to end racism in the North. It did, however, spark antisouthern feelings,

which led to increased controversy within the national government. This conflict led directly to the Civil War. During the war, abolitionists pressured the federal government to transform the conflict from a war to preserve the Union into a war to end slavery. Abolition advocates were disappointed by the Emancipation Proclamation because it was based upon military necessity rather than moral principle, but they accomplished their central purpose with the passage of the Thirteenth Amendment, which ended slavery in the United States.

**GARRISONIAN ETHICS**

One major faction within the abolition movement was led by editor William Lloyd Garrison. In a real sense, the publication of the first issue of the *Liberator* on January 1, 1831, established Garrison as the foremost abolitionist in the country. Garrison’s harsh attacks upon slaveholders and colonizationists caused a national sensation even though the circulation of his newspaper never exceeded three thousand. Like most abolitionists, Garrison demanded that everyone recognize a personal responsibility to improve soci-



ety. The three major tenets of his ethical philosophy were human liberation, moral suasion, and no compromise with evil.

Because of his devotion to human liberation, Garrison actively campaigned on behalf of legal equality for African Americans, temperance, and equality for women. His strong stand in behalf of women's rights helped to cause a major split in the abolition movement in 1840. Garrison rejected force and violence in human affairs. He sought the moral reformation of slave owners, not their destruction. He never advocated slave revolts, and he wanted the northern states to allow the South to secede during the crisis of 1860-1861.

Garrison sincerely believed in all that he advocated, and he would not compromise his principles. He rejected any solution to the issue of slavery that involved a program that would delay emancipation. He also demanded that his followers reject participation in the American political system because the Constitution was a proslavery document. The American political system was based on compromise, making it inherently corrupt. Other abolitionists, such as Gerrit Smith and James Birney, attempted to use the political system as a way to gain publicity for the cause of abolition.

#### AFRICAN AMERICAN ABOLITIONISM

In a sense, there were two abolition movements. The white-led movement was based on a moral abstraction. African Americans were forced to confront the everyday realities of racism in nineteenth century America. Frederick Douglass emerged as the major spokesman for African Americans during the antebellum period. Douglass self-consciously attempted to use his life as an example to repudiate racist stereotypes. Because of his eloquence, Douglass gained an international reputation as a public speaker, and in doing so, he proved the humanity of African Americans.

Like Garrison, Douglass strongly supported temperance and women's rights. He was, however, willing to use any means to achieve the liberation of slaves, including violence and political action. He approved of John Brown's idea of using the southern Appalachians as an armed sanctuary for runaways. He also supported the Free Soil and Republican Parties even though neither advocated the emancipation of southern slaves. He justified his positions as

part of a larger struggle to advance the cause of racial equality in America. For Douglass, as for other African Americans involved in the cause of abolition, equality was the only acceptable ethical standard for a free society.

Thomas D. Matijasac

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SEE ALSO: Emancipation Proclamation; Racial prejudice; Racism; *Scott v. Sandford*; Slavery; *Uncle Tom's Cabin*.

## Abortion

**DEFINITION:** Technique of removing a developing embryo or fetus from the maternal uterus for the purpose of preventing its birth

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** The practice of abortion raises the question of the morality of terminating a prenatal human life in response to the desire of others who

would be adversely affected by the birth. The subject has become one of the most emotionally and hotly debated social issues in modern America.

Childbirth should be a happy occasion; however, other influences often prevent that ideal from being realized. During the first years of the twenty-first century, worldwide estimates suggested that thirty to fifty million women were undergoing abortions each year, almost half of which are performed illegally. In the United States, about 1.5 million women were terminating their pregnancies each year, resulting in the statistic that about one pregnancy in four was being ended with an induced abortion. Statistics on U.S. women who have undergone abortions have shown that about 26 percent of the women are under nineteen years of age, 58 percent are under twenty-five years of age, and a little more than half of them are unmarried. The nonwhite abortion rate is 57 per 1,000 women, compared to 21 per 1,000 white women.

### STATISTICS

Since the 1973 U.S. Supreme Court decision, *Roe v. Wade*, that made abortion legal, this medical procedure has been in popular use and has generated a sharp controversy between those who advocate a woman's right to have an abortion (pro-choice) and those who oppose abortions (pro-life). The arguments have encompassed moral and medical issues as well as legal and social issues. Churches and religious denominations as well as politicians and political parties have been separated by the intense emotions of persons who oppose or defend abortion.

Abortions can be classified into two types: spontaneous and induced. Spontaneous abortions, commonly called miscarriages, are those that occur before the time of viability. Viability, the time when the developing fetus can potentially survive outside the uterus, is set at about the twenty-sixth week of development. Spontaneous abortions that result from unknown reasons are attributed to natural causes. Estimates suggest that among normal, healthy women, more than half of fertilized embryos never implant and are spontaneously aborted. Furthermore, it is thought that about 10 to 15 percent of the implanted embryos spontaneously abort.

Spontaneous abortions after the time of viability are typically called preterm deliveries or stillbirths.

Induced abortions are those that result from medical procedures designed to terminate development. As the word "abortion" is most commonly used, it refers primarily to induced abortions. In the United States, 90 percent of induced abortions take place earlier than the twelfth week of pregnancy; about 10 percent take place between the twelfth and twentieth weeks of pregnancy, and less than 1 percent take place after the twentieth week of pregnancy.

### HISTORICAL BACKGROUND

Abortions have been performed on women for centuries. The ancient Greeks advocated abortion as a method of birth control. Plato advocated that women after age forty should be compelled to have abortions. Early Roman law proclaimed that a "child in the belly of its mother" is not a person. Thus, abortion and even infanticide were permitted and practiced. Roman physicians described the use of abortifacient drugs in their treatment of patients.

Early Christians during the first centuries C.E. largely prohibited the practice of abortion for their adherents, unlike the Greeks and Romans. The early Christian Church objected to some abortions on the basis of ensoulment or animation, the point at which the soul entered the body. It was thought that the soul entered the developing embryo about forty days after conception in the case of the male and eighty days after conception in the case of the female. Thus, abortions after ensoulment were considered as murder, but abortions before ensoulment were merely considered to be serious sins.

In North America during the seventeenth and eighteenth centuries, abortions were neither prohibited by written laws nor prosecuted under common law. Abortion was regarded as immoral if it occurred after the time of quickening, when the mother first perceived fetal movements. Abortion became so widespread in the nineteenth century that the fertility rate of American women decreased by half, returning to what it had been in the previous century.

Three significant events occurred toward the end of the nineteenth century. Most states enacted anti-abortion statutes; the American Medical Association developed an anti-abortion committee to raise public awareness; and the Roman Catholic Church began to lay the ideological groundwork for its subsequent ban on abortion. Late in the nineteenth century, considering abortion to be a violation of natural law, the

Catholic Church took a restrictive stance against abortion and prohibited it at any time of pregnancy, beginning from the time of conception. However, modern Catholic teaching permits indirect abortion, when an embryo or fetus is lost as a side effect of a medical treatment that is given to save the mother's life.

In modern times, societal and religious groups are strongly divided regarding the acceptability of abortion. Many religious denominations have struggled in attempts to denounce or condone abortion as a women's rights issue. In many cases, opposing voices that presented the other side of the issue have moderated such attempts. Globally, about fifty-three countries with populations greater than 1 million (totaling 25 percent of the world's population) prohibit abortions except to save the life of the mother. However most nations permit abortion to save the life of the mother.

Laws restricting abortion are most prominent in countries found in Central Asia, Latin America, and Africa. Another twenty-three countries (40 percent of the world's population) permit abortions on the request of the woman. These countries include China,

Russia, the United States, and about half of the countries in Europe. Most of the remaining countries of the world (35 percent of the world's population) permit abortion on broad medical grounds or for extreme situations such as rape. Some of these countries, such as Australia, Finland, Great Britain, Japan, and Taiwan, include "adverse social conditions" as justification for abortion. The World Health Organization's 1997 report revealed that 70,000 women died from unsafe abortions; 69,000 of those deaths occurred in Asia, Latin America, and Africa.

### PERSONHOOD

Some people have suggested that controversies over abortion are actually controversies on the view of the embryo/fetus. Is the developing fetus a mere piece of tissue or is it a person? Those who view the developing fetus as a "conceptus," or piece of tissue, tend to place value and base their ethical arguments on the needs and rights of the mother. In most cases, they freely advocate abortion on demand in the attempt to support the pregnant mother's wishes. Individuals who view the embryo/fetus as a person (a baby), however, maintain a responsibility to protect

### Countries with the Least Restrictive Abortion Laws

In 2003, the fifty-four countries listed below did not require women seeking abortion to provide any reasons, with the exception that China and Nepal did not permit abortion for the purpose of selecting a child's sex. All fifty-four countries imposed gestational limits of at least twelve weeks, and limits in some countries ranged up to twenty-four weeks. Countries marked (PA) required minors to obtain parental authorization; Turkey required spousal authorization.

Albania	Croatia (PA)	Latvia	Slovakia (PA)
Armenia	Cuba (PA)	Lithuania	Slovenia (PA)
Austria	Czech Republic (PA)	Macedonia (PA)	South Africa
Azerbaijan	Denmark (PA)	Moldova	Sweden
Bahrain	Estonia	Mongolia	Switzerland
Belarus	France	Nepal	Tajikistan
Belgium	Georgia	Netherlands	Tunisia
Bosnia and Herzegovina (PA)	Germany	North Korea	Turkey (PA)
Bulgaria	Greece (PA)	Norway (PA)	Turkmenistan
Cambodia	Guyana	Romania	Ukraine
Canada	Hungary	Russia	United States (PA)
Cape Verde	Italy (PA)	Serbia and Montenegro (PA)	Uzbekistan
China	Kazakhstan	Singapore	Vietnam
	Kyrgyzstan		

Source: Center for Reproductive Rights, September, 2003.

the developing fetus. In that situation, abortion is viewed as a heinous crime that violently snuffs out the life of an innocent, defenseless, living person.

In the middle of the controversy stand a group of persons who are often uncomfortably changing their position and ethic. On one hand, they recognize the emotional and psychological pain that an unwanted pregnancy can elicit. On the other hand, they believe that the developing embryo minimally bears the potential of personhood and thus has intrinsic value. A fetus is not a mere piece of tissue that can be harmlessly trimmed away for the sake of convenience.

Personhood is a fundamental issue in the abortion debate, and a cultural ethic colors attitudes toward personhood. For example, in some societies, personhood begins at a birth ceremony that is celebrated shortly after the birth event. The ceremony confers status and protection on the newly born child. Within such a view, abortion or infanticide that occurs after birthing but before the birth ceremony is considered to be a legitimate means of birth control. Others see personhood as a developmental process that occurs in the uterus. Thus, aborting a third-trimester fetus may have moral consequences, while an early first-trimester abortion may be acceptable. Some mark the advent of conception as the origination of the person. In this view, all abortion is immoral and the embryo and fetus must be protected in the same way that a newborn baby is protected.

### **BEGINNING OF LIFE**

Frequently, the abortion debate centers on the question of when life begins. Historically, that moment has been placed at one of three points: the moment of conception; the time of “quickening,” when the mother can first feel the fetal movements; or the time of birth itself. From a biological perspective, however, life does not begin; instead, life is a continuum in which a living sperm fertilizes a living egg to form the unique first cell, the zygote.

The distinctiveness of the zygote is based on the reality that it contains a unique assortment of genes on its chromosomes that are a product of the specific genes carried by the fertilized egg and sperm. In the hours and days that follow fertilization, the zygote divides to form multiple cells that give rise to the mass of cells that will form the embryo as well as the tissues that will form the placental attachments of the

embryo to the uterine wall. By the third week of development, the embryonic heart begins to beat and brain tissue is differentiating and forming. Early neural responses can be detected late in the first trimester; these responses become more sophisticated and complex as development progresses in the second and third trimester. Fetal behavior is an area of research that investigates the effects of environmental conditions—light, sound, maternal voice, temperature, and so forth—on fetal responses and subsequent developmental patterns. Research in this area indicates that postnatal behavior patterns are significantly affected by prenatal influences and that the fetus learns certain behaviors while it is developing in the uterus.

According to this understanding, a unique individual is formed at the point of conception that developmentally obtains the characteristics of personhood. Therefore, the embryo and fetus have intrinsic value because of their individuality and personhood. Thus, abortion becomes a moral issue when one considers the possibility of destroying a person or, at the very least, a potential person.

### **MEDICAL ASPECTS**

Numerous studies indicate that within societies in which abortions are illegal, the percentages of women who die from the illegal abortions are about ten times greater than those in societies in which abortions are legal and are regulated by medical practice. Nearly two-thirds of the world’s women live in countries in which abortion is available on request for social reasons.

Normally, a fertilized ovum or zygote, which forms a developing embryo, implants in the mother’s uterus about ten days after conception. Early abortions are designed to prevent this implantation step in the development process. Such abortion procedures include the use of RU-486 (the so-called “abortion pill,” an abortive drug first developed in France in 1988), intrauterine devices (IUD) placed in the uterus by a physician, or the administration of the drug DES (often called the “morning after pill”).

If abortion is desired between two and seven weeks after conception, a simple vacuum extraction is frequently used. The embryo at this time is less than three centimeters in length and can be removed easily from the uterus wall. After seven weeks until about the fifteenth week, the uterus is dilated before

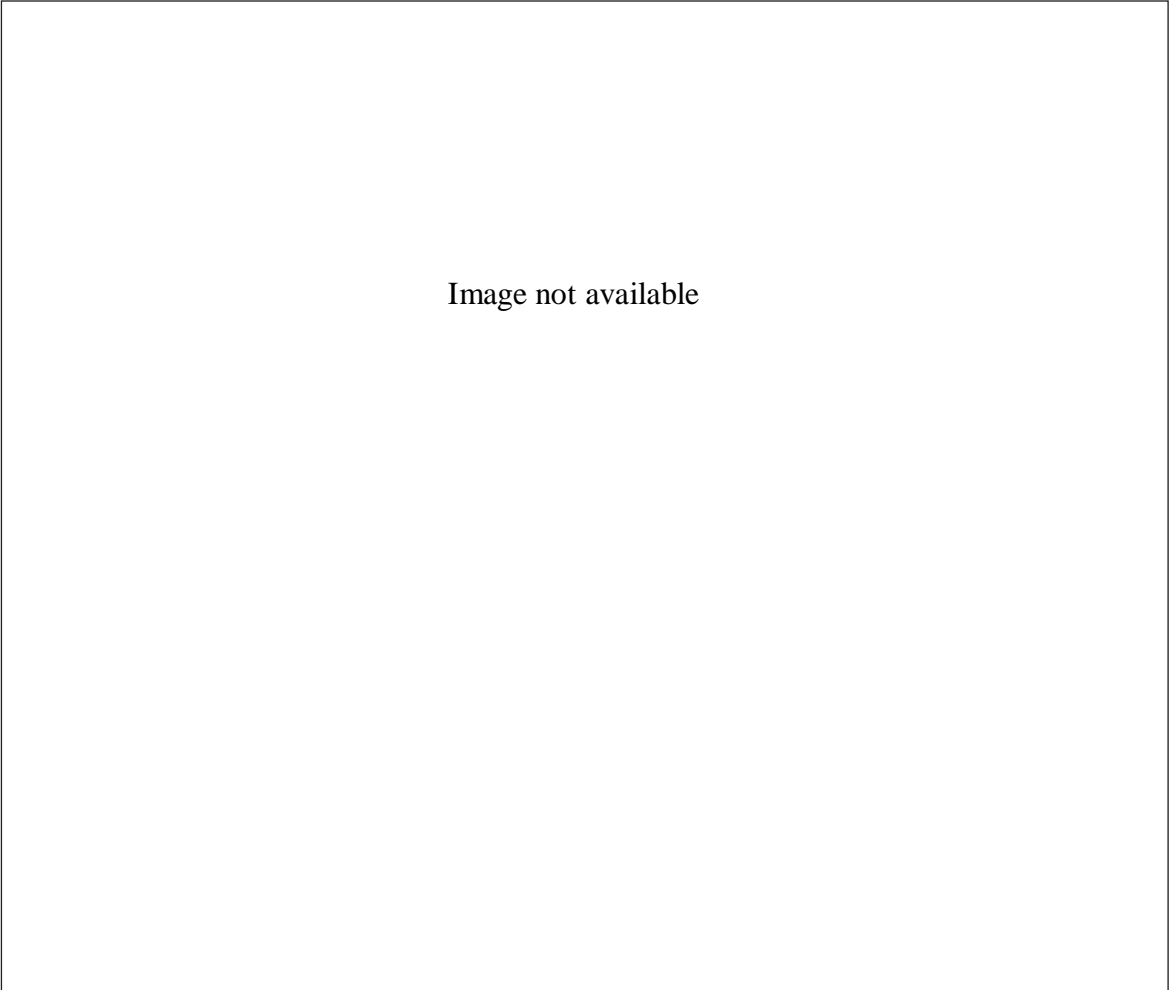


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*Antiabortion protestors gather outside the Supreme Court building in Washington, D.C., on January 22, 2004—the thirty-first anniversary of the Court’s decision in Roe v. Wade. (AP/Wide World Photos)*

vacuum extraction is used. Following the fifteenth week of development, abortions generally consist of an induced labor that results from uterine injections of concentrated salt solutions (hypertonic saline) or prostaglandins (hormones that stimulate uterine contractions). In the United States, the use of hypertonic saline has been largely discontinued due to the negative side effects of large amounts of salt experienced by the mother.

Late-term abortions, also called “partial birth” abortions, are done during the third trimester of pregnancy and make up a very small percentage of the induced abortions. Medically, a late-term abortion is initiated by injecting prostaglandins to induce labor.

Then a breech delivery is initiated with a forceps that results in the torso and legs passing through the cervix, while the head is retained within the uterus. The fetal skull is then punctured and its contents removed, causing the skull to collapse with the fetus’s death and a subsequent delivery of the remaining portion. This particular abortion procedure has resulted in extensive legislative actions in the United States, with many states banning the procedure. Abortion opponents see this procedure as a gruesome act that must be outlawed, since the fetus is subjected to extensive pain and discomfort. Abortion proponents emphasize that this procedure is sometimes needed for the health of the mother and to outlaw this method

of abortion will lead to further abortion restrictions. Thus the debate continues.

Complications of abortions may vary greatly, depending upon the timing of the abortion, the particular technique used, the skill of the abortionist, and the unique physiology of the woman involved in the procedure. For many women, only minor symptoms such as slight bleeding or cramps occur. For others, complications may include severe hemorrhage, infection from contaminated instruments, uterine perforation, cervical injury, or an incomplete abortion in which the fetal remains may induce infection. Some cases of psychosocial and emotional disturbances of women who have had abortions have been documented, although the percentage of women thus affected is not high.

#### FETAL RESEARCH

An ethical issue related to abortion is fetal research. If abortions occur, what should be done with the aborted fetuses? Should they be buried, or might some of them be used for medical research and medical treatment? Legally, the fetus is not a protected entity, yet it is a growing human, which is why it is prized as a source for tissue and organ transplantation in humans. Such a valuable commodity brings in the issues of ownership and economics that frame additional ethical dilemmas. Does the mother who has undergone the abortion own the aborted fetus and thereby have the right to sell the remains to the highest bidder? What are the ethics of buying and selling body parts?

Experimental efforts to transplant fetal cells into Parkinson's patients have been very successful in alleviating this debilitating disease. This technology paves the way for transplanting fetal tissues in attempts to control diabetes, Alzheimer's disease, and Huntington's disease, as well as other diseases. Ethically, on one hand it seems wasteful to discard embryos whose tissues could be used improve the quality of life for another person. On the other hand, the danger exists that women might become pregnant so that valuable fetal tissues could be "harvested" from their bodies for the medical treatment of a parent or loved one, or even for sale for profit. The current controversy in the United States centers on the possibility of using aborted embryos as sources

### Pro-Abortion Rights Marchers Converge on Washington, D.C.

On April 25, 2004, an estimated 800,000 pro-choice activists gathered in Washington, D.C.'s National Mall to protest the abortion policies of President George W. Bush's administration. The marchers charged that reproductive liberties were being eroded in the United States and that the Bush administration's foreign policies were endangering women around the globe. Marchers chanted and carried signs with slogans such as "It's Your Choice, Not Theirs!" and "My Body Is Not Public Property!" Francis Kissling of the Catholics for a Free Choice organization addressed her comments directly to legislators when she stated "You will hear our pro-choice voices ringing in your ears until such time that you permit all women to make our own reproductive choices." During the last major pro-abortion march in Washington in 1992, an estimated 500,000 people participated.

of stem cells for research or for therapeutic techniques.

#### BIOTECHNOLOGY

Biotechnology has developed abortive techniques that are minimally traumatic to the mother. One example is the use of the aborticide drug RU-486, also called mifepristone. This drug works by preventing a fertilized egg or early embryo from implanting into the uterine wall. RU-486, an antiprogesterin, breaks the fertilized egg's bond to the uterus wall and thus induces a miscarriage. Tests of this drug on thousands of women show that it is about 97 percent effective in terminating early pregnancies. The drug can be administered in the privacy of a doctor's office and therefore avoids the woman's stigmatization of going to an abortion clinic. That fact alone arouses strong responses both from advocates and opponents of the drug.

With sophisticated embryo screening techniques such as ultrasound and amniocentesis, it is possible to determine the gender of an embryo. By using genetic screening, one can also determine specific genes that the developing embryo may have that are beneficial or undesirable. One of the ethical dilemmas of the use of this technology is that abortion may become a means for obtaining a child of preferred



genotype and gender, while discouraging the attitude of accepting all prenatal embryos as unique human beings who are intrinsically valuable, regardless of their gene makeup or gender.

### SUMMARY

Two absolute moral positions directly oppose each other and prevent an easy resolution to the abortion controversy. One position maintains that abortion is the killing of human beings. The other position declares that a woman has the right to control her own body. For many who hold one position or the other, there can be no compromise. In the face of such irreconcilable attitudes, public policy about abortion must be formed. For such policy to endure, it must compromise both positions. Two areas of compromise have been seen historically and are continuing: to allow abortion only for certain specific reasons, such as to save the life of the mother or in the situation of rape or incest; and to permit early abortions but to forbid or strongly regulate mid-term or late-term abortions. Many abortion laws in various states of the United States and in other countries recognize and attempt to integrate some aspects of these two compromises in their structure. Trends indicate that public policy may move more deliberately toward these compromises, which carve out a middle ground between two absolutist postures.

*Roman J. Miller*

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- SEE ALSO: Homicide; Infanticide; Privacy; Pro-choice movement; Pro-life movement; Right to life; *Roe v. Wade*.



## Absolutism

**DEFINITION:** Any ethical theory that claims there is only one correct ethical standard applicable to everyone everywhere, or any theory that claims there are ethical values or principles that hold for all humans regardless of their society, culture, or religion

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Absolutism is one of the three mutually exclusive positions that one may adopt concerning the nature of ethical principles and values; the others are relativism, which claims that ethical principles and values vary from culture to culture and that no one is better than any other, and perspectivism or pluralism, which holds that, while some ethical systems are superior to others, there will always be at least two different such systems that are equally valid.

As the definition of absolutism implies, any absolutist theory will acknowledge the existence of ethical absolutes. These will be values or principles that absolutists believe should be embraced by every moral agent. Part of the absolutist's task is to convince people that the values or principles are in fact objective and universally binding. The issue of absolutism versus relativism has existed since the beginnings of ethics. One could make the argument that ethics as a branch of philosophy got its start with the development of the absolutist ethical theory of Socrates in the fifth century B.C.E. It may be best, then, to explain absolutism from a historical perspective.

### HISTORY

Socrates lived during a period that exhibited moral skepticism. A group of itinerant teachers known as sophists were advocating various versions of relativism claiming that right and wrong were ultimately determined by, and thus relative to, the individual. It is against this position that Socrates offered his account of right and wrong, which turns out to be the first major version of absolutism. What is interesting is that he relied on a grand metaphysical scheme to supply the justification for his absolutist claim. Socrates believed that human beings are composed of two radically different kinds of substance: bodies and souls, with the soul, because it is the seat of reason, being more important. In addition, reality is also a fundamental dichotomy.

One part of that dichotomy is the world of appearance; the other, the world of form. For Socrates, the world of appearance is an imperfect copy and, hence, less real than the world of form. If one focused on the world of appearance, the ever-changing world of daily experience, the world the body is in, it is easy to believe that relativism is the case. The one constant is that there are no constants. Everything is transitory. The world of form, however, is timeless, changeless, and eternal. It is a world with which the soul is acquainted. Everything is permanent and stable. It is the world that supplies both knowledge and absolute moral values and principles, to which humans have access and which they recognize as absolutely binding in virtue of their rationality.

With a few minor exceptions, the issue of absolutism versus relativism did not pose a major problem to the Western intellectual tradition until well into the nineteenth century. This is so, in part, because of the dominant role that Roman Catholicism played in this tradition. According to Catholicism, there are moral absolutes and there is one correct ethical theory that is applicable to everyone everywhere. Right and wrong are simply a matter of what God commands. What is of moral value is simply a matter of what God deems valuable.

With the coming of the Enlightenment came a rejection of the above-described theory of ethics but not a rejection of absolutism. Christian ethics were replaced with other absolutist theories that appealed to human reason instead of God. One example is the utilitarianism of Jeremy Bentham, which claims that defining right and wrong is simply a matter of calculating which action would produce the greatest good for the greatest number. This so-called "principle of utility" is applicable to everyone everywhere. Another example is the deontological ethics of Immanuel Kant. For him, right and wrong is a matter of whatever reason determines through use of the categorical imperative, which, again, is applicable to everyone everywhere.

### MODERN CHALLENGES TO ABSOLUTISM

The most recent challenge to absolutism comes from the social sciences—in particular, cultural anthropology. Cultural anthropology is the study, observation, and description of the customs and morés of various cultures and societies. Cultural anthropologists have gone to all parts of the globe to study, ob-

serve, and describe the cultures they have found. They have also gone into the historical record to do the same for cultures past. If absolutism were true, one would expect that there would be some common values or principles. When the gathered data are compared, however, what strikes the observer is the great diversity of values and principles. Given an action one culture sanctions as right, one would have little difficulty finding a different culture that would claim the same action wrong. It seems that all the empirical evidence supports relativism. There is no universal agreement. Values and principles vary from culture to culture.

#### ABSOLUTIST REPLY

The absolutists have a three-part reply to the claims of the cultural relativists. First, it is shown that the data do not support what relativists claim but rather something weaker. All the data show is that, at best, there is not now one correct ethical theory. It does not rule out, logically, the possibility that the one correct standard may be discovered in the future. Second, there may be less disagreement than there seems. This disagreement among cultures may be the result of differing physical circumstances or factual beliefs and not necessarily the result of differing values. In other words, there may be absolute values that are implemented in different ways. Finally, there may well be absolute values and principles; namely, those necessary for the preservation and continuation of the society or culture. For example, all societies have some rules that protect children. This will ensure that the culture or society will continue into the future.

*John H. Serembus*

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SEE ALSO: Anthropological ethics; Diversity; Pluralism; Relativism; Situational ethics; Socrates; Truth.

## The Absurd

DEFINITION: That which points toward the ultimately meaningless character of human life

TYPE OF ETHICS: Modern history

SIGNIFICANCE: In the view of French philosopher and novelist Albert Camus, the absurd presents philosophy with its most fundamental problem: justifying the value of human existence.

Owing largely to World War II and its aftermath, it seemed to Albert Camus that traditional values and ways of life had collapsed. He dramatized that situation in novels such as *The Stranger* (1942) and *The Plague* (1947) and reflected on it philosophically in essays such as *The Myth of Sisyphus* (1942). Especially in the latter work, Camus explained that absurdity arises from the confrontation between “human need and the unreasonable silence of the world.” The absurd exists partly because human beings ask “Why?,” but that is only part of the story. The other key component is that answers to the question “Why?”—at least ones that are complete, final, and convincing to all—never appear. The collision between the questioning human consciousness and “the unreasonable silence of the world” brings the absurd into existence.

Camus could see no way to overcome the absurd and its “total absence of hope.” He did not, however, conclude that the absurd dictated nihilism and death. On the contrary, he argued that humanity’s task was to rebel against the absurd by making life as good as it can possibly be.

SEE ALSO: Camus, Albert; Evil; Existentialism; Sartre, Jean-Paul; Value.

## Abū Bakr

**IDENTIFICATION:** Early Arab caliph  
**BORN:** c. 573, Mecca, Arabia (now in Saudi Arabia)  
**DIED:** August 23, 634, Medina, Arabia (now in Saudi Arabia)  
**TYPE OF ETHICS:** Religious ethics  
**SIGNIFICANCE:** Abū Bakr succeeded the Prophet Muḥammad as the first caliph and expanded the nascent Muslim empire by conquering neighboring states.

One of the first persons to convert to Islam, Abū Bakr lent much-needed credibility to the cause of Prophet Muḥammad during the early days of Islam. He belonged to a rich trading family and was a crucial figure in providing moral and financial support to sustain Muḥammad in Mecca at the time that Muḥammad declared his prophethood. The close relationship between the two men was further strengthened by marital relations. Abū Bakr gave two of his daughters in marriage to Muḥammad. One of them, Khadīja, was only thirteen years of age when she married Muḥammad.

Muḥammad gave Abū Bakr the title *Siddiq*, one who always speaks truth, because he became a disciple of Muḥammad at a time when it was not safe for Muslims to reveal their allegiance openly. Abū Bakr is supposed to have accompanied Muḥammad at the time of their flight from Mecca to the city of Medina, which provided a safe haven to Muḥammad and his followers. Abū Bakr remained close to the Prophet in Mecca as well as in Medina and assisted him in becoming established in Medina. Abū Bakr negotiated on behalf of the Prophet with other clans in and around Medina whose support was crucial in the struggle against the Meccans. The Quraish tribe of Mecca tried to march on Medina to destroy Muḥammad's forces three times but failed. After the death of Muḥammad, Abū Bakr was chosen to lead the Muslims. He assumed the title caliph, or successor.

*Khalid N. Mahmood*

**SEE ALSO:** ʿAlī ibn Abī Ṭālib; Holy war; Ḥusayn; Islamic ethics; Muḥammad; Shiʿa.

## Abū Ḥanīfah

**IDENTIFICATION:** Muslim theologian and jurist  
**BORN:** c. 699, al-Kufa, Iraq  
**DIED:** 767, Baghdad, Iraq  
**TYPE OF ETHICS:** Religious ethics  
**SIGNIFICANCE:** As a theologian, Abū Ḥanīfah founded the first of the four orthodox schools of law in Sunnī Islam. As a legal scholar, he was among the earliest to formulate judicial doctrines relating to questions that might arise in the future of the Islamic community.

Born to a family of non-Arab converts to Islam, Abū Ḥanīfah was originally attracted to theology but soon turned to Islamic law. His principal teacher was Hammad ibn Abī Sulayman, the foremost representative of the Iraqi school of legal thought.

Following the death of his mentor in 737, Abū Ḥanīfah was acknowledged as the head of the school. Throughout his career, he declined offers of governmental positions under the Umayyad and Abbasid dynasties, and there are indications that he harbored antigovernment sympathies. Indeed, he seems to have been imprisoned from 762 because of his support for an Alid revolt. As a theologian, Abū Ḥanīfah vigorously opposed the Khariji rigorist doctrine that sin rendered one an unbeliever. He declared that faith was the ultimate determinant of a person's membership in Islam. It was this doctrine that ultimately became the orthodox position in Islam. As a jurist, Abū Ḥanīfah spent many years reviewing the corpus of Islamic law; formulating new, systematic legal doctrines based on religious tradition and judicial precedent; and, most important, proposing legal responses to hypothetical situations that might arise later in the Islamic community.

*Craig L. Hanson*

**SEE ALSO:** Islamic ethics; Qurʾān; Sunnīs.

## Abuse

**DEFINITION:** Acts of physical or psychological violence or neglect that are designed to cause emotional trauma, usually to a person who is in a subordinate power relationship to the abuser

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Because it often generates feelings of shame or guilt in its victims that prevent them from resisting or reporting it, abuse is one of the most insidious of all ethical violations and one of the most difficult to combat effectively.

Physical abuse, which is nonaccidental injury to another person, includes actions that physically damage another person, such as pushing, shoving, hitting, slapping, and throwing things. The consequences of physical abuse can be minor, such as a bruise, or major, such as death. Physically abusive actions are fairly stable, so that a person who is physically abusive early in life usually stays that way. Young adults (under age thirty) are more likely to engage in domestic violence than are older adults.

Because ordinary physical punishment is widely accepted as an appropriate form of discipline in the United States, it is typically excluded from definitions of physical abuse. Physical abuse is, however, often difficult to distinguish from physical punishment. When does spanking become abuse? One guiding principle in distinguishing physical punishment from physical abuse is the leaving of bruises. Physical punishment that leaves bruises on a child is often considered physical abuse. Parents who endorse physical punishment are more likely than are others to physically abuse their children. Physical abuse is widespread.

Sexual abuse includes any sexual behaviors that are forced upon a person. Sexual abuse includes any type of sexual fondling, touching, or other such behaviors of a sexual nature (such as being exposed involuntarily to someone's genitals); rape (involuntary sexual intercourse); and incest (sexual activity between close relatives).

Sexual abuse may be the result of physical force, threat, or intimidation. Sexual abuse violates community norms in an extreme way; therefore, it is typically viewed with abhorrence and is often punished with imprisonment. Nevertheless, some form of sexual abuse has been reported by between 19 percent and 38 percent of adult American women, and by between 5 percent and 30 percent of adult men. Thus, even though sexual abuse is not condoned in society, it is experienced by a significant percentage of women and men.

Many adults who have been molested as children

report feeling guilt, anger, depression, disordered sexual behavior, poor self-esteem, feelings of isolation and stigma, self-destructive behavior, difficulties trusting others, substance abuse, and a tendency toward revictimization.

Sustained physical or sexual abuse is thought to be a primary culprit in the development of multiple personality, a psychological disorder in which a person has two or more distinctly different personalities, each of which has a unique way of thinking and behaving. Not all people who were physically or sexually abused as children, however, develop multiple personalities as adults.

Psychological abuse, which is also called emotional or mental abuse, includes actions that damage a person's behavioral, cognitive, emotional, or physical functioning. Psychologically abusive behaviors are those that ridicule, belittle, degrade, exploit, intimidate, and so forth. Psychological abuse may be the most prevalent form of child abuse, and it is also a widespread form of adult abuse. Often occurring in conjunction with other forms of abuse, psychological abuse may exist independently of other types of abuse.

Because its consequences are often invisible, psychological abuse is seldom reported. Despite this fact, many experts believe that psychological abuse is the most damaging of all forms of abuse. It lowers a person's self-image, distorts his or her relationships with others, and leads to increased fear, anxiety, helplessness, aggression, and self-destructive behavior.

In a comprehensive overview of domestic violence, Donald Dutton suggested a nested ecological explanation of domestic violence that includes at least four factors. First, the cultural values of the individuals involved may contribute to abuse. For example, are men and women considered to be equal? Is hitting one's wife considered to be an indication of affection? Second, the social situation may contribute to abuse. For example, are the individuals involved unemployed? Are they under severe economic or other stress? Third, the family unit may contribute to domestic abuse. For example, do the individuals communicate as a couple? Do the parents typically use physical punishment? Fourth, the level of individual development may contribute to domestic abuse. For example, does the couple excuse violence? Have they witnessed family violence in the

past? The nested ecological approach suggests multiple levels of causes, with the importance of each level differing in each assault case.

*Lillian Range*

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SEE ALSO: Ageism; Child abuse; Drug abuse; Exploitation; Police brutality; Rape; Roman Catholic priests scandal; Sexual abuse and harassment; Torture; Violence.

## Academic freedom

**DEFINITION:** State in which teachers are free to discuss their subjects in the classroom, to conduct research, and to publish the results of that research, without fear of repercussions

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Academic freedom makes it possible for both teachers and students to question the status quo and to arrive at conclusions other than those endorsed by the majority or supported by dominant structures of power. It increases the likelihood that academic inquiry will be motivated by truth rather than politics.

The freedom of teachers to instruct and to do research is fundamental for civilization. The discovery and dissemination of knowledge form the basis for positive dialogue. Such dialogue can lead to consensus, which can serve to motivate people both individually and collectively to take action that can bring moral order. Such an ethical dynamic makes it possible for new ideas to be advanced and new, positive action to be taken on an ethical and moral level.

Academic freedom is inextricably intertwined with conflict. Socrates' incessant probing in search of the truth led to his execution on the charge of corrupting the youth of Athens. During the Middle Ages in Europe, academic freedom began its relationship with institutions of higher learning.

The medieval era displayed contradiction concerning academic freedom. The Roman Catholic Church preached and insisted on a single system of truth that was anchored in God. Most medieval scholars accepted this central body of authority, but some rejected the idea that the hierarchy represented the true Church. In the thirteenth and fourteenth centuries, the ecclesiastical authorities, through condemnations and censures, greatly hindered philosophical and theological inquiry. Nevertheless, scholars fought back in the pursuit of truth that would outlast and even reverse condemnations.

Italian thinkers enjoyed a remarkable degree of academic freedom during the Renaissance. For example, Professor Pietro Pompanazzi published a book questioning the immortality of the soul and also attacked the clergy. Far from being censured, Pompanazzi was protected by Pope Leo X, and his salary was increased.

During the Reformation, Protestantism both impeded and advanced academic freedom. Rigorous orthodox Calvinism held that freedom of thought was an obstacle to ethics. Arminianism brought a latitudinarian thrust. The Dutch city of Leiden was the home of the first European university to follow an intentional and consistent policy of academic freedom.

In seventeenth century England, the Act of Uniformity led to ejections from academic institutions. Those who were purged founded academies noted for liberality in thought. The graduates of these academies contributed to the American Enlightenment, which supported secularism in ethics. Academic freedom has had a precarious life in the United



States. Seventeenth century colleges demanded religious conformity from its faculty. In 1654, Harvard University dismissed its first president, the Reverend Henry Dunster, for heresy.

The eighteenth century displayed a mixed tableau. The secularization of colleges introduced skepticism and inquiry into ethics. Between 1740 and 1766, however, Yale University experienced illiberalism under the Reverend President Thomas Clap, who promoted orthodox Calvinist ethics. Nevertheless, the Reverend Edward Wigglesworth, the first person in American collegiate education to hold a major professorship, enjoyed notable academic freedom as Harvard's Hollis Professor of Divinity from 1722 to 1765. Wigglesworth's namesake son, who was Hollis Professor between 1765 and 1791, advanced the cause of liberal ethics. In 1756, the University of Pennsylvania acquitted the Reverend Provost William Smith of the charge of teaching irreligious ethics.

Pre-Civil War America experienced various notable situations regarding academic freedom. For example, the Unitarian reverend president Horace Holley, who raised Transylvania University to distinction, resigned because of Presbyterian charges that he had made that institution infidel. President Thomas Cooper of South Carolina College, a materialist ethicist, put forward the boldest and most advanced argument for academic freedom.

Later nineteenth century America made significant strides in academic freedom. Despite opposition, the teaching of evolution and attacks on transcendental ethics entered institutions. At Yale, Professor William Graham Sumner ably defended his rigid ethic of self-reliance. The introduction of the German concept of *Lehrfreiheit*—freedom of teaching and freedom of inquiry for the university professor—was profoundly significant.

Between 1890 and 1900, a number of academic freedom incidents occurred in which a professor was summarily dismissed after espousing reform or criticizing the social order. Such cases involved Richard T. Ely (University of Wisconsin), Edward W. Bemis (University of Chicago in 1895 and Kansas State Agricultural College in 1899), E. Benjamin Andrews (Brown University), Frank Parsons (Kansas State Agricultural College), and Edward A. Ross (Stanford University). Ross's views had antagonized Mrs. Leland Stanford, Sr.

In 1913, the dismissal of Professor John M. Mecklin, a professor of philosophy and psychology at Lafayette College, proved to be noteworthy. President Ethelbert D. Warfield detested Mecklin's philosophical relativism, his interest in pragmatism, and his teaching of evolution. The American Philosophical and American Psychological Associations failed to obtain justice for Mecklin. A body representing the entire professorate was needed to protect academic freedom.

That organization appeared in the form of the American Association of University Professors (AAUP). Founded in 1915, its principal promoter was Arthur O. Lovejoy of Johns Hopkins University. By 2003, the organization's *1940 Statement of Principles on Academic Freedom and Tenure* had been endorsed by 175 educational and scholarly organizations. Meanwhile, however, AAUP's national office was growing weak. During World War I, it chose not to defend academic freedom. Between 1949 and 1955, the AAUP general secretary Ralph Himstead gave no help to victims of Congress's House Committee on Un-American Activities and neglected more than a hundred casualties of Senator Joseph R. McCarthy's misguided witch-hunts in search of communists.

Later twentieth century America experienced attacks against academic freedom. Both secular institutions, public and private, and religious organizations, Jewish, Protestant, and Roman Catholic, have stifled or attempted to stifle professors. The Catholic University of America, for example, dismissed Father Charles E. Curran because of his views on ethics.

The battle over academic freedom has continued in the twenty-first century, and there is no indication that it will be resolved in the foreseeable future.

*Erving E. Beauregard*

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SEE ALSO: American Civil Liberties Union; Book banning; Censorship; Cold War; College applications; Communism; Loyalty oaths; Sedition; Truth.

## Accountability

DEFINITION: State of being responsible, liable, or answerable for one's thoughts or actions

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Systems of morality generally require accountability, either individual or collective, before ethical evaluations can assign praise or blame.

Accountability can be either individual or collective, but the latter has been much more controversial (for example, the alleged collective responsibility of Germans for Nazi atrocities). Ethicists usually believe that individual accountability applies to any free or voluntary act. Accountability is thus a key concept in morality and metaphysics.

A key doctrine that is related to accountability is compatibilism, the view that the causal determination of actions is consistent with moral responsibility for those actions. For example, a compatibilist holds that one would still be accountable for one's actions even if a scientist or a god could predict all those actions in detail. Compatibilism is a metaphysical doctrine that is relevant to ethics. Incompatibilists claim that the causal determination of one's acts would prevent one from having the freedom necessary for having moral accountability for one's acts. Metaphysical libertarianism (which is completely distinct from political libertarianism) endorses incompatibilism but allows for accountability by denying that acts are causally determined.

Another key doctrine here is the idea that "ought"

implies "can," which denies that an agent can be accountable for failing to do the impossible. Accountability assumes that there is a duty (that is, a responsibility or obligation) that one is to discharge. One can generally be held to account for failure to do one's duty. As Joseph F. Newton wrote, "A duty dodged is like a debt unpaid; it is only deferred, and we must come back and settle the account at last."

Accountability is a key concept in law, where ethical issues are often discussed in terms of liability. Strict liability implies that one is responsible even if one is not at fault. Thus, strict liability seems to be inconsistent with the doctrine that ought implies can. Vicarious liability is responsibility for harm done by another (for example, one's child). Product liability is a field of law that holds manufacturers and merchants accountable for defective goods that they sell. Legal liability is the most general term for exposure to being held to account by a court or other legal institution. To be legally liable is to be subject to punishment or to an order to provide compensation to at least help make up for one's infraction.

Accountability is a key concept in politics. The Left (liberals, socialists, and communists) often calls for increased social responsibility for corporations and social elites, and often criticizes the allegedly unaccountable power that corporations and elites wield. The Right (conservatives, traditionalists, and fascists) often calls for people to take more responsibility for their own actions, and often criticizes individuals for allegedly shirking their duties by claiming to be victims of circumstance or of society. The importance of accountability is thus something about which the political moralities of the Left and the Right seem to agree.

Some people argue that corporations cannot be accountable, because, first, they are not persons or agents that are distinct from corporate employees, and, second, praise and blame can apply only to distinct agents. Others argue that corporations are agents, since they have internal decision-making structures, which arguably provide enough of a chain of command for ethicists to attribute acts to corporations as distinct from merely attributing the acts to some individual or some subset of the corporation's employees. Some argue that the whole is greater than the sum of its parts in this case. Even if no single employee were held accountable for a bad result, for example, the corporation could still be held account-



able. Synergistic effects of individual acts of employees can produce corporate accountability for an immoral outcome. To deny this possibility would seem to be to commit the fallacy of composition, which assumes that whatever is true of each part of a whole (in this case, unaccountability) must be true of the whole as well.

*Sterling Harwood*

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SEE ALSO: Bad faith; Corporate responsibility; Duty; Libertarianism; Moral responsibility; Negligence; Responsibility; Social justice and responsibility.

## Accuracy in Media

IDENTIFICATION: Politically conservative nonprofit watchdog group that critiques news media coverage of political, social, legal, and economic issues

DATE: Founded in 1969

TYPE OF ETHICS: Media ethics

### Examples of Accuracy in Media News Stories

News stories posted on [accuracyinmedia.org](http://accuracyinmedia.org) in May, 2004

"Clinton, Character, and 9/11" (February 26, 2004)

"Fine Print of 'Stem Cell' Bill Goes Unreported" (January 9, 2004)

"Why Marriage Is Worth Defending" (December 26, 2003)

"How Bush Can Use the Media to Sink Kerry" (Apr 29, 2004)

"Big Media Back Kerry" (Apr 16, 2004)

"Media Admit Anti-Bush Bias" (March 31, 2004)

"How to Slant the News: NBC's Andrea Mitchell Distorts CIA Testimony to Benefit Democrats" (March 19, 2004)

"George W.: What You Didn't See on *Meet The Press*" (March 8, 2004)

"Ralph Nader Cannot Be Bought" (March 4, 2004)

"Pandora's Welfare Box: Do Not Open" (February 27, 2004)

"Vietnam Vets Mobilize Against John Kerry" (February 26, 2004)

"John Kerry Waffles Over Gay Marriage" (February 20, 2004)

"The Media's Credibility Gap" (February 17, 2004)

"Punishing Bush May Punish the Country" (February 10, 2004)

"The Media's Rush to Distort" (January 20, 2004)

"Fox News Fair and Balanced?" (November 6, 2003)

"Putting Words in the President's Mouth" (November 4, 2003)

"Media Bias Killing Our Troops" (September 29, 2003)

"Hillary Clinton's Biggest Cover-Ups" (August 11, 2003)

**SIGNIFICANCE:** One of the best-known American news media pressure groups, Accuracy in Media has been criticized for being more biased than the liberal news media that it criticizes.

Accuracy in Media (AIM) raises the issue of defining ethical news coverage of public issues. It has been financed through donations and dues paid by members and major conservative donors, such as billionaire Richard Mellon Scaife. AIM's staff and supporters monitor daily media coverage and provide news outlets immediate criticism of what they regard as instances of biased or otherwise unethical reporting. Staff members also solicit and regularly receive citizen complaints about perceived biased news coverage. The organization's nationwide activities include providing media guides, holding conferences, providing books and tapes to members, maintaining an intern program, and maintaining an information site on the World Wide Web ([www.accuracyinmedia.org](http://www.accuracyinmedia.org)).

AIM publishes a twice-monthly newsletter, the *AIM Report*. It also broadcasts a daily news commentary program, *Media Monitor*, over more than 150 radio stations throughout the United States; publishes a syndicated weekly newspaper column; and supports a speaker's bureau. AIM members are encouraged to attend the annual shareholder meetings of large media organizations and initiate mass letter-writing campaigns to newsrooms to complain about specific acts of biased or incomplete news coverage.

The organization also presents annual awards for what members judge to be outstanding examples of fair and accurate news coverage. Criticisms of AIM, often from activists on the political Left, charge the organization with being more biased and less accurate than the media they monitor. In part in response to AIM, political liberals established a rival media monitoring organization, Fairness and Accuracy in Reporting (FAIR), in 1986.

*Robert E. Dewhirst*

**SEE ALSO:** American Society of Newspaper Editors; Fairness and Accuracy in Reporting; Journalistic ethics; Media ownership; News sources; Photojournalism.

## Accused, rights of

**DEFINITION:** Procedural and substantive legal rights possessed by persons who have been formally accused of criminal acts

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** In the U.S. criminal justice system, persons accused of wrongdoing are presumed innocent until proven guilty and are entitled to certain rights, including fair trials. Balancing the rights of the accused against society's goal of bringing criminals to justice can create serious ethical dilemmas.

The American criminal justice system encounters significant ethical dilemmas when it attempts to balance the competing interests of the participants in its processes. On one hand, there are those people who have been accused of criminal acts. Even after they have been accused, they are supposed to be presumed innocent of the crimes until they have been duly convicted. Moreover, they are entitled to fair trials. This right is guaranteed by the Fourth and Fifteenth Amendments to the U.S. Constitution, which state that a person cannot be deprived of life, liberty, or property without due process of law. The U.S. Constitution does not specify, however, what constitutes "due process."

On the other hand, there is the right of society to punish those who violate its laws. In some cases, the welfare of victims must be considered as well. In addition, certain high-profile cases involve the media's First Amendment rights, as well as the public's right to be informed. It is often quite difficult to balance the rights the accused with those of society.

A specific situation that poses significant ethical issues is when one person is accused of sexually assaulting another and claims that the encounter was consensual. An example of such a case arose in 2003-2004, when basketball star Kobe Bryant was accused of raping a Colorado hotel worker. Bryant admitted having engaged in sexual intercourse with the woman but claimed the encounter was mutually consensual. In such situations, defendants often wish to present evidence of their alleged victims' sexual histories—just as Bryant's defense team did. From the defense standpoint, such evidence may be essential to proving that the alleged victims actually consented to the acts. However, if the crimes did actually

occur, the public presentation of such evidence may unfairly humiliate the victims. Courts frequently struggle with how to protect the defendants' rights to fair trials in such situations, without further harming victims.

Ethical difficulties are sometimes also evoked when criminal defendants appear to be mentally ill and consequently incompetent to stand trial. Prosecutors may wish to require them to take medications to treat their mental illness; otherwise, their trials might have to be postponed indefinitely. However, such defendants may invoke the right to make their own decisions about their medical treatment, especially as the medications they take may have significant side effects. Moreover, the defense teams may believe that forced medication will hinder their clients' rights to fair trials when the defendants plan insanity pleas, as the medications may alter a jury's perceptions of the defendants.

Even quite ordinary criminal cases raise ethical issues. For example, what means may be used to interrogate suspects, and what limits are to be placed on interrogations? What kinds of evidence may be admitted, and what excluded? What procedures ought to be used to ensure juries that are fair and that represent cross-sections of their communities? Some sorts of balance must always be made between the interests of people accused of crimes and the interests of those who may be harmed by criminal acts, and such balance is often difficult to achieve.

*Phyllis B. Gerstenfeld*

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SEE ALSO: American Civil Liberties Union; Arrest records; Erroneous convictions; *Gideon v. Wainwright*; Homeland defense; Jury system; Mental illness; Victims' rights.

## Acquired immunodeficiency syndrome (AIDS)

**DEFINITION:** Commonly known as AIDS, a physical condition believed to be caused by a virus of indeterminate origin that invades and seriously damages the body's immune system, leaving it vulnerable to a number of opportunistic infections and rare cancers

**DATE:** Discovered in 1981

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** The worldwide AIDS pandemic has highlighted a host of crucial policy issues including civil and human rights, confidentiality and privacy, accessibility to medical and social services, the drug trial and approval process, prisoners' rights, substance-abuse treatment, school-based sex education, equitable distribution of scarce resources, and international cooperation.

Acquired immunodeficiency syndrome, or AIDS, is a term given to a collection of life-threatening medical conditions that result from acquisition of the human immunodeficiency virus (HIV). Before 1981 the virus was unknown, and it is unknown how many cases of this disease occurred. In early 1981 eight cases of a rare, relatively benign tumor that affected older men, Kaposi's sarcoma, suddenly appeared in New York City. At the same time in New York and California, cases of a rare pneumonia caused by *pneumocystis carinii* were reported. Soon the Centers for Disease Control and Prevention (CDC) created a task force to study the situation. Many of the earlier cases occurred in gay men, and therefore the disease was initially dubbed the "gay compromise syndrome" or "gay-related immune deficiency (GRID)." Later the virus was also found among heterosexuals, and the syndrome's name was changed to acquired immunodeficiency syndrome, or AIDS. In 1984 the causative virus was isolated. By the first years of the twenty-first century, HIV disease was a worldwide pandemic.

#### THE WORLD PANDEMIC

By the beginning of 2003, 42 million cases of AIDS had been reported around the world, with 816,149 cases in the United States. From the beginning of the epidemic in 1981 until December, 2002,

467,910 deaths attributed to AIDS had occurred in the United States alone, while at least 3.1 million deaths had occurred elsewhere in the world. During the mid- to late 1990's, the rate of progression from HIV to AIDS slowed in the United States, due to advances in treatment. The result was that increasing numbers of people were living with HIV. By 2003, it was estimated that there were 800,000 to 900,000 people with HIV living in the United States, with 40,000 new cases reported each year. Worldwide in 2002, 5 million new cases of HIV were identified, and the epidemic showed no signs of decline.

### ISSUES OF LIABILITY

HIV is most commonly transmitted from one person to another through physical sexual contact. The second-most common method of transmission is blood-to-blood contact, followed by contacts between infected mothers and their children. Before 1985, HIV was transmitted through infected blood supplies and accidental needle pricks in health-care workplaces. Such accidents raise several issues of liability. First, a person suffering from the disease may indulge in behaviors that purposely transmit the virus to others, leading to criminal liability. Any of three types of criminal laws may be applied in such cases: traditional (such as attempted murder, aggravated assault, assault with a deadly weapon, or attempted manslaughter); criminal violations of public health statutes; and AIDS-specific criminal statutes.

Criminal prosecutions often pose ethical challenges by being essentially punitive acts directed toward victims of HIV/AIDS that do little or nothing for public health. Several issues pertain to civil liability. Tort law is the area of law that governs harms allegedly caused by a private individual or group of individuals against other private individuals. Tort laws vary from state to state and are usually based on previous cases or precedents. Civil liability for transmitting HIV/AIDS may occur for any of four reasons: negligence or lack of use of reasonable care to avoid harm to others, battery involving unwanted touching or infliction of injury on other persons, intentional infliction of emotional distress, and fraud.

### ISSUES OF DISCRIMINATION

HIV/AIDS raises a number of issues relating to discrimination. At the societal level, it is a disease that has a great stigma attached to it. That stigma is

enhanced by the popular association of AIDS with homosexuals—a fact that also enhances negative images of gay people.

People carrying the HIV virus have also been discriminated against when they have sought health care. However, the federal Americans with Disabilities Acts (ADA) of 1990 bans discrimination against HIV-infected persons at any stage of their disease. In addition various professional codes such as the American Nurses Association Code also encourage respect for human dignity and prohibit discrimination against carriers of HIV. Nevertheless, there is evidence that many health care workers so fear HIV/AIDS that they prefer not to care for persons with the disease.

Discrimination against people with HIV/AIDS has also been an issue in public accommodations, including hotels, restaurants, theaters, and nursing homes. Title III of the ADA protects HIV carries from such discrimination; however, violations of the law have been common. An even more serious issue is employment discrimination, which is also covered by the ADA. HIV infection is considered a disability, and employers are obligated to provide reasonable accommodations for persons carrying the virus. Another controversial issue is the placing of limits or caps by employers on the amount of health insurance coverage provided to HIV sufferers.

Housing discrimination is also an issue. Despite the fact that HIV cannot be transmitted through casual physical contact, people with HIV have been discriminated against in housing allotments. This, too, violates federal laws. For example, the Fair Housing Act of 1968 is designed to prevent landlords and real estate agents from discriminating against potential tenants on the basis of race, color, religion, sex, family status, national origin, or handicap. AIDS is considered a handicap under section 504 of the Rehabilitation Act of 1973. In addition there are state and local laws that prohibit housing discrimination due to HIV/AIDS.

### INDIVIDUAL LIBERTIES

The U.S. Constitution has many provisions protecting the rights of citizens to pursue their goals without restraints from others. Confidentiality and privacy are important ethical considerations within the broader framework of liberty. Health care professionals are ethically obligated to protect confidential

information about their patients. Professionals who provide counseling before and after HIV testing procedures are also expected to maintain complete confidentiality of the results. However, diagnoses that turn up positive results can pose serious ethical dilemmas. The fact that health care professionals are expected to protect the privacy and confidentiality of their patients leaves open the question of who is ethically responsible for alerting the sexual partners of persons who test positive for HIV.

In HIV/AIDS, as for any medical condition, health care providers cannot perform examinations, conduct treatments, or even touch patients without their consent. This doctrine of informed consent is grounded under the overall principle of autonomy and respect for people. *Autonomy* is a Greek word that means self-governance or self-rule. Health care professionals are obligated to provide to their patients details of treatment and medical procedures to be performed, accurate descriptions of the potential risks and benefits of the procedures, explanations of alternative treatments or procedures, and assessments of the likelihood of success. After receiving this information, patients who decide they do not want the procedures or treatments to be performed may choose to reject them. All adults with decision-making capacity who suffer from HIV/AIDS have the right to self-determination in their medical treatments and care.

The increasing numbers of women diagnosed with HIV/AIDS, many of whom become pregnant, raise additional ethical questions. For example, should legal restrictions on abortion be loosened for pregnant women?

### EDUCATION AND RESEARCH

Efforts to educate the public on the dangers of AIDS often collide with other public-education goals. For example, encouraging young people to practice safer sex and to use condoms is seen by some as condoning adolescent sexual activity. Providing drug users with free hypodermic needles to reduce the transmission of diseases may be seen as condoning illegal drug use.

Medical ethics require that researchers obtain the informed consent of their subjects. However, since no complete cures of HIV infection are known, persons carrying the virus may be inclined to accept unsafe risks in the hope of finding a cure. Researchers

must be sensitive to that fact in evaluating their subjects' understanding of the risks they may take.

In any society there are some that have easy access to resources while others do not. Despite the illegality of discrimination in access to care, poor persons find it very hard to have access to enough resources. This disparity is even more glaring at the global level. Some of the poorer nations in Africa have a higher burden of this disease and very scarce resources to cope with the problem.

*Manoj Sharma*

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SEE ALSO: Americans with Disabilities Act; Health care allocation; Homosexuality; Medical ethics; Medical research; National Gay and Lesbian Task Force; Promiscuity; Sexually transmitted diseases.

## Adultery

DEFINITION: Sexual relations by a married person with someone other than the person's own spouse

TYPE OF ETHICS: Personal and social ethics; religious ethics

SIGNIFICANCE: Adultery is widely perceived as a practice that undermines the basic social institution, the family, causing both innocent spouses and children to suffer trauma.

Taboos, or at least prohibitions, against adultery exist in virtually every society, both past and present—the taboo is about as common as marriage itself. Under Mosaic law, a married man who had intercourse with a single woman was deemed not to have committed adultery, but a married woman who had sex with someone other than her spouse *was* deemed guilty. Furthermore, punishment varied according to time and place, with women usually receiving harsher “discipline” than the male. Under the ancient Babylonian Code of Hammurabi punishment for adultery was death by drowning.

In ancient Greece and Rome, men were not harshly dealt with, but offending female spouses could be punished by death. Likewise, in the Old Testament and in the Qurʾān, offending women were killed, while punishment for men was much less severe. Under ancient Hindu law, marriage was so sacrosanct that even a wife's adultery was *not* grounds for ending a legal union. At the time of Oliver Cromwell in mid-seventeenth century England, authorities put adulterers to death, but afterward, under English common law, adultery was held to be a private wrong, not an indictable offense.

Among the Senoufo and Bambara peoples of West Africa, a man may kill his adulterous wife and her lover, but among the Kaka in Cameroon, a man may freely have sex with the wives of certain relatives without punishment. Among many Pacific islanders, as among certain Pueblo Indians, nonincestuous adultery is common and is tolerated if

the actors are discreet and secretive. Wife “lending” is a common practice among the Eskimos.

### ADULTERY IN THE UNITED STATES

Although “reform” laws passed by enlightened state legislators have “softened” legal punishments for adultery, in most states the practice is still grounds for divorce, especially when combined with the “general breakdown” charge or the “mental cruelty” charge. Until recently, Virginia fined adulterers twenty dollars for the first offense, while repeat offenders could be sentenced to prison for terms of from six months up to one year. Vermont's legal code once held adultery to be a felony punishable by up to five years in prison—for both offenders. Various other states, such as Oklahoma, once had “alienation of affection” codes (that is, an innocent spouse could sue and collect money damages from the guilty spouse's companion, who presumably caused such “alienation of affection”); such laws amounted to a “seduction” code for all would-be seducers of married people. Most states, however, have repealed many of the old punishments; unfortunately, incidents of adultery in the United States seem to have skyrocketed—or at least the reporting of such behavior is now more widespread than was the case previously.

### EXTENT OF AND EFFECTS OF ADULTERY

Many authorities in the United States agree that approximately 50 percent of all married persons commit adultery. In addition, more commit “infidelities” that may well stop short of intercourse. Such escapades include “flirting” (done in front of the spouse to make him or her insecure and upset) and “psychic infidelity” (a man telling his mate about the beautiful secretary whom he has just hired; a woman telling her spouse about the handsome young man who is her new tennis coach).

Although most people seem to cope well with psychic infidelity, others become jealous. Jealousy leads to more and more suspicions and may also lead to vitriolic quarrels, with the result that a marriage may be permanently undermined; when the adultery is “real,” the strain on a marriage becomes even more pronounced. It is, then, no surprise that the modern American divorce rate is close to 50 percent, the same percentage as that of adultery. In the case of a parent who commits adultery, the children may suf-

fer most by having to cope with a broken home and by living in a poisoned atmosphere created by the adulterer.

### EXCEPTIONS

In some cases, adultery—as it narrowly defined—may be sanctioned by certain spouses. For example, some married women (and men) become prostitutes with the approval or at least the toleration of their husbands. Sometimes, married “swingers” engage in mate swapping or group orgies. Likewise, psychologists have reported cases wherein heterosexual couples allow each other to take on homosexual lovers, because they believe that no “real” sex with such partners can take place. Indeed, enough mutual adultery apparently occurs that psychologists and other therapists exempt such cases from the “body count” of adultery.

### ADULTERY AND ETHICS

Clearly, adultery often destroys families, leaving spouses and children in disaster’s wake. Certainly, the practice contributes to social disorganization in the United States and elsewhere. Many analysts hold, however, that adultery does not solve the problems of the adulterer (whatever they might be); to solve those problems likely would involve hours of counseling and a look at the previous life of the perpetrator. Adultery is a moral and medical problem of the first magnitude that most people believe society should examine more closely.

*James Smallwood*

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SEE ALSO: Clinton, Bill; Divorce; Loyalty; Marriage; Premarital sex; Promiscuity; Prostitution; Sexual abuse and harassment; Sexual revolution; Sexuality and sexual ethics; Sexually transmitted diseases.

## Adversary system

**DEFINITION:** System of law in which opposing parties appear before a neutral tribunal; the parties have equal rights to present evidence, examine witnesses, and compel the attendance of witnesses

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The adversary system rests on the judgment that a neutral tribunal is more likely to be fair in both criminal and civil cases than a panel of judges or other government officials would be; this is a much debated proposition, since administrative law systems exist nearly everywhere in the world other than the English-speaking countries.

In the adversary system of justice, a neutral, independent judge presides over a criminal trial. The judge is said to be independent because his or her tenure does not depend on executive or legislative officials. Federal judges in the United States are appointed for life; state judges are either elected or appointed for life or for other long terms. In trials of serious crimes, moreover, defendants have the right to have the facts determined by an impartial jury of laypeople. Both the prosecution and the defense have the right to present evidence, cross-examine witnesses brought by the other side, and argue their side of the case to the fact finders. Defendants need not testify in such trials if they do not wish to. In the United States and England, this form of trial is believed to be the most just.

*Robert Jacobs*

SEE ALSO: Arbitration; Attorney-client privilege; Divorce; Due process; Jurisprudence; Jury system; Law; Lawyer for the situation; Perjury.



## Advertising

**DEFINITION:** Public promotion of goods or services designed to increase their sales, directly or indirectly

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** Advertisers have a financial stake in crafting their messages in ways that persuade consumers to buy their products. At the same time, they also have a responsibility to craft their messages in ways that do not take unfair advantage of prospective consumers or competitors, or negatively influence vulnerable populations, such as children.

The ethics of advertising are professional ethics, not theoretical ethics. They operate to serve various loyalties, to clients, advertising agencies, consumers, and society in general. Often, the identified constituents have different—and conflicting—needs that must be balanced. Moreover, advertising is ubiquitous, pervasive, and influential, so its potential effects should be considered when determining what level of corresponding responsibility should accompany it.

### ADVERTISING AS COMMUNICATION

Advertising is one of the oldest forms of mass communication. Since the days of the European town crier, advertising has carried messages of people who things to sell to people who might want to buy those things. The modern American advertising industry is a multibillion-dollar business, and advertising messages are inescapable. In addition to advertising's role in providing information to potential consumers, it may be argued that advertising can have a profound influence on societal values and norms.

Advertising influences the target audience's worldview. Consumers who routinely see stereotypical images and unrealistic depictions of physiques and relationships in radio and television commercials, magazine ads, and other forms of advertising may blur the lines between reality and fantasy. Advertising can promote materialism by keeping images of bigger, better, new, advanced, and the latest "must haves" in front of consumers. Advertising can also influence the self-images of people who receive its messages. Advertisements usually depict beautiful, young people enjoying life with the help of such

products as the right toothpastes, the right shampoos, the right clothes, and the right cars, and against the glamour of the people using those products in advertisements, the average person rarely measures up.

### ADVERTISING AS BUSINESS

Advertising supports the free market. Businesses attempt to increase their profits by increasing sales, and advertising can place sales messages in front of the audiences who are most likely to respond. Increased sales of products can lead to lower prices, and that in turn can aid consumers. It is thus clear that both marketers and consumers both can benefit from advertising.

According to social contract theory, businesses exist not only for their own profit but also for the benefit of their consumers, and they are thus accountable to their consumers. In addition, much advertising is the product of advertising agencies, and advertising agencies expect practitioners to be loyal to the agencies, which are also businesses that operate for profit in their own right.

### PROFESSIONAL CODES OF ETHICS

The advertising industry has several professional organizations that publish codes of ethics as industry guidelines. These organizations include the American Association of Advertising Agencies, the American Advertising Federation, the Promotional Products Association International, and the Outdoor Advertising Association of America. Professional journalism organizations also publish guidelines on advertising as well. Guidelines may be stated as "action-guides," moral statements that are prescriptive, are normative, and direct people toward particular actions while keeping them from other actions.

The American Association of Advertising Agencies developed a creative code to support healthy competition. Specifically, the code stipulates that association members should not knowingly create false, misleading, or exaggerated claims; dishonest testimonials; misleading price claims; unsupported claims; or content offensive to decency or members of minority groups. The code also stipulates that comparative advertising be truthful, substantiated, and tasteful. Ads that compare an advertiser's products and services with those of the competition may be helpful to consumers but must be handled fairly. Dishonest testimonials are from people who do not actually use

the products that they tout or who have hidden conflicts of interest.

The American Advertising Federation created “The Advertising Principles of American Business,” a document that cautions members in eight areas. It stipulates that advertisers should be truthful, be prepared to substantiate claims, avoid untruthful comparisons, refrain from bait-and-switch advertising, offer specific information about guarantees and warranties, avoid false or misleading price claims, limit testimonials to real and competent witnesses, and avoid content that is offensive or indecent. Substantiation is a legal consideration as well, and advertisers are expected to have prior proof before making claims in advertising.

The Promotional Products Association International, a specialty advertising trade group, focuses its guidelines on customer service. It asks its members to offer quality products and services and to work toward complete customer satisfaction. The Outdoor Advertising Association of America is an organization of owners and operators of standardized outdoor advertising displays. Its code focuses on the responsibility of advertisers to ensure that outdoor displays do not detract from their surroundings. It specifically stipulates that members refrain from placing advertising displays in areas of natural scenic beauty, parks, or historical monuments and requires that members follow regulations and zoning laws. Members may erect advertising displays only on properties that they lease or own, and the displays must be truthful, attractive, and consistent with high moral standards.

Sweepstakes competitions are often attention-getting promotions used by advertisers, and the Magazine Publishers of America even has a code for ethical sweepstakes promotions. Critics have charged that the advertising industry has marketed sweepstakes in ways that are confusing to consumers. The guidelines outline specific components of contest solicitations and state that each component should be easy to read and understand, that the individual’s chances of winning should not be overstated, and that recipients of the promotions should not be duped into ordering or extending their magazine subscriptions by being

led to believe that doing so will enhance their chances of winning the competitions.

### **TWENTY-FIRST CENTURY ISSUES**

The codes of ethics outline valuable lists of do’s and don’ts for advertising professionals. However, as society has evolved, additional ethical issues have emerged. For example, only during the late twentieth century did the advertising industry begin to make a large-scale effort to depict members of racial minorities in advertisements targeting the general population. Minorities had long been token representatives

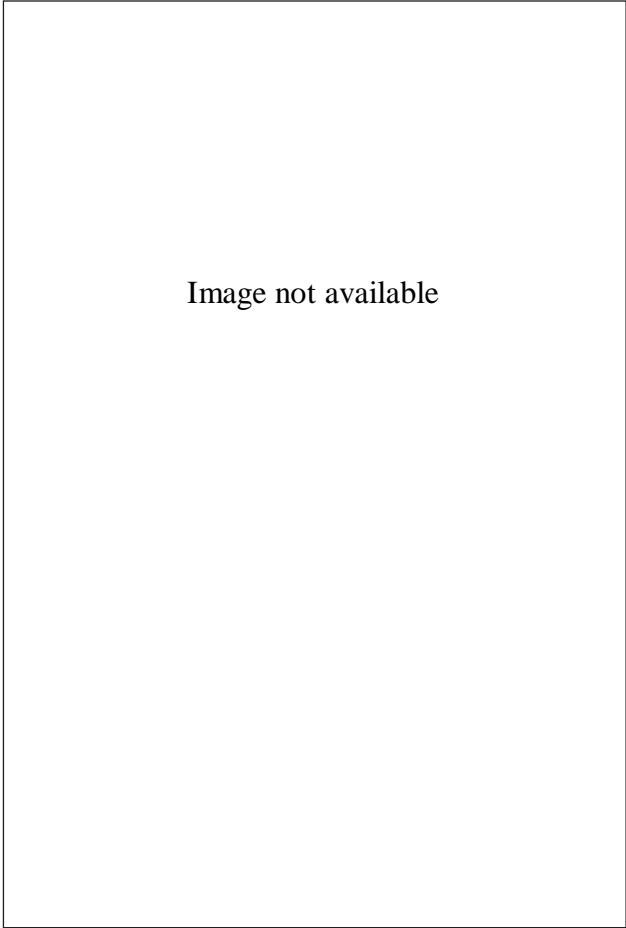


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*Long before he entered politics, future president Ronald Reagan was one of many film stars who used his celebrity to help make smoking appear glamorous. Another Chesterfield advertisement of the period showed Reagan wrapping cartons of cigarettes as Christmas gifts to all his friends. (AP/Wide World Photos)*

### Ethics Challenges for Advertisers

The Better Business Bureau is a nationwide network of businesses that was founded in 1912 for the purpose of improving ethical relationships businesses and the public. To that end, it has posed these questions to advertisers:

- Does your advertising make your customers satisfied they do business with you?
- Are you avoiding impossible promises and guarantees?
- Is your advertised merchandise readily available?
- Do you mean to sell what you advertise?
- Do your ads avoid misleading inferences?
- Do your advertised terms agree with the facts?
- Is your advertising easy to understand without asterisks and fine print?
- Do you believe your own comparatives?
- Would you be attracted by what your ad says?

Source: Better Business Bureau (<http://www.bbb.org/bizethics/tips.asp>)

in popular media, but the failure to include them in general interest advertisements projected narrow views of American society.

Ads also long employed stereotypes to make points. For example, the Frito-Lay Corporation once used a character called the “Frito Bandito” to advertise its corn chips. The Frito Bandito provided an attention-getting and easily remembered product icon, but at the cost of reinforcing negative stereotypes of Mexican Americans as criminals. Advertisements that objectify women and men are common. For example, ads may depict human bodies without heads or show a satiny-smooth human shoulder and arm that are not connected to the rest of a body. Critics charge that such ads are destructive in that they promote the practice of viewing individuals as body parts rather than as whole people.

Political advertising has its own issues. Political advertising plays an important role in society and can directly influence political outcomes. Political ads that commonly receive criticism are those that rely only on emotional appeals rather than providing information that can be evaluated by the receiver and

those that distort opponents’ records. Subliminal messages have also been criticized, although it is unclear whether or not subliminal messages have any impact on the audience. During the 2000 election, the George W. Bush presidential campaign pulled a Republican National Committee ad that criticized opponent Al Gore’s plan on prescription drugs and used subliminal messages to tell television viewers that the opponents were the “bureaucRATS.”

Another controversial issue is the manner in which advertisers target vulnerable populations, particularly children. Advertisers have been criticized for targeting children through ads promoting movies they are too young to view and through ads promoting cigarettes to children too young to buy tobacco products legally. RJ Reynolds’s Joe Camel campaign ended because of the cartoon character’s popularity with the younger set. Young children spend a lot of time watching television and, in some cases, listening to the radio. Many advertisers are cognizant of their younger audience members and refrain from exposing them to vulgar, age-inappropriate content.

Some debate has centered on advertising to older persons and members of minority groups. Direct mail, in particular, has been used to get the attention of older people who are in the habit of opening official-looking envelopes and who may confuse advertising materials with official business documents. On the other hand, because older persons are not children, many people would argue that they should not need to be protected from advertisers.

Another controversial type of advertising is “advertorials”—advertisements packaged to look like news. Advertorials blur the lines between advertising and news and can confuse people who are exposed to a diverse variety of nontraditional sources of news. For example, audiences who are accustomed to network news, cable news channels, entertainment news, and other sources may not readily distinguish advertorial programming from genuine news programs because the presentations are similar. To avoid confusion, most advertorials, or “infomercials,” include disclaimers. In addition, many news departments have guidelines designed to protect the editorial process from the influence of the advertising department.

Unusual situations may develop when advertisers try to get audience attention with shock tactics. People for the Ethical Treatment of Animals (PETA) once produced an advertising campaign called “The Holocaust on Your Plate,” which showed pictures of naked concentration camp inmates alongside pictures of abused animals. Its caption read, “To animals, all people are Nazis.” The ad succeeded in attracting attention but offended many people, especially Jews, who thought that it trivialized the Holocaust. PETA supporters maintained that people are animals, too, and that animals should get similar protection.

The terrorist attacks of September 11, 2001, negatively affected many businesses in America. After the attacks, many corporations ran ads to offer condolences for the victims of the attacks and to express hope for the future of the country. However, some of these advertisements also tied into commercial pitches that critics saw as attempts to capitalize on tragedy. For example, General Motors ran a “Keep America Rolling” campaign that offered consumers zero percent financing on new vehicles. The ad attempted to link buying a new American car with being patriotic, but the link was weak.

Pharmaceutical companies have long advertised their products to doctors and other medical professionals. During the mid-1990’s, the industry began greatly increasing direct advertising appeals to consumers. This trend spurred a debate in the medical community, because some say that direct-to-consumer advertising puts incomplete information in the hands of people with medical problems who may not be trained to interpret it. Other observers, however, have said that it is valuable for patients to know their medical options and to be able to ask their doctors about advertised medications that may help them.

Finally, Internet advertising has opened up a new way for advertisers to reach audiences, and a new set of issues has arisen. Unsolicited e-mail, or spam, clogs the in-boxes of millions of Internet users daily, and companies are devising ways to help users filter out unwanted messages. Opt-in options give users the opportunity to ask to be added to e-mail mailing list. Opt-out options give the user the opportunity to ask to be deleted or unsubscribed from e-mail lists, but they assume tacit approval unless the messages are received. Opt-out options require users to take steps to avoid receiving unsolicited e-mail.

## LEGAL CONSIDERATIONS

The Federal Trade Commission regulates the American advertising industry and has the power to constrain and punish advertisers who create ads that are deceptive, fraudulent, or misleading. In addition to ethical considerations, advertisers must consider legal ramifications of their advertising. Many consumers are suspicious of advertisers who have financial stakes in their buying decisions; however, ethical advertising can serve needed functions for businesses and consumers alike.

*Alisa White*

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## Advice columnists

**DEFINITION:** Journalists who offer advice on wide-ranging topics in columns that are typically syndicated in many newspapers and magazines

**DATE:** The first advice column appeared in 1901

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** Influential columnists can profoundly affect the attitudes and behavior of their readers, even though the columnists may lack expertise in their subjects or exhibit bias.

In 1901, the *New York Journal* began publishing the first nationally recognized advice column, "Dorothy Dix Talks." For fifty years, Dix dispensed advice to lovelorn, confused, and worried readers. For the most part, she avoided difficult and taboo subjects. However, by the 1950's, when Ann Landers and her twin sister, Abigail Van Buren, began their long careers as advice columnists, America had changed. Landers and Van Buren were able to take on more sensitive issues than Dix ever discussed, such as homosexuality, abortion, abusive parenting, and premarital sex. The two women enjoyed immense success, but not without criticism. While nei-

ther Landers nor Van Buren had any formal training in psychology or counseling, their status as widely syndicated and respected columnists gave them the appearance of authority. Their popularity alarmed many mental health professionals, who often disagreed with the advice the columnists provided. For example, Landers initially regarded homosexuality as an illness, even though the American Psychiatric Association had concluded otherwise. Landers later softened her stance on that subject, but only after homosexuality began to gain wider acceptance in America.

Twenty-first century advice columns are more popular than ever; they also tend to be more specialized. Readers want specific advice from experts in health, the law, technology, investing, and other subjects. Even personal advice columns—the successors of Dix, Landers, and Van Buren—have become more narrowly focused, targeting limited demographic groups. This has raised new issues. Columnists, unlike other journalists, deal in opinions as well as facts. However, while facts may be checked, opinions are easily subjected to manipulation. With the proliferation of specialized and technical columns, it has become more difficult for newspaper and maga-

Image not available

*Advice columnists Ann Landers (left) and her twin sister, Pauline, better known Abigail Van Buren of "Dear Abby" fame, at their fiftieth high school reunion in 1986. (AP/Wide World Photos)*



zine editors to “backstop” their columnists, challenging assertions and rooting out bias.

Columnists are particularly prone to conflicts of interest. Lawyers writing columns on law may suggest that home buyers should hire lawyers to review their sales documents, knowing full well that this may bring new business to their own law firms. However, this relatively benign form of conflict of interest pales in comparison to scandals in the securities industry, where investment columnists have touted specific stocks that they themselves, or their employers, own and from which they hope to profit from future eventual sales.

Technology is providing a sea change for advice columnists. With the Internet, anyone can claim to be an expert and give advice. In consequence, ethical constraints on advice columnists will be further eroded.

*Robert L. Palmer*

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## **Affirmative action**

**DEFINITION:** Aspect of government programs designed to increase the participation of statistically underrepresented groups in education, employment, and public works

**DATE:** Concept developed during the mid-1960's

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** Affirmative action programs have promoted cultural diversity and reduced invidious discrimination against women and members of particular racial minorities; however, other persons frequently feel threatened by the programs.

The federal Civil Rights Act of 1964 and similar laws of the states prohibit employers and educational institutions from discriminating against individuals on the basis of race, national origin, or sex. Initially, the term “affirmative action” referred simply to employment policies designed to enforce these laws and ensure equal opportunities for members of groups that had historically encountered prejudicial attitudes and discriminatory practices. However, as these groups, especially African Americans, continued to experience subtle forms of discrimination, regulatory agencies and courts began to consult statistical data when assessing compliance with the laws.

By the early 1970's, the term “affirmative action” was being applied to aggressive programs of recruitment that could be evaluated on the basis of quantitative results. Most programs included racial and gender preferences, and some utilized “quotas” or “goals and timetables.” Arguing that the programs contradicted the principle of equal opportunity, white men often claimed to be victims of “reverse discrimination.”

#### **MORAL ARGUMENTS**

Almost all modern ethicists endorse the ultimate goal of an equality of opportunity for every individual, without regard to characteristics such as sex, ethnicity, or religion, except in special situations in which such characteristics are relevant. Because of the pernicious consequences of past discrimination, however, defenders of affirmative action policies argue that some preferences will be necessary for a limited period of time in order to level the playing field. In contrast, opponents insist that discriminatory practices are inherently unjust, even when used as a means toward a just goal.

Proponents tend to believe that racism and sexism are profoundly entrenched in American beliefs, practices, and attitudes. Believing that white males are beneficiaries of unacknowledged privileges, moreover, they typically assume that women and minorities, except for invidious discrimination, would oc-



cupy prestigious positions in rough proportion to their numbers. Some radical proponents justify affirmative action as atonement for past discrimination and argue that justice demands “equality of results” rather than “equality of opportunity.”

Opponents, in contrast, usually argue that the relative successes of various groups are more influenced by culture than by invidious discrimination. As an example, they point to the conspicuous achievements of Jewish Americans and Asian Americans in the liberal professions, in spite of continuing discrimination. Believing that some groups will always excel in particular endeavors, the opponents conclude that preferential treatment, once begun, will continue indefinitely. From their perspective, it is wrong to penalize an individual person because of membership in a group judged to be excessively successful.

Many libertarians view affirmative action as a pernicious example of “social engineering” that denigrates individual freedom, and they insist that the value of liberty is more basic than equality. Persons committed to the idea of meritocracy usually concede that government has a legitimate interest in promoting equal opportunity, but they strongly oppose the notion that government should decide on the statistical representation of groups in various professions. A basketball team, for instance, is more likely to win if it recruits its players strictly on the basis of their ability to play basketball.

Moral debates about affirmative action frequently deal with questions about which persons should be beneficiaries. One problem is that racial classifications are socially defined and constantly changing. Another problem is that affirmative action tends to limit the opportunities of white males raised in poverty, while preferences sometimes go to women and minorities from relatively higher socioeconomic backgrounds. Proponents insist that race and socioeconomic class are closely correlated and that, in any case, discrimination has significantly limited the opportunities of women and minorities of all classes. One suggested compromise is to base affirmative action programs primarily on socioeconomic status rather than race or sex.

### LEGAL CONTROVERSIES

The literal words of the “equal protection” requirement of the U.S. Constitution and almost all

civil rights laws appear to require race neutrality and to extend equal rights to all citizens, including white men—who are generally regarded as the least disadvantaged people in the society. Proponents of affirmative action, however, argue that these legal documents must be interpreted in accordance with their primary objective, which is to achieve equality for African Americans and other victims of long-standing discrimination. Proponents emphasize that affirmative action programs, in contrast to earlier Jim Crow discrimination, do not totally exclude any persons or deny their full human dignity.

During the late 1970’s, the U.S. Supreme Court approved several aggressive programs of affirmation action. In *Regents of the University of California v. Bakke* (1978), the Court examined a competitive medical school’s policy of reserving a fixed percentage of admissions to members of disadvantaged minorities, even if those applicants’ qualifications were less impressive than those of some white applicants who are denied admission. Although the Court disallowed the use of specific quotas, it endorsed admissions policies that gave some consideration to race in an attempt to promote a diverse enrollment. In *United Steelworkers v. Weber* (1979), the Court allowed a private employer to utilize a racial quota rather than seniority in order to achieve a minimum number of skilled African American workers.

By the 1990’s, there was a strong public backlash against affirmative action programs. In 1996, California voters approved Proposition 209, which prohibits state institutions, including universities, from giving any preferences based on race, ethnicity, or sex. Likewise, the U.S. Supreme Court held that a number of affirmative action programs were discriminatory. In *Adarand Constructors v. Peña* (1995), the Court ruled that all race preferences were inherently suspect and must be narrowly designed to further compelling governmental objectives. For several years it appeared that the Court might strike down all race-based preferences. In *Grutter v. Bollinger* (2003), however, it allowed educational institutions to take race into account as a “plus” factor in order to obtain a “critical mass” of minorities. However, it also prohibited rigid quotas, required individualized evaluation of each applicant, and called for the end of all preferences in twenty-five years.

*Thomas Tandy Lewis*

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## African ethics

**DEFINITION:** Traditional, indigenous African views of the natural and supernatural worlds and their effect on morality and practices

**TYPE OF ETHICS:** Beliefs and practices; religious ethics

**SIGNIFICANCE:** The traditional African approach to ethics has grown out of religious, philosophical, and cultural beliefs shared by a significant percentage of the world's population.

Although Africa is made up of many countries and societies, a common thread runs through most of its peoples' indigeneous religious and philosophical concepts. It is in putting these concepts into practice that each society establishes its distinguishing mark.

Africa is the continent on which humanity originated, and religious and philosophical ethics in Africa date back to as early as 4000 B.C.E., when the

priests and inhabitants of the Nile Valley reasoned that the best way to inculcate religion and morality in the minds of the people was through drama. The priests wrote hieroglyphic texts that established the existence of gods and goddesses and pondered the moral question of human mortality by viewing death as the ascent of the soul of the dead to immortality, and by posing the possibility of the physical resurrection of the dead. That belief that the dead live has continued through the ages in various African traditional and cultural practices, including deification, reincarnation, divination, prayers, ancestral masquerades, and the cult of the living dead. Although most African civilizations did not develop writing until after they interacted with Muslim and Christian travelers, traders, and missionaries, religious and ethical ideas were passed down orally and through practice and observance from one generation to another by parents, guardians, elders, age-groups, and socioreligious institutions.

### CHAIN OF EXISTENCE

In 1977, the second World Black and African Festival of Arts and Culture was held in Lagos, Nigeria. As part of that festival, a colloquium on "Black Civilization and Religion" was held. Its report was published among the proceedings of the *Colloquium on Black Civilization and Education* (1977). Among other things, the report determined that belief in a universe where everything is living and strong, in the existence of two worlds of which one is visible and the other invisible, and in the interdependence of being and a fundamentally vital unity in spite of the existence of hierarchy are essential elements of doctrine in African traditional religion. It also pointed out that the sacred, invisible world is made up of a Supreme Being, spirits, ancestors, and cosmic forces. This makes possible the creation of a chain of being in the level-belief system that stretches hierarchically from the highest—that of the Supreme Being (God)—through the supernatural world of spirits (divinities, spirits per se), ancestors, and cosmic or earth forces to the mundane world of humanity and animate and inanimate beings.

The Supreme Being, who is omniscient, omnipotent, omnipresent, and immortal, is the ultimate creator of humanity and of everything in existence. He created male and female, and the colors of people's skins are explained by the colors of clay that



the Supreme Being used in fashioning them. To ask about the Supreme Being's origin is deemed foolish and disrespectful, and it is fundamentally assumed, not argued, that he created the universe. Because the universe is the Supreme Being's by virtue of his creating it, it is a religious universe, and no strict separation is made between sacred and secular affairs. The seal of the Supreme Being is found in the most secular and the most sacred, as is seen, for example, in the person of the monarch, who is both secular (political figure) and sacred (divine deputy with religious rights).

Next to the Supreme Being are the spirits, who are referred to as divinities, deities, or simply gods. They are the Supreme Being's associates and ministers. Some of them are dead national heroes or heroines and legendary figures who have been defined and are associated with aspects of nature and of cultural life. For example, Sango (or Shango) of the Yoruba people of Nigeria is the god of thunder and lightning, who represents the Supreme Being's wrath, while the Zulu of Southern Africa have a goddess described as the queen of Heaven, from whom emanates the beauty of the rainbow. The queen of Heaven taught

women the culinary arts, feminine responsibility, and gracefulness.

The members of another category of spirits, next in hierarchy to the divinities, are generally called spirits. They are superhuman beings that were created to assist the deities. Some of them are human ancestors who have lost touch with their earthly lineage over the ages and have risen to the spirit status, which is higher than that of the ancestors. There are myriad spirits, some of whom inhabit trees, animals, rivers, and mountains and are generally referred to as nature spirits. Spirits can possess human beings and do possess mediums when solicited. Although invisible, they can appear to humans, especially priests, diviners, and shamans,

Ancestral spirits (simply called ancestors or the living dead) are deceased family elders who are still fondly remembered by name and deed and are honored with libations and prayers by the living. From their spiritual abode, they participate in the affairs of their descendants. They are revered as part of the family; they protect it and are called upon as guardians of morality and as witnesses at important events such as marriages and the resolutions of family feuds. They are humanity's closest links to the supernatural world, and they demonstrate in the African tradition that there is life after death.

Usually, human beings are next in the hierarchical structure, followed by animals, plants, earth, and water. There is some fluidity here, because when animate and inanimate objects are occupied by spirits or "cosmic powers," they assume a higher position than that occupied by humanity. In ordinary life, however, human beings rank higher. A child that is being formed in the womb is considered a human being; Banyarwanda women of Rwanda believe that the Supreme Being "shapes children" in the mother's womb. The chain of being is rounded out by rain, the sun, the moon, stars, and other natural objects and phenomena.

Each element of the chain of being is very important to the whole, because it helps to sustain harmony. This is underscored by the fact that what brings up the rear in the chain is linked to the Supreme Being directly. The Akan people of Ghana, the Galla of Ethiopia, the Nandi of Kenya, and the Ovambo of Namibia are among the peoples who see the sun, moon, and stars as the eyes of the Supreme Being, while the Shona of Zimbabwe view the cotton softness of the cloud as his bed.

Irreligious, immoral, and antisocial activities such as murder, ritual impurity, incestuous relationships, adultery, wanton destruction of nature, irresponsible acts, and disrespect to older people could create disharmony in the chain of existence. This could cause epidemics, droughts, deaths, and natural disasters if not detected and corrected. Priests and priestesses, who may combine their vocation with rainmaking, divining, mediumship, and medicine, often function to restore harmony.

### THE ORDERLY UNIVERSE

John S. Mbiti has shown that Africans view the universe as one of harmony, order, and logic and that this orderliness comes from and is maintained by the Supreme Being. Natural laws govern everything. Among human beings there are moral and religious orders. It is believed that the Supreme Being instituted the moral order. The Zulu, Nuer, Ila, Lugbara, Nuba, Etsako, and Edo peoples believe that the Supreme Being established their customs, laws, and regulations so that people could live in harmony with one another and know what is right and wrong as they live a dutiful and responsible life.

Because the universe is created by the Supreme Being, it is necessarily imbued with a religious order. It is directly or indirectly (through social institutions, sanctions, and natural law) controlled by him. Through prayers, ceremonies, rituals, blessings, sacred places, objects, and personages, humanity actively engages the religious order of the universe.

Africans also believe that there is a mystical order or power that is closely linked to the religious order of the universe because it comes from the Supreme Being; it can be tapped into by spirits and by some human beings. The order shows itself in the ability of some Africans to predict events accurately, to perform miracles and wonders, to be telepathic, and to ward off evil. It can also be negatively used to bring misfortune and harm to people and property. Africans believe in the reality of witches and sorcerers, and especially in their power to bring illness, infertility, suffering, failure, death, and general calamity. Their power comes from tapping into the mystical force of the universe and directing that energy toward evil deeds.

Although humanity is at the center of the African concept of the universe, human beings are not seen as the masters of nature. They are simply nature's

friends and the recipients of its riches, which they must use judiciously. Humans are required to live harmoniously with the universe by obeying its natural, moral, and mystical laws. Humankind suffers when this harmony is upset.

### **CORPORATE VALUES**

African religious and ethical behavior seems to be guided by the following philosophy: "I am because we are, and since we are, therefore I am." The individual does not exist except in a corporate manner. Each person exists because of other people, including that person's family and people of past and contemporary generations. Being a part of the whole, the individual is a product of the community and necessarily depends on it. In no better way is this corporate nature of the African society depicted than in rites of passage that are communally observed as one goes through birth, initiation (maturity), marriage, old age, and death. These changes that an individual goes through are regarded as challenging, upsetting, and at times dangerous to social and individual life. African rites of passage help to "cushion the disturbance," to ease the pains and difficulties that occur in the society's or the individual's transition from one status to another. Initiation rites provide an excellent example.

Among the Akamba people of Kenya, the first stage of initiation rites involves circumcision for boys and clitoridectomy for girls: The foreskin of the penis and a tiny portion of the clitoris are excised. As a group act, the rites are performed the same day in the same place. The activity symbolizes separation from childhood, just as the ritual cutting and disposal of the umbilical cord at birth symbolize mother-baby separation and the acknowledgment that the child belongs to the corporate society represented then by the family, and not only to the mother's family. Anyone who does not go through this first stage of initiation rites, even after attaining maturity, age, and position, is communally despised and regarded as a baby in most, if not all, African societies.

It is the belief among the Akamba that ritually cutting the skin from one's sexual organ moves the individual from the state of sexual dormancy and ignorance to one of action and knowledge, and therefore to the crucial stage of sexual reproduction, which keeps the lineage and society going. The blood shed on Earth during the excision mystically forms a bond of unity between the initiates and the ancestors. The

accompanying pains prepare the initiates for the pain, suffering, and difficulty they will inevitably encounter. They are encouraged to endure such discomforts and to overcome them instead of despairing. The reason that the initiation is a group act is to encourage the participants to seek help and solace from others when they encounter difficult times.

Human beings can bear much suffering when they realize there are other people who will help them. The initiates are then given presents—an introduction to keeping and owning property. There is general merriment and dancing to emphasize communal solidarity. The initiates, for the first time in their lives, are officially allowed to join in public dances.

The second stage of initiation, which follows years later, is meant to help the initiates as they approach full maturity. The ceremony lasts about a week, during which time the initiates are sequestered in huts built outside the village and away from public interaction. Accompanied by watchful older people, the youths are taught all they need to know concerning womanhood and manhood. The process is referred to as "brooding over the initiates." They learn educational songs, are tested for bravery, and are taught the roles they are expected to play as adults and as future married people and parents. They are taught dances that symbolically imitate the performance of sexual acts. They also learn moral and corporate responsibilities, and are reminded of their religious obligations. They have full access to the wisdom of the elders and the secrets of their society. When they emerge from their seclusion on the last day, they are recognized in the society as people who may legally and morally establish families, and who are capable of protecting themselves, their dependents, and their society. A new generation capable of carrying on the life of the community thus comes into being, and the community is assured of immortality.

The maturity of those who emerge from the Akamba initiation rites helps to prevent the unhappy syndrome of "babies producing babies." When they eventually marry, they are responsibly fulfilling an African corporate requirement that ties marriage to procreation. To the African, marriage without procreation is incomplete. Humanity, through marriage and procreation, tries to recapture the lost gift of immortality, since husband and wife reproduce themselves in their children and by so doing perpetuate not only their family lineage but also the chain of hu-



manity. In *African Religions and Philosophy* (1990), Mbiti hits the mark when he points out that marriage is viewed in the African society as a “rhythm of life” that involves everyone. Anyone ignoring participation in it is a “curse to the community” and a rebellious lawbreaker. It is an immoral act to reject the society, and society is bound in turn to reject the person who does so.

The importance of marriage is underscored by the fact that it involves the entire family, all of whose members must give support and approval. Female virginity at the time of marriage is highly prized and rewarded. Monogamy and polygamy—especially polygyny—are legitimate; a widow may be remarried to a male adult member of the family of the deceased husband, who then assumes full responsibility for her and the children she brings along. Bride price and dowry are important parts of the custom: They symbolize the value and importance placed on the women as a person and as a wife, and they are a constant reminder that the bride and the groom are together under some mutual agreement between their families. They cannot simply terminate their marriage on their own, because people other than themselves are involved.

#### TRADITIONAL ENFORCEMENT OF MORALITY

In African societies in which traditions and customs have not been replaced by Christian and Islamic customs, people owe allegiance to a common founding ancestor and are bound by common hopes and fears and by destiny. The social structure helps in the formulation and enforcement of moral ideals and ethical standards. Factors that determine morality in such a society include religious beliefs; practices and taboos; the desire for communal solidarity; the influence of proverbs, folk stories, and wise sayings; and the experiences, common sense, and conscience of the individual and of the group. Although each person regards himself or herself in some form of relationship to the other, human passions and interests do come into conflict, leading some members of the society to flout established norms. The enforcement of morality then becomes important. The examples listed have come from the religious and social methods used by the Ga and Adangme of Ghana, though similar methods are found among the Etsako, Ishan, Edo, and Yoruba peoples of Nigeria.

J. N. Kudadjie of the University of Ghana, Legon,

points out that people’s beliefs about the Supreme Being, the divinities, the spirits, and the ancestors are used to enforce morality. “The promise and expectation, coupled with actual experience, of the blessing and protection of the Supreme God and the other spirit-powers for those who kept the moral code, on the one hand, and the fear and threat, coupled with actual experience, of punishment and desertion by the spirit-powers kept people doing what was right and avoiding what was wrong.” The practice of the religious and magical “cursing” of an offender in which supernatural agencies bring harm, misfortune, or even strange death to the culprit or his or her family keeps people on the right path.

Even marital infidelity is checked through the curse, whose punishments for adulterers include barrenness and impotence, the inability to leave the scene of adultery or to disengage the sexual organs, insanity, incurable physical illness, and sudden death. In entrances to farms and homes, magical objects are buried, hung, or displayed to warn people that they will not go undetected and unpunished for any crime they may commit when the owner of the property is not present: The gods, spirits, ancestors, and mystical forces are ever-present law-enforcement agents.

Positive social sanctions such as parental gifts to a good, reliable, and well-behaved child; admission of the young to the presence of elders where they are given secret knowledge of herbs, spiritual powers, and activities well beyond their age; and the award of honors, chieftaincy, titles, and property are used by the society to reward people who have distinguished themselves. These sanctions are meant to “encourage and give incentive to the good life.”

There are also negative sanctions that are meant to discourage unethical behavior. A family may hold a special meeting to correct a notoriously wayward member. If the person persists in bad behavior, the family severs all ties with him or her, including such family occasions as marriage, birth, and death. A family may even disinherit a member who brings material and spiritual disgrace to it. Initiates are made to swear oaths regarding specific things they should or should not do; the ancestors are invoked as witnesses.

Other social sanctions include invoking a parental curse banning a disobedient and immoral child from attending the parent’s funeral; ostracizing sorcerers, witches, hardened criminals, and morally perverse individuals from the society or excluding them from



social intercourse; publicly disgracing a person by having his or her bad deeds announced or sung at public festivals and social gatherings; and finally, in extreme cases, causing those considered destroyers of society to disappear. At least once a year, in some societies, a day is set aside in which the traditional ruler is publicly insulted for various acts of inefficiency; the idea is to make him correct his mistakes and be a better leader. Formerly, in some African societies, such as the Banyoro, Shona, Luvedu, Amhara, and Yoruba, a bad ruler was ritually killed, usually through poisoning. In traditional African societies, it is not so much the physical punishments that keep people observing the moral codes as it is the threat of disgrace to one's self, family, relatives, friends, future and present offspring, and ancestors.

### CHANGING AFRICA

Colonialism, Christianity, and Islam have also had an impact on Africa, contributing to new forms of religious and philosophical ethics. In the cities where these religions are most successful, traditional African ethics have been undermined and are practiced secretly. One interesting phenomenon is the emergence of new Christian and Islamic religious movements founded by Africans that merge aspects of the imported religions with aspects of African belief and cultural systems to form new distinctly syncretist African religious and philosophical ethics. Among such movements are the Falasha (Beta Israel) movement of Ethiopia, the Mahdist movement of Sudan, the Mourides (Islamic Brotherhood) movement of Senegal, the Kimbanguist movement of the Congo (later Zaire), the Zulu Zionist movement of South Africa, the Aladura movement of Nigeria, and the Eden Revival movement of Ghana. Behind these movements is an undying respect and a yearning for the traditional African moral universe, and in them the old gods and spirits are revitalized, not displaced, by the new ones. It is a dynamic universe.

*I. Peter Ukpokodu*

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SEE ALSO: Colonialism and imperialism; Mandela, Nelson; Multiculturalism; Pan-Africanism; Pantheism; Religion; Rwanda genocide; Taboos; Tutu, Desmond; *Wretched of the Earth, The*.

## Ageism

**DEFINITION:** Prejudice or discrimination against a particular age group and the promotion of false stereotypes about the members of that group

**DATE:** Expression coined in 1969

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** Ageism, or age discrimination, inhibits the fair and accurate determination of each person's true potential.

Although certain age groups have always been subjected to unfair treatment, the concept of ageism, or age discrimination, is a relatively recent one. Robert Butler, the first director of the National Institute on

Aging, introduced the term "ageism" in 1969. Butler used this term to describe systematic prejudice or discrimination against older people. Butler believed that a pervasive youth culture had developed in the United States in which old people were frequently devalued and denigrated. Although the term "ageism" was still being used during the early twenty-first century, primarily to describe society's negative view of older people, most social scientists had come to believe that other age groups, such as young children, can also be subject to forms of ageism. Most modern social ethicists define ageism as prejudice or discrimination against any group of individuals on the basis of chronological age.

### DISCRIMINATION AGAINST OLDER PEOPLE

Although any age group can be subject to unfair treatment, prejudice against older people appears to be the strongest form of ageism in the United States. Many researchers have discovered pervasive but erroneous beliefs that all old people are senile, cranky, physically unattractive, weak, and without sexual desire. Erdman Palmore, a sociologist and authority on aging, has suggested that many Americans have stereotyped views that see older people as useless individuals who place both emotional and financial burdens on the rest of society. Palmore believes that the numerous derogatory terms that are used to describe older people, such as "coot," "geezer," "old hag," "old buzzard," and "over the hill," merely reflect the negative views that many Americans have toward older people.

Such terms fly in the face of research conducted by gerontologists, who study aging and the needs of older people. In a review of research on the aged, psychologist David Myers concluded in 1992 that many older people are physically healthy, socially active, and mentally alert. Although most individuals experience some decline in mental and physical abilities with advancing age, the vast majority of older Americans remain capable of living happy and productive lives. Stereotypical beliefs about frail and lonely old people are often based on worst-case scenarios and should not be applied to the whole population of aged individuals.

### PRACTICAL CONCERNS

In addition to developing a poor self-image because of the negative social stereotypes that abound

in American society, many older people experience discrimination in practical matters as well. Perhaps the most blatant example of this is the traditional practice of mandatory retirement at age sixty-five, which forces many older adults to stop working when they are still competent and talented. While many organizations have questioned this practice, it has remained common for healthy individuals to be forced from their professions simply because of their chronological age.

In the past, many older people have suffered not only from forced retirement but also from poverty and poor medical care. By joining forces, senior citizens have made significant progress in overcoming these difficulties. Groups such as the American Association of Retired Persons, the National Council of Senior Citizens, and the more radical Gray Panthers have lobbied to improve the fate of older adults. A number of factors, such as the Social Security Act of 1935, subsequent cost-of-living increases in Social Security benefits, and the accumulation of individual assets through home mortgages have gradually improved the economic status of older Americans. Senior citizens no longer constitute the poorest age group in American society.

In addition to financial gains, older Americans have benefited from programs such as the Medicare Act of 1965, which provided basic medical care for all older Americans. However, this act did not extend medical benefits to other members of the population. Some theorists, such as gerontologist Richard Kalish, have argued that special programs for older people create a "new ageism." Kalish believes that programs such as Medicare, which provide older people with special benefits, promote a new ageism by reinforcing the notion that old people are weak and ineffective and need the rest of society to care for them.

#### DISCRIMINATION AGAINST CHILDREN

Other theorists have also suggested that society must redefine the standard notion of ageism to include any age group that lives in a disadvantaged position. In particular, scholars concerned with social justice have pointed out that young children now constitute the poorest age group in the United States, with approximately one-fifth living below the federal poverty level. Many children lack basic necessities such as adequate nutrition and proper medical care.

Social critics such as Marian Wright Edelman, the director of the Children's Defense Fund, have argued that society devalues children and considers them to be unimportant because they are young.

Whether ageism affects children or older people, this form of discrimination always causes an ethical dilemma. Ageism contradicts America's democratic ideals of fairness and equal treatment for all. A society that strives to promote justice must treat people in an equitable fashion, regardless of their chronological age.

Steven C. Abell

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SEE ALSO: Abuse; American Association of Retired Persons; Discrimination; Ecofeminism; Equality; Gray Panthers; Retirement funds; Sexual stereotypes.

## Aggression

DEFINITION: Any behavior that is intended to harm someone, either physically or verbally

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Aggression in Western society is an intractable social ill; there have been as many as 685,000 violent assaults and 18,000 killings in the United States in a single year.

Hostile aggression is intended solely to hurt another person. Instrumental aggression is intended to

achieve some goal. Aggression generally declines with age, and it changes in form as it does so. Younger children display more instrumental aggression; older children, more hostile aggression. With age, aggression tends to become less physical and more verbal.

Instinct theories are proposed as one cause of aggression. The Viennese psychoanalyst Sigmund Freud proposed that aggression is an instinct that gradually builds. He thought that the drive to return to an inanimate, lifeless state conflicted with the pleasure drive and was satisfied by being turned outward. The result was aggression toward others. If this drive turned inward for some reason, the person would become suicidal.

Another proponent of an instinctive theory of aggression, ethologist Konrad Lorenz, argued that aggression is adaptive for animals, so it is the natural product of evolution. Although all animals, including humans, have an aggressive instinct, most have "built-in safety devices" such as exposing their throats to signal submission. Unlike Freud, however, Lorenz suggested that an environmental stimulus must be present in addition to the genetic predisposition. Studies of identical twins support the theory that there is a genetic or instinctive component to aggression. For example, identical twins are more similar to each other than fraternal twins are to each other in terms of measures of aggression.

Biological theories seek to identify the biological structures or processes responsible for the expression of aggression. Numerous areas of the brain influence aggression. Lesions of the septum, hypothalamus, amygdala, and related areas in lower animals are followed by defensive aggression. Mild electrical stimulation of a specific region of the hypothalamus produces aggressive, even deadly, behavior in animals. Hormones also influence aggression. Injections of the masculine hormone testosterone increase aggression in animals, and criminals with higher testosterone levels commit crimes that are more violent than those committed by criminals with lower levels of testosterone. Neurotransmitters play a role in aggression as well. Aggression is associated with high levels of adrenaline and noradrenaline and low levels of serotonin. Thus, experimental evidence supports biological theories of aggression.

Learning theories explain aggression in terms of learning principles, noting that in two specific ways

learning shapes aggression. First, aggression is learned by watching others (modeling). For example, in classic experiments with children and Bobo dolls, Albert Bandura and his colleagues found that the amount of violent content watched on television by eight-year-olds predicts aggressiveness in these children even ten years later. Further, children will imitate the behavior of live models, filmed humans, and cartoon characters all to about the same degree. Second, aggression depends greatly on the pattern of rewards and punishments that a person has received. People become more aggressive when they are positively reinforced for aggression and less aggressive when they are punished for it. Experimental support exists for learning theories of aggression, just as it does for instinctive and biological theories.

Emotional factors exist in aggression. One such emotional factor is frustration. John Dollard's 1939 frustration-aggression hypothesis proposed that whenever a person's effort to reach any goal is blocked, an aggressive drive is induced that motivates behavior that is intended to injure the obstacle (person or object) that causes the frustration. Thus, frustration causes aggression and aggression is always a consequence of frustration.

Leonard Berkowitz's 1981 modification of the hypothesis proposed that frustration produces a readiness toward aggression. Then, cues in the environment that are associated with aggression often lead a frustrated person toward aggression. Also, unexpected failure at some task creates a more intense reaction than does expected failure, and intentional attempts to annoy a person are more provocative than are unintentional acts. Research has supported Berkowitz's modification of the frustration-aggression hypothesis and the learning theory of aggression.

Another emotional factor in aggression is arousal. Transferred excitation is arousal from one experience that is carried over to an independent situation. For example, a person who remains excited after riding a Ferris wheel would probably be more aggressive when struck than a person who is bored after reading an article about gardening is apt to be. Generalized arousal alone does not lead to aggression. Rather, aggression occurs when the situation contains some reason, opportunity, or target for aggression.

Situational factors influence aggression. One sit-

uational factor is aggression itself. Participating in aggressive activities either increases aggression or maintains it at the same levels. For example, individuals who are given repeated opportunities to shock another person who cannot retaliate become more and more aggressive. Those who are angry react even more strongly. Thus, aggression breeds aggression rather than dissipating it, which provides an argument against catharsis as a value of watching television violence.

Other situational factors that influence aggression are temperature, noise, exposure to erotic stimuli, the presence of weapons, and deindividuation (loss of all concern for oneself as an individual and a focus instead on the present environment with little thought of past or future). When people are exposed to high temperatures, noisy environments, weapons, or erotic stimuli, they as a rule become more aggressive. As they become deindividuated by being lost in crowds, for example, they exhibit behaviors—such as aggression—that they would ordinarily inhibit. This principle explains the tendency for crowds to yell “Jump!” to a suicidal person on a high ledge. Overall, aggression has instinctive, biological, learning, emotional, and situational components.

Gender also influences aggression. Boys are generally more aggressive than girls and are more affected by violence than girls. Boys who are low achievers and are unpopular at school are more likely than other boys to imitate aggression on television. Young males, who have the highest levels of testosterone, are most likely to be violent. Women behave as aggressively as men, however, when they are alone or when urged on by another person.

*Lillian Range*

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SEE ALSO: Abuse; Anger; Child abuse; Genocide and democide; Milgram experiment; Sexual abuse and harassment.

**Agreement for the Suppression of White Slave Traffic**

DEFINITION: International treaty that committed thirteen nations, including the United States, to investigate and halt prostitution

DATE: Ratified in 1904

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: This agreement, the first international accord on the issue of prostitution, marked the first time that men in power viewed prostitutes as potential victims.

In most European countries, prostitution has long been considered a social evil; however, it was nevertheless generally tolerated through the nineteenth century. The early twentieth century brought a dramatic increase in young women migrating from one country to another to work as prostitutes. Many of them were brought to prostitution through deceptive offers for employment, or kidnapping, or even sale by their parents. These women became known as “white slaves.”

Government officials came to believe that the only way to stop the exploitation of young girls and women was to stop prostitution altogether. In 1904, France invited other nations to a conference at which the International Agreement for the Suppression of White Slave Traffic was signed by thirteen nations. The signatory nations agreed to stop prostitution on their own soil and to share information with other countries. Late twentieth century critics of this and other antiprostitution legislation have argued that these laws do not take into account that many prosti-



tutes—like their clients—have chosen their careers freely and should have an ethical right to do so.

*Cynthia A. Bily*

SEE ALSO: Prostitution; Sexuality and sexual ethics; Slavery; Vice.

## Agribusiness

**DEFINITION:** Term applied to the increasing integration of the world's food production—and consumption—into the processes of modern big business

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The rationalization and coordination of agricultural production and distribution and their subordination to the requirements of global investment practices have combined with technological developments to transform the ethics of the world food supply.

According to its advocates, agribusiness methods have been vindicated by past successes and offer the only hope of being the world's continued ability to feed its people, as supplies of land and water dwindle while human population increases. The first Green Revolution may have confounded prophets of mass starvation, such as the early nineteenth century political economist Thomas Malthus, but new techniques are required if human lives, and particularly high-consumption lifestyles, are to survive.

Critics of agribusiness view its tactics as predatory and contrary to the long-term stability and well-being of human society. They view global agribusiness as disrupting local ecologies and economies, and restructuring and subordinating them according to the vicissitudes of high finance. Developing world famines are due, such critics claim, to inequities of distribution as international markets are manipulated to maximize profits. Apart from the impact on the hungry, critics have also focused attention on the effect of global corporate agricultural development on the prospects of the traditional family farm.

### ETHICAL DEBATES

Broadly, the ethical debates about agribusiness can be seen as falling into four overlapping areas:

business, international relations, environmental ethics, and biotechnology.

As a form of business, agribusiness involves the routine issues of business ethics, such as fairness in relation to employees, integrity in dealing with competitors, honesty toward customers, and decency in relation to society. This includes concerns about the working conditions of farm and factory laborers.

In the light of its importance and worldwide impact, agribusiness is also part of the ethics of international relations, particularly the debate over globalization. Critics question whether the opportunities that agribusiness opens up in countries outweigh new distortions introduced into local economies.

As an enterprise based on the cultivation of domesticated fauna and flora, agribusiness represents one of humanity's most significant impacts on the natural environment. As such, agribusiness is deeply enmeshed in issues of environmental ethics, such as crop selection, soil depletion, and rain-forest reduction. Critics question whether agribusiness decisions lead to sustainable development or merely quick profits. Factory farming is particularly subject to criticism.

Agribusiness is also becoming increasingly embroiled in the ethical quandaries of biotechnology, particularly vigorous debates about genetic engineering, such as cloning issues. Other issues include risk estimation, risk and benefit distribution, concerns about extending human control across "natural" boundaries, and the impact of human design and decision making on the diversity of the gene pool.

*Edward Johnson*

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SEE ALSO: Animal rights; Biotechnology; Business ethics; Developing world; Ecology; Famine; Genetically modified foods; Globalization; Hunger; Lifeboat ethics; Multinational corporations.



## Ahimsā

**DEFINITION:** Doctrine of nonkilling or noninjury to living beings

**DATE:** Attested in Chāndogya Upaniṣad, tenth to fifth century B.C.E.

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** A basic principle in Indian thought, ahimsā has influenced such behavior as vegetarian diet and pacifism; it served as the foundation for Mohandas K. Gandhi's view of nonviolent resistance.

The idea of noninjury appeared first in the Chāndogya Upaniṣad, which described the enlightened person as one who was nonviolent toward all things except the victim; that is, the victim of the Vedic sacrifice. The contradiction between noninjury and sacrifice led Hinduism to abandon such rituals in favor of knowledge. Noninjury also influenced Hindu thinking about warfare. The *Bhagavadgītā* argued that since fighting belonged to the duties of the warrior caste, warriors could not avoid killing; however, they should fight without malice or desire.

During the early twentieth century, Gandhi reinterpreted noninjury by incorporating it into his political program of nonviolent resistance in India. In Buddhism, the concept of ahimsā constitutes the first of five precepts or vows taken by both laypeople and monks, which is to abstain from taking life. That view precluded the devout Buddhist's eating meat or engaging in violent occupations. Jainism also demanded noninjury as the first of its Five Great Vows and extended it to preclude even unintentional injury to insects by accidentally swallowing or stepping on them.

*Paul L. Redditt*

**SEE ALSO:** Buddhist ethics; Five precepts of Buddhism; Ḥallār, al-; Jain ethics; Karma; Nirvana; Pacifism; Upaniṣads.

## Akbar the Great

**IDENTIFICATION:** Mogul emperor

**BORN:** October 15, 1542, Umarkot, Sind (now in Pakistan)

**DIED:** October 16, 1605, Āgra, India

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Akbar solidified the Mogul Empire in the Indian subcontinent and introduced a new religion of his own invention that combined elements of Hinduism and Islam.

The longest-reigning Mogul emperor of India, Akbar, also known as Akbar the Great, was a man of great talent. He became the emperor of India at the age of fourteen. Despite the fact that he did not receive any formal education, Akbar acquired knowledge by having books read to him and through discussions among scholars belonging to different religions, including Christians, Zoroastrians, Hindus, and Jains. He hosted several religious scholars belonging to different religions to acquire knowledge of these religions, and he held debates with them. He invited Portuguese Jesuit missionaries to his court and discussed Roman Catholicism at length with them.

Although Akbar became disillusioned by Islam and is said to have renounced it completely, he did not formally join any other religion. One of his concerns was to create harmony among the majority Hindu populations of India and the Muslims, who formed a small minority. One of the most important steps that he took in this regard was to repeal a religious tax called jizya, which all non-Muslims paid in exchange for protection. He also married into prominent Hindu families to forge close ties with the Hindus. Finally, he introduced his own religion, "Din-e-Ilahi," which sought to combine elements of the various religions to which he had been introduced over time. The divinity of the king was central to this new religion. Other important milestones of his reign were introduction of an elaborate revenue system, the introduction of land rights, and the creation of a civil bureaucracy to run the government.

*Khalid N. Mahmood*

**SEE ALSO:** Aśoka; Hindu ethics; Jain ethics; Zoroastrian ethics.

## ‘Alī ibn Abī Ṭālib

IDENTIFICATION: Early Arab caliph

BORN: 600, Mecca, Arabia (now in Saudi Arabia)

DIED: 661, al-Kufa, Iraq

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: One of the first converts to Islam, ‘Alī was the last of the four caliphs after the death of the Prophet Muḥammad. Shī‘ites contend that ‘Alī should have been chosen as the first caliph.

‘Alī, a first cousin of Muḥammad and later his son-in-law, was the youngest of the first three persons to convert to Islam. When ‘Alī’s father, Abū Ṭālib, became unable to care for his son because of ill health and poverty, Muḥammad allowed ‘Alī to live with him. Muḥammad was returning a favor to Abū Ṭālib, who had taken care of Muḥammad after the death of Muḥammad’s grandfather, with whom Muḥammad had lived in his youth. Alī was only ten years old when Muḥammad declared his prophecy.

Followers of the Shī‘ite sect of Islam believe that ‘Alī was the first person to convert to Islam. Sunnīs, however, believe that Khadija, Muḥammad’s first wife, was the first Islamic convert and that Abū Bakr was the second. During the difficult early period of Islamic history, ‘Alī stayed by Muḥammad’s side as he struggled to spread the new religion.

‘Alī is considered to be one of the most important persons in early Islamic history, because of his qualities as a warrior, a statesman, and a person with immense knowledge of Islam as a result of his close association with Muḥammad. Muḥammad entrusted ‘Alī with many important missions; for example, he used ‘Alī as a decoy when he escaped to Medina. It is popularly believed that Muḥammad occasionally asked ‘Alī to take charge of battles when no one else could bring victory to the Islamic forces. ‘Alī is said to have possessed a magical sword given to him by Muḥammad that he used in battle and to have been able to subdue many warriors single-handedly.

‘Alī is also revered for his patronage of the arts and sciences and for his alleged special insight and knowledge that ordinary humans did not possess. In the South Asian subcontinent, Sufis seek endorsement from ‘Alī for their beliefs. His wisdom was valued greatly by the first three caliphs, who sought advice from him regarding both religion and politics. Muḥammad is believed to have said that he himself

was the city of knowledge and that ‘Alī was the door to the city.

‘Alī was chosen as caliph after ‘Uthmān, the third caliph, was assassinated by those who claimed that ‘Uthmān was guilty of favoritism toward his Banu Umayya clan. Rebellious forces from Egypt attacked and killed ‘Uthmān. After ‘Alī became caliph, a rebellion against him was led by A‘isha, the widow of the Prophet Muḥammad, who demanded swift punishment for those who had killed ‘Uthmān. ‘Alī defeated A‘isha and her followers, but his authority was seriously challenged by Amir Mu‘awiyya, a relative of ‘Uthmān and governor of Syria. Mu‘awiyya said that he would not recognize ‘Alī as caliph until those who killed ‘Uthmān were punished. In fact, Mu‘awiyya wished to lead the Muslim community himself.

A battle between the two ensued, and although ‘Alī’s forces were superior to his opponent’s, Mu‘awiyya tricked ‘Alī into accepting a truce. At that time, some of ‘Alī’s followers deserted him and elected their own leader, which weakened ‘Alī’s position. ‘Alī was assassinated in the year 661. Mu‘awiyya foiled all attempts by ‘Alī’s followers to appoint ‘Alī’s son Ḥasan to lead the Muslim community. Mu‘awiyya established himself as the leader of the Muslim community but never officially received the title of caliph.

After Mu‘awiyya’s death, his son Yazid became the leader of the Muslims. At that time, ‘Alī’s second and best-known son, Ḥusayn, challenged Yazid’s authority. Ḥusayn’s followers believed that he was the rightful heir to the seat that had belonged to ‘Alī, but Ḥusayn was defeated and killed in a battle with Yazid’s forces near Karbala in present-day Iraq. This incident had a major impact on the subsequent history of Islam. Those who belong to the Shī‘a sect revere Ḥusayn as a martyr and a true hero of Islam. The death of Ḥusayn precipitated the schism between Sunnī and Shī‘a Muslims, who came to have distinctly different interpretations of Islam and the teachings of Muḥammad. The death of Ḥusayn in Karbala is commemorated each year for ten days throughout the Muslim world, particularly in areas where the Shī‘ites are in the majority.

### ‘ALĪ’S LEGACY

Shī‘ites believe that ‘Alī and his family were the rightful successors of the Prophet Muḥammad and

that the first three caliphs conspired to deny ʿAlī the caliphate. The Sunnīs claim, however, that those caliphs took power because of their personal ability and their knowledge of Islam. ʿAlī actually had no desire to become caliph; he was too busy making arrangements for Muḥammad’s burial to attend the assembly at which the successor was chosen. During ʿAlī’s rule as caliph, clan rivalries began that pitted the Banu Umayya against the Banu Ḥashim, Muḥammad’s clan, leading ultimately to ʿAlī’s assassination and the victory of the Banu Umayya.

ʿAlī and, later, his sons Ḥasan and Ḥusayn commanded a large, faithful group of followers, whose cause ultimately led to the emergence of the Shīʿite sect. Shīʿites believe that God sent imams to lead the Muslim community after the deaths of Muḥammad and ʿAlī. They believe that Ḥasan, ʿAlī’s son, was the first imam. The last imam, it is believed, vanished at the age of three and will return again as the savior who will rescue the world and restore the glory of God and Islam.

*Khalid N. Mahmood*

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SEE ALSO: Abū Bakr; Muḥammad; Shīʿa; Sunnīs.

## **Alienation**

**DEFINITION:** Separation of the self from itself, or an inability of the self to be at home in the world

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Alienation raises questions about the fundamental nature of human beings and the relationship that ought to exist between the self and society. Traditionally, social critics have seen the prevalence of alienation within a given society as a basis for the moral condemnation of that society.

Semantically considered, alienation may be understood as a sense of loss, separation, estrangement, or self-denial. Metaphysically, alienation refers to a state of affairs in which the self suffers either from an internal split in the psyche or from an external separation from society. There are, therefore, two fundamental forms of alienation. Its corollary term, “de-alienation,” refers to the process by which alienation is overcome. Jean-Jacques Rousseau, Georg Wilhelm Friedrich Hegel, and Karl Marx understood alienation, fundamentally, as an external split between the self and society. De-alienation, implied in this point of view, would consist of a social transformation resulting in an accord between self-determination and social conformity. Sigmund Freud, however, described alienation as an internal split. Following this line of thought, de-alienation would primarily consist of a psychological process of restoring wholeness to the self.

#### **SOCIAL CONTRACT THEORY AND HEGELIANISM**

Jean-Jacques Rousseau employed the term “alienation” in *On the Social Contract* (1762). Rousseau contended that society corrupted human beings by separating them from their natural state. He is widely remembered for his most famous epigram: “Man is born free but everywhere he is in chains.”

Georg Wilhelm Friedrich Hegel gave alienation a prominent place in his writings. In *The Philosophy of History* (1822), he depicted alienation as the separation between the idea of freedom in itself and its realization or actualization in world history. In *The Phenomenology of Spirit* (1807), Hegel employed the concept of alienation to articulate the failure of human consciousness to recognize itself in the external world of nature and culture. Culture, the world of produced objects and human actions, represents the

process of the transformation of the natural human being into the social being. Thus, culture alienates the socialized self from the naturalized self. Estrangement results from the split occurring in intellectual life. For example, law, a product of culture, divides the self into the legal person, from whom the law demands social conformity, and the self-conscious person who values freedom. De-alienation would result from the union of personal freedom and the objective rule of the state.

### MARXISM

Karl Marx applied alienation to politics and economics. In *On the Jewish Question* (1843), Marx denounced the split existence of human beings in modern societies. In civil society, people function as egoistic, private, self-interested individuals. In the political community of the state, however, people are regarded as abstract citizens. Human emancipation, or de-alienation, requires the unification of the communal being and the real individual.

In the *Economic and Philosophical Manuscripts* (1844), Marx specified four forms of alienation in the section entitled "Alienated Labor." The first form of alienation is the separation between the laborer and the product of labor. Alienation occurs because the object, as the realization of the life activity of the worker under capitalism, does not belong to labor. Therefore, the loss of the object represents the loss of reality to the worker.

If it is the case that the worker is alienated from the product, then it logically follows that the worker is also alienated in the act of production. If the result of production is alienation, then the process is also alienating. In productive activity, the worker becomes self-alienated because labor is the life-activity of the worker. Rather than becoming self-affirming activity, work becomes self-denying activity. Rather than becoming the satisfaction of a need for human self-fulfillment, work becomes only a means to satisfy the basic needs of human survival.

The third form of alienation is that of alienation from species-being (society, social consciousness). Because labor serves only to further basic survival, workers exist only as egoistic individuals and not as social beings; that is, they think egoistically, not communally.

The last form of alienation is the estrangement between the self and the other. Each person is equally

estranged from his or her true human essence. Self-estrangement therefore manifests itself in estrangement with others. Under capitalism, the estrangement between the self and the other finds expression in the alienation between labor and capital. De-alienation therefore entails the emancipation of the worker by abolishing private property. Private property is both the presupposition and the result of alienated labor.

### FREUD

Sigmund Freud posited alienation as the fundamental human condition. The self is split between the ego and the ego ideal. The latter, a social and conditioning factor, becomes a repressive mechanism. The conflict between the ego and the ego-ideal is alienation. Repression is the agency of alienation to the extent that it keeps away from consciousness those elements that are not approved by the superego.

Several questions relating to alienation remain open. If there is such a universal phenomenon as self-alienation, is it necessary to presuppose a universal human nature? If alienation is not universal, is it relative to history and culture? If alienation is universal, de-alienation must be considered a psychological fantasy or a social utopia. If it is psychologically relative, its psychological causes must be discovered so that wholeness can be restored. If it is sociologically relative, then its social causes must be revealed so that they can be transformed.

*Michael R. Candelaria*

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## Altruism

**DEFINITION:** Behavior meant to benefit others rather than, or at the expense of, oneself.

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** While absent in ancient ethical work, the concept of altruism has been crucial to modern thought about morality and virtue.

The concept of altruism can be developed in at least two different ways. It may be looked at historically, beginning with the opposition of altruism to egoism by Thomas Hobbes and moving primarily forward, or it may be looked at with a view toward simple definition. The meaning of altruism, or, vaguely, other-directed behavior in ethics, is not as clear as it might be, as Lawrence Blum and others have noted. Simple definitional concerns will be taken first.

If the term “altruism” is taken to mean action that benefits others, immediately the problem arises that such behavior can quite easily be part of a scheme that is ultimately selfish. If, for example, creatures from an advanced civilization were to land on Earth; quell all international, civil, and family strife; and institute a plan of resource management, child-rearing, and government that ensured peace, tranquillity, and the development of learning for all, that behavior would have to be construed as altruistic according to this initial definition, whether the aliens were raising people for food or not.

To avoid this problem, one might consider some restriction regarding motivation. The word “altruism” applies to actions intended to benefit others. This definitional amendment raises the question of who decides what is of benefit to whom. A mother

may consider it a benefit to her son to quash a relationship in which he is involved. The son may disagree. If she succeeds, then she does what she intended to do and may well continue to defend her action as beneficial to her son. Who is correct?

Since the mother seems to be serving her own interests, one might propose an amendment that altruism applies to behavior that is intended to benefit others and places the interest of others ahead of one's own interest. This, however, makes the definition worse. According to this definition, a morally altruistic woman who had been raped and beaten should not bring charges against the man responsible, because it is would not be in his best interest. Any other reason for not bringing charges would be more palatable than this one.

There are also general objections to placing restrictions regarding motivation in the definition of altruism. Psychologists state that people are often not aware of their own real motivations. For example, when alcoholics begin to deal with their alcoholism, their spouses often sabotage their efforts by offering them drinks. If one asks why, they may give one of any number of reasons, such as giving the alcoholics a break from feeling bad about their childhoods. These reasons all have in common that they are focused on the alcoholics. In truth, however, according to psychology, the mates' own identities may be dependent upon helping the alcoholics with their problem, and these identities are threatened when the alcoholics begin to get better. Therefore, other-directed behavior according to the mates' perceptions turns out to be self-directed behavior according to the psychologists.

Indeed, those who have paid any attention to their own decisions have found it difficult to know whether their motivations are simply self-serving or take others properly into account, particularly when there is disagreement with someone else on the issues. This inability to isolate motivation accurately dims enthusiasm for restrictions regarding motivation in a functional definition of altruism.

Sociobiologists E. O. Wilson and Richard Dawkins offer a different reason for the inability to isolate and be certain of motivation. Their conjecture, based on the behavior of certain animals, is that people are genetically programmed to act in such a way as to bring about the greatest survival rate for their own genes. One might, then, sacrifice oneself for one's



progeny much more quickly than for one's spouse or strangers. This action is not the result of a decision. It is the decision of the gene pool, according to the law of perpetuation of the species. If motivation cannot be determined, however, what are the ramifications for the definition of altruism?

At this point, one is foundering on the impossibility of deciding whether altruistic acts should all be reinterpreted as egoistic. What is peculiar here has to do with egoism as a theory of motivation. Any piece of behavior can be seen as egoistic. No human behavior can fail to be explained as motivated by self-interest. This fact makes the modern project of discovering an altruistic ethic in an egoistic human nature hopeless. The next step is to inspect historical uses of the word "altruism" in the hope of illumination.

### THOMAS HOBBS

The place to begin is with the seventeenth century British philosopher Thomas Hobbes, though he is not the earliest philosopher to be considered. Hobbes's view of the state of nature, in which life is "nasty, brutish, and short," is consistent with his belief that human beings are motivated only by fear of death and desire for dominance. According to this view, altruistic behavior is always a screen for egoistic behavior. This seems the point at which the modern problem in ethics mentioned above arises: finding a place for altruistic behavior in an egoistic human nature.

The strength of this position is not that Hobbes's premises concerning motivation are persuasive. One can easily reject the contention that persons are exclusively motivated by fear of death and desire for dominance by positing, for example, the independent power of compassion as a motivator of human behavior, as does Arthur Schopenhauer. Much of modern ethical philosophy can be seen as either affirming Hobbes's position concerning the impossibility of altruism or hypothesizing some independent, altruistic motivation as part of human nature. Examples of those who opt for some altruistic principle are, in addition to Schopenhauer, Søren Kierkegaard; the third earl of Shaftesbury, called simply "Shaftesbury"; Anthony Ashley Cooper; Francis Hutcheson; the later David Hume; and Henry Sidgwick. Among those who opt for self-interest alone, in addition to Hobbes, are Bernard Mandeville, John Grote, and, with a twist, the theologian William Paley.

The twist with Paley is that he considered benevolence to be in a person's long-term self-interest rather than short-term self-interest. According to Paley, all persons are egoistic, but God has arranged that the only way to secure eternal happiness is to obey the fundamental (and, for Paley, utilitarian) moral rule. In this way, he makes the transition between egoistic human nature and altruistic moral behavior.

One thinker who perhaps deserves separate mention is Friedrich Nietzsche, who attacked altruism as a moral mistake.

### NIETZSCHE

It was noted above that a definition of altruism that included a restriction on motivation to the effect that one should always place others' interests ahead of one's own is inadequate. Nietzsche thought so, too, but recognized large groups of persons who in fact upheld this definition in what he called a "slave morality." Nietzsche was passionately opposed to such morality, which glorified suffering as meaningful. His primary target was Christianity, though he also sideswiped Judaism and Greek ethics. He was apparently not, however, the virulent anti-Semite that some have made him out to be. Nietzsche saw the Judeo-Christian values of humility, passivity, and dependence as necessarily grounded in a value system built on fear, guilt, and a distortion of the will to power. Master morality, however, extolled the proper virtues of courage and self-grounded spiritual strength. Thus, altruism was condemned by Nietzsche as unworthy of highly evolved individuals.

Concern for others need not be a sign of poor self-esteem or any sort of escape from higher values. Such concern for others might well exist in very strong persons who need no rhetoric of a master mentality to know their worth, attending to the needs of others with utter confidence in their capacity to care also for themselves. Still, there is such a thing as the pathology of low self-esteem, a suppression or devaluing of the self, and it is correct to eschew such an attitude. This eschewing does not require the adoption of an attitude that demands individual dominance, however, as Nietzsche recommends. It is this recommendation of individual dominance, however, that made Nietzsche useless to the Third Reich until he was edited. Ethnic group dominance is not the same thing as individual dominance, even if both are misguided.

The total of all the developments since Hobbes



does not seem to advance the problem significantly. There are exceptions, notably Joseph Butler, who takes a different direction. Even today, however, many ethicists presuppose the opposition between altruism and egoism as the fulcrum for allegedly historically informed discussions of ethical thinking and behavior. This is the case with, for example, Richard Norman's popular textbook *The Moral Philosophers: An Introduction to Ethics* (1983). Much of value is said in this intelligent book, but it ends without closure concerning its central tension: the problem of egoism and altruism. Ethics interpreted in terms of this narrow, insoluble problem cannot satisfy the desire to understand.

### JOSEPH BUTLER

The significance of Joseph Butler, an Anglican clergyman, is that he reintroduced a larger model for ethical reflection than can be used if one limits oneself to issues of altruism and egoism. This broader model is presented primarily in Butler's "Three Sermons on Human Nature" (1726). It is a common claim among philosophers that Butler's sermons are the closest thing in English to Aristotle's ethical thought. A larger model was standard during Classical times and in the thought of Thomas Aquinas during medieval times.

Thomism, as Thomas Aquinas's thinking is called, is also a reintroduction of Aristotle's thinking into the Christian, European world, made possible by the Islamic scholars Averroës and Avicenna and the Jewish scholar Moses Maimonides. Maimonides set forth, in his *Guide of the Perplexed* (1190), discussions of Aristotle's thinking that were especially influential on Thomas Aquinas and other medieval Scholastics. Aristotle had been lost to Europe at the close of the Classical Age and was regained through these Islamic and Jewish scholars, primarily via paths between Moorish Spain and the rest of Europe.

The primary idea reintroduced by Butler is that self-love and benevolence, or egoism and altruism, are part of a larger motivational whole. It is not that Butler transcended his age without connection to it. He took himself to be looking, along with most other seventeenth and eighteenth century writers, for a foundation for morals that was independent of the divine will. He found it in the divine creation. Although Butler's ethical thinking is similar to Aristotle's, it should not be forgotten that he wrote as a Christian.

In the divine creation, Butler found human nature. As a creation of God, human nature could not be depraved, as John Calvin, Martin Luther, and perhaps even Immanuel Kant held. Rather, human nature is a reasonable guide to the way in which God would have human beings behave. Furthermore, what human beings desire, or what motivates them, is a reasonable guide to what they should want, or that by which they should be motivated. The claim that what people actually want, overall, is a happy life is not necessarily egoism—at least not egoism as opposed to altruism.

Consider a happy life as one that involves trusting relationships, friendship, and cooperative endeavors. Persons possessing a desire for this kind of life could not separate their interests and others' interests according to different motives. Allowing self-interests to outweigh others' interests, and vice versa, will both be involved in a life in which decisions produce, overall, trusting relationships, friendship, and cooperative endeavors. Therefore, to allow the distinction between altruism and egoism to occupy a central place in ethical discussion or to consider that egoism might be an all-encompassing motivation is to narrow one's perspective on ethical behavior to a small class of conflict situations. This leaves behind both common sense and common life.

If what is good is what is desired by natural persons, then pursuing trusting relationships, friendship, and cooperative endeavors as a means to a happy life is good. The good of this kind of life is not good for a self only, except in the trivial sense that a self desires and pursues it. The good of this kind of life includes the good of other lives. Therefore, the model wherein two person's goals conflict and each person's goals connect to self-interest alone covers only a small area even of human conflict, and certainly not the entire arena of human ethical behavior. This small area is not qualified to serve as a model for ethics, and Butler understands this fact.

When challenged, Butler had recourse to his own experience. He claimed, and urged others to agree, that the vast majority of persons are motivated completely by neither self-interest nor benevolence. Exceptional individuals, such as conscienceless businessmen or servants with no detectable personal wishes, should be ignored in such an assessment. Furthermore, self-regard and other-regard exist side by side in the same person, most of the time without conflict, and even reinforce each other. Most people

are much more integrated than the opposition between altruism and egoism would lead one to believe. This integration involves not only altruism and egoism, which have no relationship of priority of one over the other, but also many other affections or goal-oriented motivations.

A full analysis of the problems of modern ethics that contrasts Butler's point of view, called an ethic of "virtue," with the modern presupposition that altruism and egoism are foundational to ethical discussions is available in Alasdair MacIntyre's *After Virtue* (1981). Butler himself traces his views to Epictetus, not Aristotle. As far as the present analysis goes to this point, he and Aristotle are agreed. Aristotle offers the more complete virtue ethic, so it will be instructive to discuss Aristotle at this point.

### ARISTOTLE

The first thing to understand about Aristotle's view of happiness is that it applies only to a whole life. A happy life is a whole life well lived. A life well lived is a life lived according to virtue and accompanied by the blessings of good fortune. Good fortune, which is a matter of luck, is necessary. The best overview of the function of luck in Greek philosophy and literature is available in Martha Nussbaum's *The Fragility of Goodness* (1986).

A virtuous person who meets a bad end, such as Socrates, cannot properly be called happy according to Aristotle. Aristotle took steps once to ensure that Athens did not have the opportunity to treat him as it had treated Socrates, and no doubt would have explained this behavior as pursuing a happy life.

This "happy life" is not to be experienced or enjoyed at any particular moment, but functions as a goal for the sake of which everything else works. The virtues, such as courage, temperance, prudence, and justice, are functional means toward the end of living a good life. Altruism is not taken into account by Aristotle, and it is not clear whether altruism should be treated as a virtue. Modern ethicists consider that only altruistic behavior can properly be called ethical. Aristotle considers that behavior in accordance with the virtues is a means to the unique, practical goal of all persons, happiness, offering a broader goal for virtuous activity than either the good of self or that of others, either egoism or altruism.

Aristotle was aware that not all persons pursue the same ultimate good, but he was convinced that the

real goods that people naturally desire, which meet human needs, are the same for everyone. Some persons mistakenly acquire desires for goods that are not real goods. This explains why the word "good" is used differently by different persons, even when all admit happiness as the name for that which is always pursued as an end and never as a means.

Aristotle's works offer a flexible absolutism. He claims that a whole life is made good, or happiness is achieved, by the cumulative attainment of all real goods in the period of that whole life. Real goods are those to which natural desires lead. These natural desires are the same for all in view of their identical natures and needs as human beings. Individualistic relativism is rejected by Aristotle.

Such a complete view of ethics is difficult even to compare with modern, truncated discussions of altruism and egoism. It is very tempting to endorse MacIntyre's suggestion that one should move toward an integration of modern law and a virtue ethic in the postmodern predicament, whether one agrees with MacIntyre's particular attempt to construct such an ethic or not.

Joe Frank Jones III

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## American Association of Retired Persons

IDENTIFICATION: Lobbying organization claiming more than 35 million members that advances the ethical principle of equal treatment for older persons

DATE: Founded in 1958

### Challenges to AARP's Own Ethics

Despite its reputation as a champion of the rights of older people, AARP itself is occasionally criticized for its own ethics. In November, 2003, for example, dozens of AARP members demonstrated in front of AARP's Washington, D.C., headquarters to protest the organization's endorsement of the Republican Party's Medicare bill. Unhappy with the proposed law's provision for prescription drug benefits, the protesters destroyed their AARP membership cards. Meanwhile, Democratic leaders in Congress charged that AARP had unethical ties with Republican leaders and might even have had a financial stake in the Medicare legislation.

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Best known by its acronym, AARP is the world's most successful organization in promoting the rights of older people.

In 1947, when private health insurance was denied to most older Americans, Dr. Ethel Percy Andrus founded the National Retired Teachers Association (NRTA) to promote the ethical principle of productive aging and, more practically, to have an organization large enough to attract companies to provide health insurance and discount mail-order pharmacy services. In 1958, Andrus founded the AARP to cover all persons fifty years of age and over, whether retired or not, to establish the ethical principle that senior citizens should live with dignity and independence. In 1998, the organization changed its name to its acronym, "AARP."

AARP advances the ethical principle that retired persons—people who have given so much to society—should at least be entitled to affordable health care. In 1965, the U.S. Congress responded by enacting the Medicare program, which provides health insurance to Americans aged sixty-five and older for physician and hospital care. In 2003, AARP successfully lobbied Congress to add a prescription drug plan.

In 1965, Congress also passed the Older Americans Act to fund programs for those over sixty years of age in all states. A decade later, in 1975, when AARP complained that the quality of such programs

was uneven, Congress passed the Age Discrimination Act, which established the ethical principle that all older persons must be provided equal benefits from federally funded programs.

Congress again responded to AARP in 1967 by passing the Age Discrimination in Employment Act, to establish the ethical principle of nondiscrimination against those over the age of forty. Soon, thanks to AARP lawsuits, courts ruled that employers cannot force employees to retire without just cause or compensation.

By the early twenty-first century, AARP was offering its members a wide variety of low-cost programs while exposing such forms of elder abuse as unethical practices of advertisers, telemarketers, and others who take advantage of older people.

*Michael Haas*

SEE ALSO: Ageism; Congress; Equality; Gray Panthers; Lobbying; Medical insurance.

## American Civil Liberties Union

**IDENTIFICATION:** Nonpartisan organization created to defend and protect the individual rights and freedoms guaranteed all persons in the United States by the Constitution and statutes

**DATE:** Founded in 1920

**TYPE OF ETHICS:** Civil liberties

**SIGNIFICANCE:** The American Civil Liberties Union (ACLU) adheres to the principle that everyone in the United States should have the same basic rights regardless of their backgrounds, their beliefs, or any crimes with which they may be accused. A nonpartisan organization, the ACLU does not limit itself to the defense of particular groups.

The ACLU was founded by Roger Baldwin and other social activists in 1920. It was an outgrowth of the American Union Against Militarism, an organization formed during World War I that advocated amnesty for conscientious objectors who refused to participate in military combat for moral reasons. Throughout its existence, the mission of the ACLU has been to preserve the individual rights and guarantees stated in the Bill of Rights and other amendments to

the U.S. Constitution. These include free speech, free press, right of assembly, religious freedoms, and the separation of church and state, as well as equal protection under the law, due process, fair treatment by the government, and the right to privacy or freedom from government intrusion into one's private affairs.

ACLU members believe that a government does not have the right to insulate itself against ideas with which it disagrees. The organization's representation of unpopular groups and causes is based on the principle that if government has the power to violate one person's rights, such power could be extended to everyone. The ACLU occasionally defends the right to freedom of speech of controversial and unpopular groups without endorsing the beliefs of such groups, and it defends the right of accused criminals to fair trials, regardless of the acts committed by such persons or whether the accused criminals are guilty or innocent. Such stances have often subjected the ACLU to strong public condemnation.

### EVOLVING MISSION

During its early years, the ACLU opposed the federal government's attempt to deport politically radical immigrants and worked to secure the release of activists who were jailed for antiwar activities, arguing that they too had the right to freedom of speech. In 1925, the ACLU defended Tennessee high school teacher John T. Scopes's right to freedom of speech after he violated a state law by teaching the theory of evolution in his classes. During the 1930's, the ACLU strongly opposed censorship and defended the rights of American Nazi groups. In the 1940's, it provided legal assistance to Japanese Americans who were forcibly interned in government relocation centers. During the 1940's and 1950's, it opposed anticommunist measures taken by federal and state governments. During the 1960's and 1970's, it defended the First Amendment rights of Nazis and members of both the Ku Klux Klan and the Nation of Islam.

During the 1960's, the mission of the ACLU expanded to include other groups that had traditionally been denied equal protection, including women, children, prisoners, the mentally ill, persons with disabilities, and gays and lesbians. The organization also advocated the abolition of criminal abortion laws under the constitutional right to privacy. In later years, it supported affirmative action, education re-

form, voting rights, and the rights of individuals with acquired immunodeficiency syndrome (AIDS).

Because of its defense of unpopular causes and groups, the ACLU has been accused by its detractors as being radical and un-American. Some also criticize the organization for its absolutist definition of civil liberties. The ACLU, however, has consistently adhered to the principle that everyone has the same basic rights and has continued to defend individuals and groups regardless of their beliefs.

*William V. Moore*

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SEE ALSO: Academic freedom; Bill of Rights, U.S.; Book banning; Church-state separation; Civil rights and liberties; Constitution, U.S.; First Amendment; Ku Klux Klan; Nation of Islam.

## **American Federation of Labor**

**IDENTIFICATION:** First permanent national-international federation of skilled trades

**DATE:** Founded on December 8, 1886

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The American Federation of Labor (AFL) asserted the rights of workers to organize on their own behalf and upheld the dignity of labor against the impositions of the business community.

A successor to the Federation of Organized Trades and Labor Unions, which was established in November of 1881 in Pittsburgh, Pennsylvania, the American Federation of Labor (AFL) became the first permanent American trade union federation. Earlier American national labor organizations, such as the National Labor Union (established in 1866) and the Knights of Labor (established in 1871), had been loosely structured industrial unions with polyglot memberships and broad economic and political pro-

grams. Despite some limited successes, they ultimately failed because of internal divisions, the dispersion of their energy, and the hostility of the public and the business community.

The AFL was founded largely through the efforts of Samuel Gompers and Adolf Strasser, both of whom were immigrant cigar makers and socialists. A pragmatic organization, it was tailored to American workers' lack of class consciousness and emphasized the improvement of wages, hours, and working conditions—that is, bread-and-butter unionism. Its constituent organizations—carpenters, coal miners, building tradespeople, and railroad workers—enjoyed almost complete autonomy and enlisted skilled workers almost exclusively.

The relatively high wages of skilled workers made it possible for the organization to accumulate substantial strike funds. AFL membership rapidly grew to two million by 1910 and more than tripled by 1950. Publicly, the AFL sought the mediation of labor disputes, the enactment of labor legislation, limits on immigration, protection from technological unemployment, and, whenever possible, collaboration with employers. The AFL's merger with its rival, the Congress of Industrial Organizations, in 1955 (founding the AFL-CIO) created the free world's largest labor union. The merger also resulted in diminished autonomy and the acceptance of industrial unionism and political action.

*Clifton K. Yearley*

SEE ALSO: International Labour Organisation; Knights of Labor; Labor-Management Relations Act; National Labor Union; Work.

## **American Inns of Court**

**IDENTIFICATION:** Voluntary legal organization comprising judges, lawyers, law professors, and students

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Chapters of the American Inns of Court seek to foster excellence in professionalism, ethics, civility, and legal skills.

The American Inns of Court was organized in the early 1980's at the suggestion of Chief Justice War-



ren Burger. Patterned after the English Inns of Court, this organization consists of an association of local chapters devoted to improving the legal profession. Each chapter unites judges, lawyers, law teachers, and third-year law students in a focus on professionalism, legal ethics, civility, and a variety of legal skills. Members, who gather monthly for educational programs, may engage in mock trials, demonstrate appellate arguments, or simply discuss their ideas and experiences on various topics.

Chapters of the American Inns of Court limit themselves to no more than eighty active members to encourage the kind of mentoring and support relationships rooted in close contact. The organization attempts to foster relationships among students, lawyers, and other legal professionals with a broad range of experience. The four categories of membership illustrate this range. Masters of the bench are experienced lawyers, judges, and law professors. Barristers are practicing attorneys with three to five years of experience, and associates are lawyers who have been practicing less than three years. Finally, pupils are third-year law students.

*Timothy L. Hall*

SEE ALSO: Attorney-client privilege; Code of Professional Responsibility; Codes of civility; Judicial conduct code; Jurisprudence; Law; Legal ethics; Mentoring; Professional ethics.

## American Medical Association

IDENTIFICATION: National professional organization of licensed physicians

DATE: Founded in 1847

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: The stated purpose of the American Medical Association (AMA) is to improve the quality of medical services provided to Americans and to maintain high standards of ethical behavior within the medical profession.

The AMA held its first official meeting in Philadelphia in 1847. The delegates to the meeting established a Code of Medical Ethics and set minimum requirements for medical education and training. To reflect changing times and conditions, major revisions

were made to the Code of Medical Ethics in 1903, 1912, 1947, and 1994. The preamble, and primary component, of the code is known as the Principles of Medical Ethics. It contains nine fundamental ethical principles that have been applied to nearly two hundred different ethical issues in medicine, ranging from genetic testing to family abuse. Two other components of the Code of Medical Ethics are the Current Opinions with Annotations of the Council on Ethical and Judicial Affairs, which interprets the Principles of Medical Ethics, and the Reports of the Council on Ethical and Judicial Affairs. Together, the three components of the Code of Medical Ethics determine the AMA's overall position on ethical issues.

The Principles of Medical Ethics establish general rules of ethical conduct among doctors, between doctors and their patients, and between doctors and society at large. They require doctors to maintain secrecy within the requirements of the law, temperance, delicacy, punctuality, and respect for the rights of others. Physicians are requested to keep abreast of important medical developments that may benefit their patients, share relevant medical information with their patients, and consult and work with other medical professionals as necessary. The ethical behavior of physicians is determined by the overall content of the Principles of Medical Ethics. Although ethical values and legal principles are typically interrelated, the AMA advocates that ethical obligations of a physician usually supersede legal obligations.

*Alvin K. Benson*

SEE ALSO: Bioethics; Diagnosis; Ethical codes of organizations; Hippocrates; Medical bills of rights; Medical ethics; Medical research; *Principles of Medical Ethics*.

## American Society of Newspaper Editors

IDENTIFICATION: Organization that encourages newspaper editors to concern themselves with the ethics, quality, and history of editorial and news policy

DATE: Founded in 1922

TYPE OF ETHICS: Media ethics



**SIGNIFICANCE:** Of the many groups monitoring the news media for fairness and accuracy, the American Society of Newspaper Editors is among the most influential because it is made up of editors themselves.

At the beginning of the twenty-first century, the American Society of Newspaper Editors (ASNE) had more than one thousand members. Its members are the directing editors who determine editorial and news policy on daily newspapers across the country. The organization has several goals: to improve the quality of journalism education and of newspaper writing and editing, to help newspaper managers work more effectively with employees, to encourage adequate minority representation on newspaper staffs, and to protect First Amendment rights and freedom of information. To achieve these goals, ASNE publishes several periodicals for editors, educators, and others, and presents awards for excellence in editing and writing.

ASNE monitors its own members to see how newspapers are responding to various needs. This often leads to controversy. During the late 1980's, ASNE began surveying daily newspapers to determine whether gay and lesbian journalists were being given fair treatment in hiring and promotion, and whether the AIDS epidemic was receiving fair and adequate coverage. During the same period, ASNE researched the hiring and promotion of members of racial and ethnic minorities, and debated whether to publicize the names of newspapers with poor minority-hiring records.

*Cynthia A. Bily*

**SEE ALSO:** Accuracy in Media; Journalistic entrapment; Journalistic ethics; Media ownership; News sources; Photojournalism; Tabloid journalism.

## Americans with Disabilities Act

**DEFINITION:** Federal civil rights law enacted to protect people with disabilities from discrimination

**DATE:** Passed on July 26, 1990

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** Prior to the passage of the Americans with Disabilities Act (ADA), the civil rights of the

disabled community were not protected; the ADA strictly prohibits discrimination against people with disabilities.

The Civil Rights Act of 1964 did not prohibit discrimination against people with disabilities. The Rehabilitation Act of 1973 required that increased opportunities be made available for people with disabilities, but discrimination against the disabled continued to be evident until the passage of the Americans with Disabilities Act in 1990. The Americans with Disabilities Act stands as a comprehensive civil rights law for people with disabilities.

The ADA states that no individual shall be discriminated against on the basis of a disability in seeking employment, receiving state and local government services, or having full and equal enjoyment of public accommodations. Title I of the ADA prohibits discrimination against hiring a "qualified applicant" only on the basis of the applicant having a disability. The ADA public accommodation provisions, known as Title III, which became effective on January 26, 1992, require accessible wheelchair routes and signage identifying special services for the disabled. Such services may include braille materials and assistive listening devices. The effect of the passage of the ADA has been increased accessibility for people with disabilities and an increased awareness of disability civil rights.

*Noreen A. Grice*

**SEE ALSO:** Civil Rights Act of 1964; Disability rights; Keller, Helen; United Nations Declaration on the Rights of Disabled Persons; Veterans' rights.

## Amnesty International

**DEFINITION:** International organization that seeks to protect human rights throughout the world

**DATE:** Founded in 1961

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** By monitoring the state of human rights throughout the world, publicizing violations, and seeking to correct errors, Amnesty International has raised the consciousness of people everywhere about the need to protect and defend people's rights. In 1977 the organization was

awarded the Nobel Peace Prize for its work in aiding political prisoners throughout the world.

Amnesty International is an international agency that seeks enforcement of the Universal Declaration of Human Rights (1948). Working to ensure these rights for all people in all countries of the world, it uses research and action to focus on preventing violations of human rights; ending severe abuses of all types of human rights, including physical, mental, freedom of conscience, and expression; and protecting people from all types of discrimination,

English human rights activist Peter Bennenson founded Amnesty International in 1961, building on an organization named Justice that he and other British lawyers had founded in 1959. Justice sought adherence to the Universal Declaration of Human Rights.

The immediate occasion for the founding of Amnesty International was the arrest by the Portuguese dictatorship of two students in November, 1960. The students' alleged crime was toasting freedom in public. For that offense Portugal's rigged courts sentenced the students to seven years in prison. On May 28, 1961, Bennenson published an article in the *London Observer* titled "The Forgotten Prisoners." The article evoked a large response.

### THE ORGANIZATION'S MISSION

To achieve its mission of protecting human rights, Amnesty International has remained officially independent of any ideology except the protection of human rights. By the early twenty-first century it claimed more than 1,500,000 members in more than 150 countries and remained independent of any government organizations in its governance and fundraising.

Toward its goal of respect for universal human rights, Amnesty International conducts research and action geared toward the prevention and elimination of serious abuses of human rights in all guises, physical and psychological. Its overriding ethic has been to promote and work for freedom throughout the inhabited world, and it has played a major role in bringing the world's attention to the importance of human rights on the international scene. Among its accomplishments has been the publication of a code of medical ethics for professionals that prohibits torture. It has worked for international business ethics, oppos-

ing child labor and other forms of exploitation. The standards of Amnesty International have influenced numerous world leaders, especially President Jimmy Carter, who made human rights a key factor during his political career and afterward and won a Nobel Peace Prize in 2002 for his work.

*Frank A. Salamone*

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SEE ALSO: American Civil Liberties Union; Capital punishment; Child soldiers; Human rights; Human Rights Watch; Nobel Peace Prizes; South Africa's Truth and Reconciliation Commission; Torture; Universal Declaration of Human Rights.

## Anarchy

**DEFINITION:** Political theory holding that individual freedom has been destroyed by the coercive power of the state and seeking to replace the state with voluntary associations

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** As a belief in the importance of individual freedom over the values of the state, anarchy questions virtually all traditional models of government, including social contract theories of democracy.

Anarchy, as the word is commonly used, refers to chaos that results from an absence of authority. The term has its roots in Greek and means, literally, leaderless. As a political philosophy, however, anarchy seeks to liberate the individual from the coercion of the state and to create a society of voluntary participation. This dual nature of anarchy—disorder and individual freedom—is reflected in the approaches

taken by anarchists since its inception as a political philosophy in the nineteenth century.

## HISTORY

Pierre-Joseph Proudhon, a French writer and social theorist, came from a lower-class background. “What is property?” he asked in his most famous work, with that title (1840). His answer, “Property is theft,” is one of the intellectual foundations of modern anarchism. Proudhon believed that one’s labor was the basis of value in society. Property, in the form of capital or land, whose owners were supported by the state, denied workers their fair shares. This emphasis on the economic foundation of the state would be appropriated by syndicalist labor unions at the beginning of the twentieth century, and it provided the justification for revolutionary general strikes aimed at destroying the state.

Anarchism was popular among workers because it promised action. Revolutionaries, such as the Russian Mikhail Bakunin and the Italian Enrico Malatesta, worked for the revolution that, sparked by an act of violence, would bring about the new society. At the end of the nineteenth century and the beginning of the twentieth, some anarchists engaged in terrorism, which they called “propaganda of the deed.” They thought that one dramatic act of violence, especially the assassination of a major political leader,

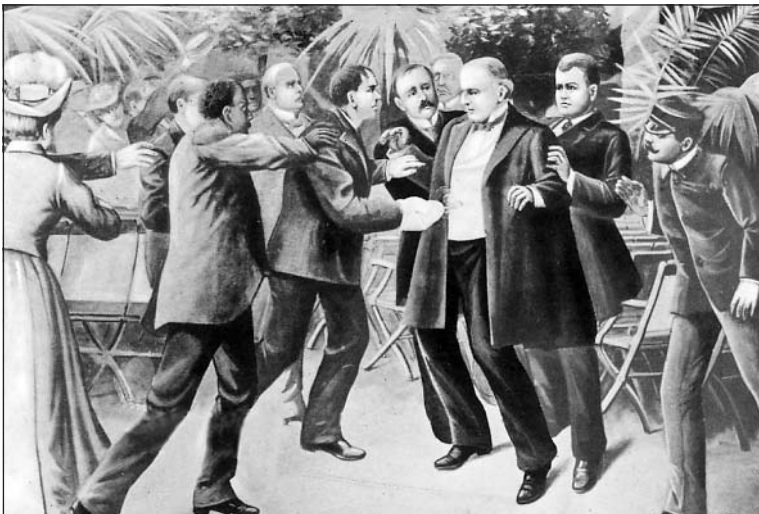
would bring about the long-awaited revolution. President William McKinley of the United States; Antonio Cánovas del Castillo, the premier of Spain; and Umberto I, king of Italy, all died at the hands of anarchist assassins. Assassinations and bomb-throwing attacks led to the image of anarchists as violent criminals plotting to destroy society.

The Russian-born American anarchist Emma Goldman was a symbol of this terror in the minds of many Americans. Children were threatened with capture by “Red” Emma, and their fate was left to the imagination. Emma Goldman’s life, however, was a testament to the ethics of anarchy as a way of life. She believed in her rights as a woman to work, to practice birth control, and to love without the bonds of marriage. She supported labor unions and openly opposed the entry of the United States into World War I.

Goldman was deported back to Russia in 1917 but became disillusioned by the authoritarian nature of the revolutionary Bolshevik regime. Instead, she favored the anarchist revolution that occurred in Spain at the outbreak of the Spanish Civil War in 1936. In Barcelona, workers took over factories and set up committees to oversee production. Factory committees then elected representatives to regional industry councils in an attempt to organize an economy and a society without exploitation. This worker control ended when the military, under Francisco Franco, defeated the Republican government and set up a dictatorship in Spain.

## ETHICAL PRINCIPLES

Another and more intellectual approach to anarchy focused less on the destruction of the state and more on the freedom of the individual. Several Russian intellectuals, among them Leo Tolstoy and Peter Kropotkin, used the peasant village as an example of individual cooperation and moral authority. Kropotkin was an advocate of mutual aid, believing that individuals would spontaneously create groups for their mutual benefit and join voluntarily. The state existed to coerce individuals to conform to moral



*In September, 1901, U.S. president William McKinley was shot by an anarchist named Leon Czolgosz, who was executed for murder only six weeks after McKinley died. (Library of Congress)*

standards and economic organization that benefited those who controlled that state.

The ethics of anarchy is more than a protest against a particular state or society or economic organization: It is an expression of complete faith in the individual. In the twentieth century, the legacy of anarchy has influenced both violent demonstrations and scholarship. The worldwide student uprisings of the late 1960's owed much to the anarchist belief in direct action and mistrust of the state. In Chicago, Paris, and Mexico City, students battled police to protest government policies.

Herbert Read, an English writer, has sought to explain the ideals of freedom through anarchy. Read addresses the differences between individual freedom and the concept of liberty. Liberty, according to Read, is a doctrine that depends on the relationship of the individual to the state. Liberty is a civil right; freedom is a personal attribute. One is granted liberty but possesses freedom. Anarchy, according to Read, recognizes that freedom is innate and leaves the individual unfettered.

Paul Goodman was an American scholar who wrote about education, society, and urban living. Goodman's human perspective envisaged educational communities, not mammoth universities, and cities on a human scale, designed around the individual rather than around a system of production and transportation.

Anarchy is not a system, and its adherents often exhibit contradictory behavior and ideas. It accepts spontaneity and variety as attributes of freedom, and it welcomes diversity. Anarchy opposes uniformity enforced by dictatorships or elected governments and supports the freedom of each individual. It is this respect for the value of the individual that marks the ethics of anarchy.

*James A. Baer*

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SEE ALSO: Assassination; Class struggle; Communism; Freedom and liberty; Nihilism; Politics; Revolution; Social contract theory.

## **Anger**

**DEFINITION:** Primary, reactive emotion characteristic of both humans and animals

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Often thought of as a base or dark emotion, anger may motivate unethical or illegal acts. Its fundamental biological nature, however, may also indicate that it is a necessary survival mechanism.

Modern psychology and psychoanalysis have to some measure removed the onus that medieval Christianity attached to anger when identifying it as one of the seven cardinal, or deadly, sins. It is now viewed as a natural, reactive, even mature emotion experienced by all humans at some time in their lives, as unavoidable as other primary emotions such as fear, sadness, and joy. However, orthodox moral philosophers knew that unabated anger, or wrath, could be destructive, particularly in the guise of vengeful fury, and argued that in that form it should be God's prerogative alone. As the fourth century Greek theologian Saint Basil proclaimed, in mortals it was viewed as a reprehensible "temporary madness."

#### **THE HUMORS THEORY**

The primitive, physiological "humors" theory that persisted from antiquity through the Renaissance and explained emotions as "passions" should have called into question the idea that anger per se could be deemed sinful. After all, if a person was dis-



posed to cholera because of an imbalance in body chemistry, an excess, specifically, of yellow bile, anger could arise without permission of the will, making sin a moot concept. Morality must hinge on both the cognitive distinction between good and evil and a voluntary choice between them—that is, free will.

The implications of the pseudo-scientific idea of the humors simply remained as remote from moral philosophy as modern physiological study is likely to remain. Knowing, for example, that under stress, as in an angry condition, there is a decrease of lymphocytes in the blood but an elevation of free fatty acid avails the moralist nothing. Knowing that anger can contribute to destructive behavior, however, provides some food for ethical thought. Moral principles based on emotions must therefore focus on their effects rather than on the emotions themselves.

#### **HEALTHY EMOTION VS. DESTRUCTIVE POTENTIAL**

Anger is engendered by some sort of stimulus, usually in the present but possibly recalled from memory. It is normally a conscious feeling accompanied by physical discomfort and tension, and may be outwardly expressed by glaring, gritting of teeth, clenching of the fists, or even quaking of the bodily frame, depending on its intensity. Most psychologists believe that it is a realistic, healthy emotion, unlike hostility, which is based in immature fear. It is, however, a delimited emotion, and unless it subsides or finds outlet in expression, it can yield to more destructive reactions such as anxiety, depression, and aggression. When sublimated through creative energy, however, it can lead to positive behavior, such as efforts to ameliorate social injustice.

Anger tends to become dangerous when it is suppressed, repressed, or displaced. Both suppression and repression work to deny its expression an outlet, while displacement, common in dreams, redirects the expression of anger from the actual stimulus to a surrogate or scapegoat. Repressed, seething anger may find sudden, explosive release, as it did in the 1992 riot in Los Angeles, which was prompted by the acquittal of the police officers in the Rodney King beating trial. The violence erupted because the demands of a collective anger aroused by the beating were not satisfied by the jury's verdict. The anger was then displaced as violence against persons and property that had no rational link to the King affair.

The widespread deflection of anger away from its actual cause toward a scapegoat has affected even whole nations. A prime example is Nazi Germany, in which Jews were blamed for the economic ills of the nation and displaced anger gradually gave way to hatred and murderous, genocidal aggression. How that could have happened in such a highly developed culture remains something of a mystery, but the basic model of hatred arising from anger joined to frustration is clear enough.

The vestiges of the idea of anger as a sort of madness persist in law, as, for example, in the "temporary insanity" defense, or as a mitigating factor in sentencing in "crimes of passion." Moreover, the cumulative effect of long-suppressed anger has increasingly been used as a defense in court, when, for example, a battered wife has killed her spouse under circumstances that would otherwise preclude a plea of self-defense. For some theorists, that defense has opened a legal version of Pandora's box.

Furthermore, as the Rodney King case revealed, the legal process is a potential hostage to collective anger. The videotape of King's beating, repeatedly aired by the media, aroused great public indignation, which could have intimidated and suborned the jury. It did not, but the lawlessness that followed in the wake of that jury's verdict may weigh heavily on some future jury.

Although modern psychologists can agree on the symptomatic behavior and physiological phenomena accompanying anger, they can provide no definitive conclusions regarding what it is or even where, anatomically, it resides. Practical ethics must take anger and other emotions into account, but using them as primary building blocks of moral principles is at best subjective and very risky.

*John W. Fiero*

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SEE ALSO: Aggression; Darwin, Charles; Freud, Sigmund; James, William; Passions and emotions; Violence.

## Animal consciousness

DEFINITION: Argument that animals may experience thought processes, self-awareness, and emotions similar to, though simpler than, those of humans

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: Representations of animal consciousness are used to argue for the ethical treatment of animals.

Early in the twentieth century, in response to exaggerated claims for mental abilities in animals, the behaviorist tradition came to dominate psychology and animal behavior. Behaviorists claimed that animals are probably not conscious of themselves or of their behavior; that if they were, the knowledge would not be important to them; and that this consciousness would be impossible for humans to measure, analyze, or understand. Through the following decades, behavioral scientists assumed that animals were incapable of thought, emotions, and self-awareness. Animals were treated almost as machines in behavioral studies.

Later in the century, some ethologists (people who study animal behavior under conditions as nearly natural as possible) began to question the assumptions of behaviorism. One of these was Donald R. Griffin, who was impressed by the number of animal capabilities that were initially considered to be preposterous by behavioral scientists but were later clearly demonstrated. His own discovery (with Robert Galambos) that bats use a sonarlike system for

spatial orientation and insect capture is an example of such a capability. Griffin thought that animals might also have greater mental ability than behaviorists believed.

Karl von Frisch had already described an elaborate dance of honeybees, with which scout bees direct their coworkers to sources of nectar. The dance uses symbolic representations for the direction, distance, and quality of the nectar source. Other examples of animal mental accomplishments ranged from navigation in birds to evidence of learning and language use in apes, monkeys, dolphins, sea lions, and parrots.

Griffin wrote *The Question of Animal Awareness* in 1976 to explore the possibility that reason and consciousness might exist in animals. The question of animal awareness has actually been in existence since people became conscious. Animal thought and awareness were assumed to exist by many scientists and most laypersons before the establishment of behaviorism. Griffin's book, supported by his impeccable scientific reputation, brought the idea back for serious consideration among behavioral scientists and initiated a new science: cognitive ethology.

Griffin argued that animals do many things that can be most easily explained if animals are assumed to have at least a limited ability to think and plan. Also, given the fact that human anatomy and physiology—including the anatomy and physiology of the nervous system, the center of thought and consciousness—are very similar to those of animals, there is good reason to assume that human mental processes are also similar to those of animals. Further, he proposed that the ability to reason, even in a very rudimentary fashion, should be of value to animals, as it is to humans, and so should be favored by natural selection. He suggested that there is no more evidence demonstrating animals' inability to think and feel than there is demonstrating their ability to do so, and that it is foolish to assume they lack such abilities without evidence.

Griffin did not say that animal reason is on the same level as that of humans. Although whales and apes, especially chimpanzees, have been assigned near-human abilities by some investigators, these claims have always shown lack of support when carefully investigated. Griffin argued that awareness and thinking ability are far greater in humans than in animals, but that the essential processes supporting con-



sciousness are the same in the two groups. In other words, there are great quantitative differences, but no qualitative differences.

In some people's minds, the ethical treatment of animals hinges on the question of animal consciousness. If animals are aware of fear and pain, ethical consideration requires that any human use of an animal be designed to minimize the animal's distress. Assuming that animal consciousness exists, animal rights extremists argue that animals should not be used by humans in any way. Instead, as sentient beings, they should be given the same rights and respect as humans. Organisms that are not aware of their pain and fear, however, need not be so carefully treated. The most extreme animal use proponents assume that there is no animal consciousness and argue that unfeeling beasts can be used in any way humans see fit. Most cognitive ethologists agree that humans have a right to use animals, since all species use others in natural ecological interactions such as predation. Animal use should, however, be carried out with the animal's potential awareness in mind, and pain or discomfort should be minimized.

Animal awareness might also prove to be of importance to the study of ethics. Ethics, like consciousness, has been assumed to be the exclusive concern of humans. Some animals, however, appear to use deception to manipulate their fellows intentionally. If such behavior occurs widely among animals, the evolution of ethical systems might be profitably studied using these primitive systems. A problem with this prospect, and with the question of animal consciousness in general, is the difficulty of understanding what is going on in another species' mind. Behaviorist assumptions are still prevalent in psychology and animal behavior. Not everyone is convinced that animals think or are aware of themselves and their actions, let alone that they make conscious ethical (or unethical) decisions.

*Carl W. Hoagstrom*

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SEE ALSO: Animal research; Animal rights; Cruelty to animals; Moral status of animals; People for the Ethical Treatment of Animals; Sentience; Singer, Peter; Vivisection.

## **Animal research**

**DEFINITION:** Use of animals in research for the purpose of education, product testing, or acquiring new knowledge that might benefit humankind

**TYPE OF ETHICS:** Animal rights

**SIGNIFICANCE:** Research conducted on animals raises questions regarding the moral acceptability of subjecting animals to pain, suffering, and sometimes death for the benefit of people.

Using animals for purposes of research (closely allied to vivisection) has been practiced since the beginning of scientific medicine, when it was practiced by the ancient Greeks. The field of medicine benefited from the study of living organisms, and the fields of experimental physiology, biology, and comparative anatomy could not have emerged as independent disciplines without the knowledge gained from animal laboratory research.

Through the seventeenth century, the scientific community had no moral, legal, or religious objection to vivisection. As Nicolaas Rupke, a scientific historian, points out in his book *Vivisection in Historical Perspective* (1987), it was not until the nineteenth century that vivisection became the focus of public controversy. This controversy grew out of the animal welfare movement of the 1820's and eventually led to the introduction in Great Britain of the Cruelty to Animals Act of 1876, which was the first law enacted to regulate animal research.

## Arguments for and Against the Use of Animals in Research

### *Pro*

Since animals are less complex organisms (both biologically and psychologically), they provide a good beginning point for exploratory research.

Animals have shorter life spans, which facilitates the study of genetically transmitted traits.

Scientists are able to control an animal's environment effectively, reducing the number of confounding variables that plague research.

Animals can be used for experiments that would be considered unethical to perform on humans.

### *Con*

Animal research has no value or efficacy for understanding human processes or disorders.

Most animal research serves no beneficial purpose for humans and is unnecessary.

In many cases the costs of harming animals outweigh the benefits to human society.

Animals have intrinsic worth and deserve to live freely, unrestricted by selfish motives of another species.

The public debate over vivisection continued into the twentieth century, and the publication of *Animal Liberation* (1975) by animal rights activist Peter Singer fueled and revived the antivivisection movement. Singer's book contained the most powerful arguments to date against the use of animals in research. He used the term "speciesism" to encapsulate the notion that it is morally indefensible for one particular species (humans) to dominate and abrogate the rights of another species for its own interests. One of the first books published by a member of the scientific community to rebut the antivivisection arguments was William Paton's *Man and Mouse: Animals in Medical Research* (1984).

### THE EXTENT OF ANIMAL RESEARCH

Animals are frequently used for research in such biomedical fields as pharmacology, bacteriology, and toxicology and in such social sciences as psychology. Although estimates are difficult to make, the National Research Council has indicated that as many as 17 million animals may be used for research every year in the United States alone. The majority of these animals, roughly 85 to 90 percent, are laboratory rats and mice. Primates appear to account for less than 7 percent of research animals. In comparison, the American Humane Association reports that approximately 12 million animals are killed in shelters each year.

### ARGUMENTS

Many views exist concerning the moral acceptability of using animals in research. On one end of the continuum, a minority of scientists advocates the unrestricted use of animals for experimental research, teaching purposes, or product testing, regardless of the value of that research for improving the welfare of the human condition. On the other end of the continuum, a minority of animal activists, such as Tom Regan of the Animal Liberation Movement, promotes the total elimination of the use of animals for science. Most scientists and activists hold positions in between these extremes.

Advocates of vivisection maintain that animal research has unlocked mysteries in the fields of physiology, biochemistry, neuroscience, and pathology, among others, which have allowed discoveries to be made that have led to the elimination or reduction of human pain and suffering for generations of people to come. These advocates point to progress in mental illness, neurological disorders, genetic disorders, pain management, vaccinations, and many other areas, all made possible by animal research. Antivivisectionists argue, primarily on moral or ideological grounds, that inflicting pain on another species is cruel and immoral. Many activists state that humans do not have the authority to usurp the rights of another species for their own purposes, holding that animals possess intrinsic worth and should be able to

live freely, without restrictions imposed by an intellectually superior species. Singer asks: Is speciesism merely another form of blatant racism? Those who support animal research counter with the argument that animals are not morally equal to humans.

Most animal rights groups do not want to see all animal research abolished. However, they want to see the institution of more responsible research practices. Philosopher Michael A. Fox, the author of *The Case for Animal Experimentation* (1986), states that animal rights groups have accused the scientific community of being reluctant to use humane research methods that are intended to reduce the number of animals being used and minimize or eliminate the pain or suffering that they experience. In addition, the animal rights groups maintain that much research serves no valuable purpose. Fox agrees that pain and suffering should be minimized whenever possible but points out that in some instances, it may not be possible. Also, it is difficult to predict how valuable research is going to be before it is conducted.

#### REGULATIONS

Guidelines created by a number of scientific organizations, along with state and federal laws, exist to help regulate the use of animals in research. Many of these documents address the humane treatment of animals, including the concern for the animals' comfort and health. The guidelines typically stress the need to reduce pain and discomfort by using anesthesia or analgesics and to use particularly invasive techniques only when no other alternatives can be found.

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SEE ALSO: Animal consciousness; Animal rights; Cruelty to animals; Experimentation; Mean/ends distinction; Moral status of animals; National Anti-Vivisection Society; People for the Ethical Treatment of Animals; Singer, Peter; Vivisection.

## Animal rights

DEFINITION: Extension of rights-based ethical theories to nonhuman animals

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: Animal rights have been advocated by a political movement with philosophical foundations in both the utilitarian and rights-based traditions in ethical theory. This movement raises the issues of the basis of human rights and the grounds upon which such rights should or should not be extended to other living beings.

The animal rights groups that became a potent and pervasive political force in the United States and Europe during the last quarter of the twentieth century were distinguished from earlier, more moderate animal protection groups by their rights-based rhetoric, but they also drew freely on the thinking of utilitarian ethicist Peter Singer.

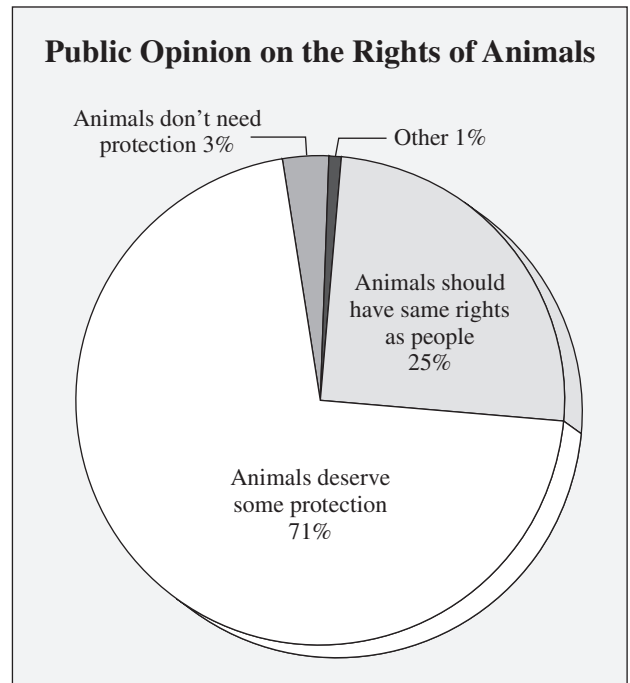
#### HISTORY

The older "animal protection" groups, such as the American Society for the Prevention of Cruelty to Animals (ASPCA) and the Humane Society of the United States (HSUS), had as their primary focus the prevention of blatant mistreatment of work and companion animals. In 1975, the Australian philosopher Peter Singer published *Animal Liberation*, which subsequently became the bible of the animal rights movement, and during the early 1980's, a number of

professional philosophers began devoting serious attention to the ethics of the treatment of nonhuman animals. The new animal rights groups, such as People for the Ethical Treatment of Animals (PETA), the Fund for Animals, and the Farm Animal Reform Movement (FARM), used ideas that emerged from the philosophical debate to question the very use of animals, especially in agriculture and science.

While some groups, such as the Animal Legal Defense Fund, worked within the system, the best-known groups emphasized confrontation and “direct action,” especially the clandestine Animal Liberation Front (ALF), which devoted itself solely to illegal actions such as stealing (“liberating”) lab animals and destroying scientific equipment and data. In 1981 Alex Pacheco, who later founded PETA along with Ingrid Newkirk, volunteered as an assistant to Edward Taub, who was doing research on nerve damage using monkeys at Silver Spring, Maryland. Pacheco documented violations of state cruelty laws, and Taub was convicted on six counts. Then, in 1984, the ALF provided PETA with videotapes stolen from a laboratory at the University of Pennsylvania that was using baboons to study head injuries. The footage, which had been shot by the scientists themselves, showed researchers joking about the animals, which were being subjected to severe, brain-damaging whiplash, and showed what appeared to be inadequately anesthetized baboons left unattended. PETA edited the footage into a widely distributed video, *Unnecessary Fuss*, and the resulting publicity forced the closure of the lab.

Although Taub’s conviction was subsequently overturned on the grounds that the state cruelty laws in question did not govern federally funded research, groups such as PETA capitalized on the publicity from such cases to become a potent political force. In 1985, the federal Animal Welfare Act of 1966 was amended to require all universities accepting federal funds to have an Institutional Animal Care and Use Committee (IACUC), and by the late 1980’s there were persistent calls, from a number of scientists and in proposed legislation, for “The Three R’s”: *replacement* of animals with nonanimal models, *refinement* of experimental protocols to eliminate animal suffering, and *reduction* of the number of animals used.



Source: Gallup Poll, May 5-7, 2003. Figures reflect responses from 1,005 adults throughout the United States.

The political success of animal rights groups was reflected in the birth of groups defending the use of animals, such as the Animal Industry Foundation, the Incurably Ill for Animal Research, and the Foundation for Biomedical Research (FBR). The FBR produced a response to *Unnecessary Fuss* called *Will I Be Alright Doctor?* featuring children whose lives had been saved with medical procedures first developed on animals, and it took out ads with photos of animal rights protesters captioned: “Thanks to animal research, they’ll be able to protest 20.8 years longer.”

Although most philosophers writing on the subject concluded that animal rights and environmental ethics are based on incompatible foundations (concern for individuals versus concern for ecological wholes) and environmental groups such as the Sierra Club and the Audubon Society took steps to distance themselves from animal rights groups during the late 1980’s and early 1990’s, some animal rights activists sought to forge coalitions with environmental concerns. From its founding in 1967, the Fund for Animals merged concerns for animals and endangered species in its campaigns against hunting and trap-

ping. Similarly, Animal Rights Mobilization (founded in 1981 as Trans-Species Unlimited) conducted an annual “Fur-Free Friday” the day after Thanksgiving in more than 100 cities, in an effort to meld animal rights and environmental ethics.

While emphasizing action and sometimes even disparaging philosophical reflection as a frivolous distraction, animal rights activists borrowed two notions from philosophers studying the ethics of the human treatment of nonhuman animals: Peter Singer’s principle of equal consideration of interests and Tom Regan’s analysis of the concept of moral rights. Although most activists read Singer’s popular *Animal Liberation*, few read his more philosophical book *Practical Ethics* (1979) or Regan’s lengthy and rigorous *The Case for Animal Rights* (1983). Yet it is in these latter two books that Singer and Regan provide careful analyses of the concepts that animal rights activists commonly invoked, and, in particular, Regan’s book—not Singer’s—is the source of the analysis of moral rights that activists used to question the very use of animals.

#### PRINCIPLE OF EQUAL CONSIDERATION OF INTERESTS

Singer wrote *Animal Liberation* for popular consumption, and in it he spoke loosely of animals having moral rights. In later, more philosophically rigorous work (summarized in *Practical Ethics*), however, he explicitly adopts a utilitarian stance and eschews talk of rights. Utilitarianism is the view that right actions maximize aggregate happiness. In principle, nothing is inherently or intrinsically wrong, according to a utilitarian; any action could be justified under some possible circumstances. One way of characterizing rights views in ethics, by contrast, is that there are some things that, regardless of the consequences, are simply wrong to do to individuals, and that moral rights single out these things. To defend the moral rights of animals would be to claim that certain ways of treating animals cannot be justified on utilitarian grounds.

As a utilitarian, however, Singer does not oppose all uses of animals. If the benefits to humans of scientific experimentation or animal agriculture sufficiently outweighed the harms to animals, then they would be justified in utilitarian terms. What Singer insists on is equal consideration of interests. Singer argues that what makes racism and sexism morally

objectionable is that the racist does not give equal weight to the similar interests of members of different races and the sexist does not give equal weight to the similar interests of men and women. Borrowing a term from Richard Ryder, he defines a speciesist as one who ignores or gives different weights to the similar interests of humans and animals.

To insist on equal consideration of animals’ interests is not to claim that animals have all the same interests as human beings or that animals ought to be treated in the same way as humans. Singer illustrates these points with the following example. Because a pig has no interests that would be served by an education, whereas a child does, equal consideration for the interests of a pig and a child will lead to very different treatment.

What a child and a pig do have in common, however, is an interest in avoiding suffering. Singer argues that sentience, the capacity for suffering, is a necessary and sufficient condition for moral standing. Arguing that if a being suffers, there can be no excuse for refusing to take its suffering into account, Singer concludes that sentience is sufficient for moral standing. Arguing that if a being is incapable of suffering, there is no individual welfare to be taken into account, he concludes that sentience is a necessary condition for moral standing. Singer speculates that sentience may have vanished from the phylogenetic “scale” by the level of clams, oysters, and scallops, because these organisms’ nervous systems and behaviors are so simple that they probably are not conscious at all.

Singer argues that the status quo in science and in agriculture is based on violations of the principle of equal consideration of interests. He argues that one would not subject a human being to the amount of pain routinely inflicted on sentient animals for the kind of results usually obtained. Similarly, he argues, one would not subject any human being to the pain and stress routinely inflicted on farm animals for the sake of nutritionally unnecessary meat.

Singer’s *Animal Liberation* became the bible of the animal rights movement. PETA distributed it to new members, and many who read it were inspired to political activism and vegetarianism. To the extent that the animal rights activists opposed all use of animals, however, Singer’s utilitarian stance was not the philosophical foundation of their cause. As a utilitarian, Singer could countenance some uses of animals



under some conditions, as he himself admitted in his later, more philosophical book *Practical Ethics*.

There he argues that if a happy animal is slaughtered painlessly and replaced with an equally happy animal, then the world is no worse off, in utilitarian terms. Singer denies, however, that this “replaceability argument” can be used to defend large-scale, intensive animal agriculture, for two reasons. First, he claims that the humaneness of living conditions, handling, and slaughter is inversely proportional to the scale of animal agriculture, so that the argument would apply only to an idealized, small-scale animal agriculture. Second, Singer argues that “self-conscious individuals, leading their own lives and wanting to go on living,” are not replaceable, because when such an individual dies, its desires go unsatisfied even if another individual’s desires are satisfied in its stead. Arguing that a case can be made that all mammals are self-conscious, Singer concludes that the replaceability argument would not apply to most types of farm animals (although he admits that it applies to both fowl and fish, which he thinks are not self-conscious).

Still, Singer’s utilitarian position does not imply blanket, exceptionless opposition to animal agriculture. This is all the more clear in the case of medical research, where—at least sometimes—it is not only culinary taste but also the health and lives of self-conscious beings that are at stake. An animal rights activist adhering carefully to Singer’s utilitarian position could endorse *some* types of experimentation under *some* circumstances.

### REGAN’S ANALYSIS OF “HAVING MORAL RIGHTS”

In *The Case for Animal Rights*, Tom Regan claims, for this reason, that it is his “rights view,” rather than Singer’s utilitarianism, which is the philosophical basis of the animal rights movement. Regan argues that respecting animals’ moral rights would imply not only improving the conditions under which they are kept but also the total abolition of animal agriculture and experimentation.

Although there is controversy as to the specifics, there is general agreement among ethicists about what it means to “have moral rights”: To attribute moral rights to an individual is to assert that the individual has some kind of special moral dignity, the value of which is that there are certain things that can-

not justifiably be done to him or her (or it) for the sake of benefit to others. For this reason, moral rights have been characterized as “trump cards” against utilitarian arguments. In *The Case for Animal Rights*, Regan explores the implications of recognizing moral rights so conceived in at least all normal mammals one year old or older.

Regan argues that in order to possess moral rights, an individual must be not merely sentient but also a “subject of a life,” with self-consciousness, beliefs, memories, desires, and a sense of its future. Just as Singer argues that probably all mammals are self-conscious, Regan argues that at least all normal mammals one year old or older have these capacities. He argues that birds, reptiles, amphibians, and fish ought all to be treated *as if* they have rights, out of a spirit of moral caution (they *may* be subjects of a life, but the case for saying that they are is weaker than the case for saying that mammals are).

According to Regan, all subjects of a life have basically one moral right: the right not to be harmed on the grounds that doing so benefits others. Recognizing this right would, he argues, imply the total dissolution of animal agriculture and animal experimentation. If animals have moral rights, then the slaughter of an animal cannot be justified in terms of the benefits accruing to humans. Even experimentation calculated to save human lives cannot, Regan argues, be justified. If animals have moral rights, then humans are not justified in harming them for the sake of benefits to humans, no matter how great those benefits may be. Human beings can knowingly waive their rights and accept the suffering or additional risks involved in experimentation, but animals cannot. Regan’s view is that the only permissible experiments on animals are those that impose no new risks on the animals involved, such as trials of new drugs on animals already suffering from currently incurable diseases.

### INFLUENCE OF PHILOSOPHY ON PRACTICE

In practice, the animal rights activists of the late twentieth century drew freely on the ideas of both Singer and Regan. They often invoked the concept of moral rights, but they also commonly invoked Singer’s principle of equal consideration of interests and claimed his *Animal Liberation* as their philosophical inspiration.

Although both philosophers opposed the status



quo in agriculture and science, their professional philosophical writings dramatically illustrate the distinction between rights-based and utilitarian theories of ethics and the degree to which animal rights activists could differ over specific issues. An activist thinking in utilitarian terms might endorse animal experimentation that is likely to save lives, whereas one thinking in terms of animals' rights might oppose all research, no matter how beneficial to humans. An activist thinking in utilitarian terms might endorse the humane slaughter of some animals, whereas one thinking in terms of animals' rights might oppose slaughter under all circumstances.

### THE PHILOSOPHICAL RESPONSE

Just as the political successes of animal rights groups inspired the formation of groups defending various uses of animals, the attention given Singer's and Regan's work on the subject inspired opposing philosophical work. Two philosophers' works are especially noteworthy in this regard.

In 1980, Canadian philosopher Michael A. Fox published *The Case for Animal Experimentation*, the first book-length defense of animal experimentation by a philosopher. Fox's defense of experimentation turns on an anthropocentric conception of ethics. Fox argues that rights and duties apply only among individuals capable of recognizing reciprocal obligations, and that only humans are capable of this. He concludes that only human beings are full-fledged members of the moral community and that we have no duties directly to animals. He nevertheless opposes cruelty (deliberately inflicting unnecessary pain) because doing so makes us more likely to wrong our fellow human beings. Fox subsequently recanted his central argument, but his book nevertheless represents a systematic development of an argument commonly used by defenders of animal research.

A more persistent critic of animal rights philosophies was American philosopher Raymond G. Frey. In *Interests and Rights: The Case Against Animals* (1980), Frey expresses skepticism about the very usefulness of "rights" as a moral concept (Frey, like Singer, is a utilitarian), but for the sake of argument he accepts the view of rights theorists like Regan that having rights implies having desires. Frey's central argument in the book is that animals cannot have rights because they are incapable of having desires.

In defense of this claim, Frey offers a subtle, original analysis of what it means to have desires. He argues that, in order to have desires, one must be capable of entertaining various beliefs, because what distinguishes conscious desires from mere needs is their sensitivity to the individual's beliefs.

Frey argues that animals that lack language lack beliefs, because it is only sentences that can be true or false, and only creatures with language can think about a sentence being true or false. Therefore, only creatures endowed with language can have desires, and hence, only they can have moral rights. Frey concludes that neither vegetarian nor antivivisectionist conclusions can follow from a rights-based philosophy. Frey's later *Rights, Killing, and Suffering: Moral Vegetarianism and Applied Ethics* (1983) is focused specifically on moral arguments for vegetarianism, and while less original, philosophically, than his earlier book, it probably contains a version of every argument ever offered in response to ethical arguments in favor of vegetarianism, including utilitarian arguments such as Singer's.

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SEE ALSO: Animal consciousness; Animal research; Cruelty to animals; Humane Society of the United States; Moral status of animals; People for the Ethical Treatment of Animals; Sentience; Singer, Peter; Vegetarianism; Vivisection; World Society for the Protection of Animals.

## Anthropological ethics

DEFINITION: Study of the moral issues raised in the course of conducting fieldwork in anthropology

TYPE OF ETHICS: Scientific ethics

SIGNIFICANCE: An ethical approach to anthropology that tries to minimize negative effects of the anthropologist's presence and behavior upon the peoples being studied.

Anthropology studies human culture and behavior primarily through the observation of participants living intimately with and observing a community. Anthropologists risk negatively affecting a community or individuals within it by their presence, actions, or reportage of information.

Anthropology originated only during the mid-nineteenth century, and its early practice betrayed its colonialist roots. Field anthropologists often were government agents sent on espionage expeditions to colonies or territories, informants typically were misled regarding the uses to which information would be put, and concern for informants often was sorely lacking. As early as 1916, Franz Boas and other prominent anthropologists had decried these abuses in print.

World War II proved to be a watershed in terms of concern about ethics in anthropology. The second half of the twentieth century saw the development of formal ethical codes for most of the major anthropological organizations, including the American Anthropological Association, the Society for Applied Anthropology, and the Association of Social Anthropologists of the Commonwealth. These codes contain a core of generally accepted principles, though controversy flourishes regarding other issues.

### CORE PRINCIPLES

Formal ethical codes in anthropology emphasize the obligations of the anthropologist to the people under study, the discipline, and the sponsors of the research.

The anthropologist's greatest responsibility is to the people under study. These people are critical to the study and can be hurt by it. Furthermore, in some cases, cultural differences make people unlikely to understand fully the possible ramifications of their participation. Consequently, anthropologists must use extreme care to protect their informant-hosts.

Knowledge of the political or social structure of a community, even if it is divorced from the specifics of individual officeholders, can be used by governments and others to control, terrorize, or punish a community, and individuals should be aware of what level of risk they are taking by providing that information to anthropologists. Only if the informants find these conditions acceptable should the research continue.

The anthropologists must be prepared to withhold information if necessary to protect the people under study. Many ethnographic reports use pseudonyms or nonspecific reporting in attempts to disguise informant and community identities. Recognizing the trust placed in them, anthropologists should be very sensitive to issues of confidentiality and reveal nothing that is likely to harm the study community or its individual members.

Ethical obligations to the discipline revolve around publication. Anthropologists are obligated to publish the results of their studies, lest they become mere self-indulgent "custom collectors." In order to achieve the greater goals of anthropology, the broadest possible corpus of evidence is necessary. Clearly, falsification and distortion are intolerable.

Sponsors of ethnographic fieldwork vary greatly. Academic funding agencies sponsor much research,

and they typically are sympathetic to anthropological ethics. Other funding, however, may come from private foundations or government agencies that may be unfamiliar with ethical standards or even antagonistic toward them. Project Camelot, for example, was sponsored by the Special Operations Research Office of the U.S. Army between 1964 and 1967. As described in the prospectus, which was mailed to many anthropologists and other social scientists, the goal of this project was “to predict and influence politically significant aspects of social change in the developing nations of the world,” particularly Latin America. This kind of a project can place an anthropologist in an untenable position, since it may require providing information that will harm (in the anthropologist’s judgment) the people under study.

While many anthropologists argue that anthropologists should never accept funding from agencies with questionable motives, ethical codes typically are less dogmatic. They stress the need for a clear agreement regarding what information is to be made

available to the sponsor. Obviously, the anthropologist should reject funding if agreement cannot be reached. If agreement is reached, the anthropologist has an obligation to provide accurate, though not necessarily complete, reporting.

#### **INTERVENTION VS. SCHOLARLY NEUTRALITY**

Under the leadership of Franz Boas, early twentieth century anthropology was committed to preserving information about “traditional” societies before they were transformed by the spread of Western civilization. This led to a nonintervention ethic maintaining that anthropology should dispassionately describe and analyze societies but not try to change them.

The twentieth century, however, showed that these societies were changing in response to Western civilization and would continue to do so. An emerging cadre of applied anthropologists argued that anthropology properly should help direct this change in the manner least damaging to these societies.

Not all anthropologists, however, have accepted the tenets of applied anthropology, and critics argue that anthropological understanding is too rudimentary to permit control of cultural change. Further concern derives from the fact that most funding for applied anthropological research comes from governments that may not be particularly concerned about the welfare of the people under study; pressure placed on an anthropologist by such a sponsor can be considerable.

#### **ISSUES OF RELATIVISM AND CULTURAL CONFLICT**

In response to ethnocentrism in early anthropology, Boas and others argued for cultural relativism, the recognition that all cultures are equally valid and worthy of respect. Cultural relativism remains entrenched in anthropology, but twentieth century ethnocide and human rights violations have led some anthropologists to reconsider, arguing that cultures advocating these and other unaccept-

### **Preamble to the American Anthropological Association Code of Ethics**

Anthropological researchers, teachers and practitioners are members of many different communities, each with its own moral rules or codes of ethics. Anthropologists have moral obligations as members of other groups, such as the family, religion, and community, as well as the profession. They also have obligations to the scholarly discipline, to the wider society and culture, and to the human species, other species, and the environment. Furthermore, fieldworkers may develop close relationships with persons or animals with whom they work, generating an additional level of ethical considerations

In a field of such complex involvements and obligations, it is inevitable that misunderstandings, conflicts, and the need to make choices among apparently incompatible values will arise. Anthropologists are responsible for grappling with such difficulties and struggling to resolve them in ways compatible with the principles stated here. The purpose of this Code is to foster discussion and education. The American Anthropological Association (AAA) does not adjudicate claims for unethical behavior.

The principles and guidelines in this Code provide the anthropologist with tools to engage in developing and maintaining an ethical framework for all anthropological work.

Source: <http://www.aaanet.org/committees/ethics/ethcode.htm>

able practices are not compatible with world values and must change.

Another related issue occasionally arises. The ethics of anthropology are culture-bound, closely tied to Western precepts, and they may conflict with the ethics of another society. When living in and studying a society whose ethics are very different, should anthropologists cling to their own culture's ethical standards?

#### **“THE DELICATE BALANCE OF GOOD”**

The ethical perspectives discussed above are full of contradictions. Obligations to the discipline require that studies be published fully; obligations to the people studied require that sensitive information be withheld. These and other conflicts should be resolved by reference to what Erve Chambers calls “the delicate balance of good.” The anthropologist must examine the likely results of actions, assess their impact on all parties concerned, and follow the path that is most likely to lead to the best overall outcome.

*Russell J. Barber*

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SEE ALSO: Colonialism and imperialism; Custom; Durkheim, Émile; Ethnocentrism; Professional ethics; Relativism; Social Darwinism; Sociobiology; Taboos.

## **Anthropomorphism of the divine**

**DEFINITION:** Description of God or gods in terms of properties that are typical of human beings

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** The extent to which God is conceived to be similar to human beings may influence the way in which people relate to God and to one another, providing a basis for ethical systems.

Anthropomorphism is the attribution of human characteristics or properties to nonhuman beings or objects. One form of anthropomorphism that raises philosophical and ethical issues is the attribution of such features to divine beings. These may include physical properties, such as having eyes and hands; psychological properties, such as feeling sadness or anger; or cognitive or intellectual properties, such as possessing knowledge or power.

Insofar as anthropomorphic descriptions imply defects or limitations, monotheistic traditions (unlike polytheistic traditions) treat such descriptions figuratively. For example, physical properties are almost always taken to imply defects or limitations; therefore, references to “God’s strong right arm” are typically taken to refer to divine power rather than divine right-handedness. Insofar as anthropomorphic descriptions do not imply defects or limitations, they are typically regarded as being literally true. Human beings typically possess some knowledge and power.

Likewise, in monotheistic traditions, God is held to be omnipotent and omniscient. Being omnipotent entails having power and being omniscient entails having knowledge, so describing God in these terms is anthropomorphic in that it ascribes knowledge and power to God. Because the terms “omnipotent” and “omniscient” mean that there is no limit to God’s power and knowledge, these concepts are taken literally. Typically, having psychological properties is thought to involve limitations and defects, either directly or by way of implication that having psychological properties also means that one has physical properties, although this implication is sometimes denied. Unless it is denied, descriptions of God as having psychological properties are also taken figuratively. The fact that having psychological prop-

erties also implies having intellectual or cognitive properties typically is not taken to imply any defect or limitation.

*Keith E. Yandell*  
*Updated by the editors*

SEE ALSO: Animal consciousness; Divine command theory; Ethical monotheism; God.

## Anti-Semitism

**DEFINITION:** Hostility and ill-feeling directed toward Jews

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** Anti-Semitism raises questions about ethical justifications for discrimination, arguments of moral responsibility posed by non-Jews to Jews in the aftermath of the Holocaust, and ethical demands made by Jews.

Prejudice against Jews goes back to antiquity. It was widespread in Europe during the early Christian era, during the Middle Ages in Spain, during the early modern and modern eras in Europe, in the Islamic Arab world, and in the modern Americas. As Christianity emerged as the official religion of the Roman Empire, accusations that Jews murdered Christians to obtain blood for ritual purposes intensified, as did their portrayal as the “executioners of Jesus.” Jews were gradually excluded from society.

In regions under Islamic rulers, Jews, like Christians, were often treated as second-class subjects. Nevertheless, they were regarded by the Qurʾān as “people of the book,” as they possessed scriptures of their own. Because Islam spread by physical conquest, rather than by spiritual propaganda, it did not seek, initially at least, to conquer souls as early Christianity had done. At first, it displayed greater tolerance for practitioners of other monotheistic religions.

### EUROPEAN ANTI-SEMITISM

Anti-Semitism was prevalent in Europe throughout the Middle Ages. It surfaced in the form of expulsions, inquisitions, and massacres. In addition, the catechism taught to Christian children instilled in their minds negative attitudes toward the “execution-

ers of Christ.” The Enlightenment, on the other hand, offered mixed signals to the Jews. That era’s philosophers did not constitute a cohesive and unified force in their attitudes toward anti-Semitism. An important segment of philosophers denounced Christianity in the name of deism (natural religion) and promoted secularism and tolerance toward members of ethnic minorities. This view made deists natural allies of Jews, who were victims of Christian intolerance. However, while prominent philosophers such as Gotthold Ephraim Lessing, Jean-Jacques Rousseau, and Montesquieu advocated tolerance of Jews, other philosophers, equally influential albeit secular, did not hesitate to criticize “Jewish particularisms.”

Although the French Revolution of 1789 gave Jews political rights through emancipation, France did not remain devoid of anti-Semitic manifestations. During the 1880’s, Edouard Drumont, the anti-Semitic author of a best-selling book on Jews in France; clerical-royalist right-wingers; and socialists perpetuated the myth that the Jews secretly controlled world governments and international money markets. The Dreyfus affair of the 1890’s—in which Alfred Dreyfus, a Jewish French army officer, was falsely accused of spying for Germany—revealed the extent of French Jewry’s vulnerability to prejudice. The trials and legal battles that finally led to Dreyfus’s vindication nearly destroyed France’s Third Republic.

Anti-Semitism was strongest in Eastern Europe, especially in the Russian Empire before World War I. There were violent pogroms in Odessa during the 1880’s and in Kishinev during the early 1900’s. After the creation of the Soviet Union, Joseph Stalin’s regime both practiced and condoned anti-Semitism, from the 1930’s through the early 1950’s.

Anti-Semitism reached its peak under Germany’s Third Reich, which lasted from 1933 until the end of World War II, in 1945. Under Adolf Hitler, Jews were depicted as the corrupters of society and blamed for Germany’s misfortunes after World War I. Coupled with the ascendance of European fascism and aryanization policies, these trends culminated in the Holocaust. The application of racial anti-Semitism and the laws limiting the representation of Jews in the professions in Germany, Italy, France, and North Africa revealed anti-Semitism at its worst.

Zionism was a movement that emerged during the 1890’s and contributed to the creation of a Jewish na-



tional home in Palestine and, eventually, the state of Israel. Anti-Semitism and anti-Zionism gained momentum in the Arab world during the 1930's and 1940's. After Israel became an independent nation in 1948, each war that Israel fought with neighboring Arab countries was followed by anti-Jewish and anti-Zionist backlashes in the Arab nations and expulsions of Jewish communities, pogroms, and allegations that Jews controlled Western governments, using Zionism and Israel to realize its own colonialist goals.

### **ETHICAL PRINCIPLES**

According to Wendy Stallard Flory, the legitimization of anti-Semitism (and racism in general) may be the result of a selfish attempt to inflate one's self-worth, and often to compensate for one's feelings of inadequacy, by choosing to treat differentness as though it were a moral failing. For example, any attempt to identify specific personality traits of Jews as "reasons" for prejudice is an attempt to rationalize the real motive: a narrowmindedness and defensive refusal to allow others the fundamental human right to be judged as individuals. Anti-Semitism, then, does not necessarily begin with hatred, but with selfish impulses to reinforce one's sense of worth at the expense of others.

After World War II, there emerged the "sense of guilt" phenomenon, evinced by Europeans. This was especially evident in France and Germany. During the war, while France was divided into a German-occupied zone and a French-ruled zone based at Vichy, the French police who collaborated with the Germans rounded up tens of thousands of Jews and had them transferred them to Nazi concentration camps. Following the liberation of France in 1944, a sense of guilt struck the French people. It has been argued that although during the postwar years French Jews were the targets of anti-Semitic activity, the perpetrators were punished and their organizations forced to disband. This is in marked contrast to the political climate and ethos of the 1930's and 1940's, when anti-Semitism was embraced by the state or disregarded.

The German sense of postwar guilt was even more pronounced. The German Federal Republic, under Konrad Adenauer's leadership, sought to convince the world that Germany was stepping out of Adolf Hitler's shadow. During the 1950's, Germany

moved from the one extreme of depicting the Jews as morally and physically inferior to the other extreme of philo-Semitism. This tendency included idolizing all things Jewish. Every Jewish child, it seemed, was a genius, and every Jewish woman seemed to be regarded as a beautiful "Jewess."

Offering German financial and material reparations to Israel, to Holocaust survivors and their families, and to Jewish institutions was reciprocated with moral restitution. In the case of the latter, the Germans were eager to promote the image of the "new" Germany.

As time passed, however, the notion that the Jews and the Germans shared a collective memory of the Holocaust began to fade. Furthermore, a new generation of Germans that emerged in the 1960's and 1970's included elements that equated Israel's policies toward the Palestinian Arabs with pre-1945 Germany's treatment of its own Jewish citizens. Gradually, latent German anti-Semitism was transformed into overt political anti-Zionism.

As a Third World/Soviet bloc-sponsored United Nations resolution equating Zionism with racism in 1974 won the approval of young leftist Germans, the denial of the realities of the Holocaust by right-wing forces during the 1980's and 1990's began penetrating academic circles in parts of the Western world. To Jewish thinkers and scholars, the Holocaust and Zionism are the two central reasons for the emergence of the state of Israel, which is seen as the cradle for Jews in need of refuge. Israeli scholars in particular are profoundly concerned with what they regard as a growing myth of "German innocence" about the Holocaust. The fear was that these developments could set the stage for the rise, legitimization, and institutionalization of large-scale anti-Semitism in the future.

### **ANTI-SEMITISM IN THE TWENTY-FIRST CENTURY**

At the beginning of the new millennium, a rise in anti-Semitic sentiment was evident throughout the world, but particularly in Europe. In 2003 Nathan Sharansky argued that anti-Semitism was reaching heights not seen since the Holocaust. Anti-Semitic propaganda and horrific acts of violence toward Jews and Israeli supporters were becoming common in many European countries. Terrorism, although a problem through the previous several decades, was



taking on a new face, caring not for the identity of its victims, while citing Israeli policy toward Palestinians in the Middle East as its justification.

Although most terrorist attacks against Jews are committed inside Israel, countries elsewhere have fallen prey to the onslaught of violence. Israel's Deputy Foreign Minister Rabbi Michael Melchior pointed out that during 2000 and 2001 nearly two hundred anti-Semitic incidents occurred in France alone and that the situation was growing serious in Belgium as well. Meanwhile, the governments of these countries were generally downplaying the seriousness of anti-Semitism within their borders.

Vandalism of synagogues and Jewish schools along with assaults of Jewish people were becoming commonplace throughout the world. One of the most horrific acts of modern terrorism was the attack on the World Trade Center in New York City on September 11, 2001. Once the instinctual, anti-Semitic attempt to blame the Jews for the attacks had subsided, much of the world held the United States responsible because of its foreign policies, particularly its support of Israel, whose treatment of Palestinians is commonly known through Europe as the "modern Nazism."

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*Updated by Robert Whitman*

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SEE ALSO: Genocide, cultural; Genocide, frustration-aggression theory of; Genocide and democide; Hate crime and hate speech; Hitler, Adolf; Holocaust; Israeli-Palestinian conflict; Jackson, Jesse; Jewish ethics; Nazism; Pogroms; Racial prejudice.

## Antitrust legislation

DEFINITION: Federal laws that define certain actions of large companies, or combinations of companies, as illegal because they give the actors too much power in the marketplace

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: Antitrust laws attempt to create marketplace conditions that are fair to all buyers and sellers.

Federal antitrust legislation regulates the behavior of American businesses, in particular large businesses and business combinations. The combinations that are regulated can take the form of agreements, formal contracts, and legally identified organizations such as trusts and holding companies. Through antitrust legislation, governments attempt to balance the goal of business, which is to control the market to earn profits, with the goal of providing all marketplace actors, including both buyers and sellers, with the opportunity to compete. By definition, noncapitalist societies do not have antitrust laws, since firms are owned and operated by the state rather than competing independently.

Federal law generally recognizes that size confers benefits on firms and can be beneficial to society, as in the case of "economies of scale." A firm with economies of scale can produce its product at a lower cost per unit the more it produces. The law also recog-

nizes, however, that the existence of a large firm may make operation more difficult for smaller firms and that consumers generally benefit from having a choice among sellers. These considerations prompt the drafting of antitrust legislation.

### **HISTORY**

One of the earliest pieces of antitrust legislation was the Statute of Monopolies, which was enacted in England in 1623. It stated that monopolies, or single firms producing a given product in a certain market, were not allowed. That law had many exceptions but did set the precedent for later antitrust legislation.

The United States developed the most comprehensive antitrust legislation in the world. The Sherman Antitrust Act of 1890 represented the first clear statement that the U.S. government disapproved of abuse of market power by large firms. That law led to an era of “trust busting” over the next thirty years, particularly under the administration of Theodore Roosevelt. The Sherman Antitrust Act was somewhat vague in its prohibitions. The Clayton Antitrust Act of 1914 clarified the actions that would be subject to antitrust prosecution.

Two major cases in 1911 clarified judicial thinking on antitrust policy. The U.S. Supreme Court ordered the breakup of Standard Oil and of the American Tobacco Company. The Court established the “rule of reason” approach, whereby the law proscribed only actions that were “unreasonable” restraints of trade. The Court ruled that largeness of a company was not necessarily an offense but that both of those companies had used the power associated with their size in “unreasonable” ways.

### **ANTITRUST ISSUES**

The history of antitrust legislation, both in the United States and elsewhere in the world, has been uneven. Actions prohibited at one time have later been allowed, and actions that were legal have been prohibited. In general, the law has come to specify particular actions that are not allowed and has clarified the conditions under which various actions are allowed.

In the United States, the Robinson-Patman Act of 1936 specified types of price discrimination that are illegal. Price discrimination consists of setting different prices for different customers when those differ-

ences are not justified by differences in the cost of serving customers. Price discrimination prevents each customer from being offered the best price on a product.

Other laws and regulations concern tie-in sales, in which a consumer has to buy one product before being allowed to buy another; resale price maintenance, whereby a manufacturer forces distributors to charge a minimum price; and base-point pricing, under which competitors agree to set prices as if their products were delivered from a given “base point,” thereby not using a location that allows lower transportation costs to offer lower prices to customers. The law covers both “horizontal” business combinations (those at the same stage of production or sale, such as a retailer forming a contract with or acquiring another retailer) and “vertical” combinations (those at different stages of production, such as a manufacturer buying a retail outlet for its product).

### **ETHICAL PRINCIPLES**

The most basic goal of antitrust legislation is to create a marketplace that produces the best results for society. Economists define an “efficient” marketplace as one that produces a given product at the least cost. In this sense of “good” results, a large firm can benefit society if it operates under economies of scale. A firm that has control over its customers because it is the only seller (or only one of a few sellers), however, may not pass those cost advantages on to customers. Antitrust legislation attempts to prevent that possibility. Some firms with economies of scale are allowed to operate under regulation by the government. Examples include telephone companies, cable television operators, and electric companies.

Most market economies respect freedom. Freedoms, however, can conflict. The freedom of businesses to get together and agree to charge the same price conflicts with the freedom of consumers to shop around to find the lowest price. Most governments that have consciously considered the issue have ruled in favor of the consumer, to at least some extent. The Sherman Antitrust Act, for example, outlaws every “contract, combination . . . or conspiracy” in restraint of trade. That means that firms are not allowed to hinder competition among themselves. Antitrust legislation seeks to clarify which actions constitute hindrances of competition.

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SEE ALSO: Business ethics; Capitalism; Communism; Economics; Monopoly; Price fixing; Profit economy.

## Apartheid

**DEFINITION:** Policy of racial segregation nurtured by political and economic discrimination against non-European groups in the Republic of South Africa

**DATE:** 1948-1991

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** South Africa's apartheid system promoted racial discrimination and segregation based on the color of one's skin.

An Afrikaans word, *apartheid* means "apartness" or "separateness." It was the core of a political, economic, and social system in which nonwhite citizens of South Africa were denied power and control over

their lives by the country's white minority, through an elaborate network of legislation and custom. From 1948 to 1991, successive national governments created a closed, compartmentalized society in which each racial group had prescribed living areas, kinds of work, levels of wages, and distinctive educational systems.

In order to enforce the segregation policies of the government after the Afrikaner-dominated National Party came to power in 1949, various major apartheid laws were put into place. Among others, the Prohibition of Mixed Marriages Act (1949) and the Immorality Act (1950) made all marriages and sexual relations between whites and other races illegal, and the Group Areas Act (1950) set aside specific areas for the exclusive occupancy of each racial group, with powers to forcibly remove African tenants (most of whom were confined to the so-called "homelands") from specified areas. In addition, all Africans over age sixteen were required to be fingerprinted and to carry a passbook. Opposition to any of these laws was crushed by means of the Suppression of Communism Act (1950) and the Internal Security Act (1982), both of which were enforced by a ruthless police force and an omnipresent secret police.

**MORAL ISSUES**

While cases of racial discrimination occur in other parts of the world, it was the systematic, official, and legalistic character of apartheid that made South Africa unique. South Africa was divided hierarchically into four major population groups, based primarily on shades of skin color. White South Africa (15.6 percent) occupied the top rank, followed by mixed-race "Coloureds" (9.7 percent) and Asians (2.7 percent) in the middle, and black Africans (72 percent) at the bottom. As the figures indicate, apartheid was imposed by a minority on the majority, which questioned the legitimacy of its authority. According to the political philosophy of the French philosopher Jean-Jacques Rousseau, governments should derive their just powers from the consent of the governed. Thus, from Rousseau's perspective, a minority government without the consent of the majority of the governed would be difficult to justify through moral laws. Besides, as the most inclusive form of government, majority rule is more likely to have regard for the rights and best interests of most people than is a minority government. In the light of

### Apartheid Time Line

<i>Time</i>	<i>Event</i>
1652	Dutch expedition founds Cape Town, establishing the first permanent white settlement in South Africa.
1820	Five thousand British colonists arrive at Port Elisabeth.
1836	To escape from British rule, thousands of Afrikaner (Boer) farmers move inland from the Cape during the Great Trek, spreading throughout what would become the nation of South Africa.
1899-1902	Great Britain defeats the Afrikaner republics in the South African (Boer) War.
1910	Union of South Africa is created, merging British colonies with the former Afrikaner republics, form one country for the first time.
1912	First major African nationalist movement, the African National Congress (ANC), is founded.
1948	Predominantly Afrikaner Nationalist Party is elected to power and makes the segregation policy of apartheid the official policy of the Union.
1958	Some African nationalists break away from the ANC to form the Pan-African Congress (PAC).
1960	Sharpeville massacre leaves sixty-nine Africans dead and many wounded during a nonviolent protest against government pass laws. Government bans the ANC and PAC, and African nationalists begin taking up the tactics of sabotage and guerilla war.
1961	South Africa becomes a republic and withdraws from the British Commonwealth of Nations. African nationalist leader Albert John Luthuli wins the Nobel Peace Prize.
1964	Nelson Mandela, a prominent ANC leader, is sentenced to life imprisonment.
1976	Government police kill a number of young demonstrators in Soweto during a protest begun by schoolchildren against the imposition of Afrikaans as a medium of expression.
1983	United Democratic Front (UDF), a multiracial anti-apartheid movement, is formed.
1984	Constitutional reform establishes a three-parliament system that allows for token participation of Indians and Coloureds (mixed-race South Africans) in decision making but excludes blacks. Bishop Desmond Tutu wins the Nobel Peace Prize.
1991	Government releases Mandela from prison and lifts ban on nationalist movements.
1993	Africans are allowed to participate in the voting process for the first time in South African history.
1994	South Africa's first fully democratic election lifts the ANC to power and makes Mandela president of the republic.

these precepts, the South African system of apartheid may be described as both illegal and immoral—a view held by much of the outside world.

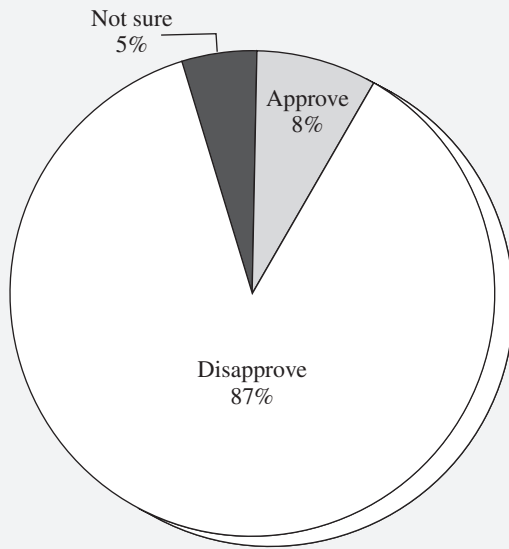
Over the years apartheid was in effect, supporters and detractors of this system existed both within and without South Africa. Black resistance to the policy was championed by such nationalist movements as the African National Congress (ANC), the Pan-

African Congress (PAC), the United Democratic Front (UDF), the Azania Peoples Organization (AZAPO), and the Black Consciousness Movement, whose leader, Stephen Biko, died in detention under suspicious circumstances and was later shown to have been murdered by government agents.

Despite the government's cruelty, immorality, and absurdity, the Afrikaner-dominated Dutch Re-

### American Opinion on Apartheid in 1990

In June, 1990, the Harris Poll asked a cross-section of Americans whether they approved or disapproved of South Africa's apartheid system.



Source: Roper Center for Public Opinion Research. Figures are based on responses of 1,254 adults.

formed Church of South Africa, to a large extent, supported the government and condoned its policies. The church's theological position was that equality between blacks and whites involves a misapprehension of the fact that God made people into different races and nations. The more liberal English-speaking churches and prominent African nationalist leaders were at various times victims of the wrath of the government, which was expressed through bannings, withdrawal of passports or visas, deportations, and often imprisonment. Nelson Mandela, one of the leading members of the ANC and South Africa's first postapartheid president, was incarcerated for almost three decades as a political prisoner.

Over the course of the 1990s, apartheid was gradually dismantled. The last Afrikaner president, Frederick W. de Klerk, repealed much of the social legislation underpinning the apartheid system in 1990-1991. In April of 1994, elections open to all races were held for the first time. A new constitution went into effect, and Mandela and the ANC were placed in power. The social and economic damage done by apartheid had

still to be addressed, but the formal legal system of discrimination and racial inequality was utterly dissolved.

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 Updated by the editors

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SEE ALSO: Freedom of expression; Mandela, Nelson; Racism; Segregation; South Africa's Truth and Reconciliation Commission; Tutu, Desmond.

### Apologizing for past wrongs

DEFINITION: Statements of regret and responsibility made defined groups of people for historical wrong-doing

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: Throughout history, some races and nations have dominated and exploited other races and nations, and many people have argued that groups of those who have suffered at the hands of other groups deserve apologies.



The issue of ethical obligations to apologize to groups of people is an exceptionally complicated one. In cases such as the historical enslavement of African Americans or the past colonizing of many parts of the world by Western European nations, the supposed wrongdoers are not individual persons but groups or governments. In the case of groups, such as racial or national groups, it is not clear that any individual members can act as representatives in order to make apologies.

The ethical responsibilities of governments are somewhat more securely based on reason than are the responsibilities of nations or races. In 1988, when the United States government apologized to Japanese Americans for interning them during World War II, it was expressing responsibility and regret for its own past actions. Similarly, claims that the United States should apologize for slavery are not based on the idea

that all Americans or any particular group of Americans created or maintained slavery, but on the government's official acceptance of the institution in judicial and legislative actions. Nevertheless, governmental apologies pose both practical and philosophical difficulties.

Modern governments represent their citizens and act in the names of their citizens. If a majority of citizens do not feel responsibility and regret, their political leaders will be reluctant to make an unpopular apology. Moreover, any apology a government were to make in such a situation might have little meaning. Further, even though an apology does not necessarily lead to compensation, it is an admission of responsibility and may be a first step toward payment of damages. Political activist Jesse Jackson has argued, along these lines, that an apology for slavery would not be meaningful unless it were followed by efforts



*In August, 1988, U.S. president Ronald Reagan signed into law the Civil Liberties Act, which authorized the payment of cash reparations to Japanese Americans who had been interned during World War II. (Ronald Reagan Library)*

to repair the social damage of the heritage of slavery. The issue of apologies, to groups such as African Americans or Native Americans, is therefore linked to the issue of reparations. Some, such as Jackson and author Roy L. Brooks, oppose apologies for historical wrongs unless these also involve some form of payment of reparations. Others oppose apologies precisely because they believe that these will open the way for redistribution of wealth or services to groups that have been historically victimized.

Finally, it may be debatable exactly who the victims are in many cases of historical injustice. When the U.S. government apologized to Japanese Americans interned during World War II, most of the internees themselves were still alive. The situation of African Americans is less clear. Many commentators argue that the direct victims of slavery have long been dead. In response, authors such as sociologist Joe Feagin maintain that living African Americans are nevertheless victims of slavery because they continue to suffer social disadvantages created by it.

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SEE ALSO: Collective guilt; Developing world; Jackson, Jesse; Japanese American internment; Racism; Reparations for past social wrongs; Slavery; South Africa's Truth and Reconciliation Commission.

## *Apology*

IDENTIFICATION: Book by Plato (c. 427-347 B.C.E.)

DATE: *Apologia Sōkratous*, wr. between 399 and 390 B.C.E.

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: In his account of his mentor Socrates' decision to accept an unjust judicial verdict, Plato's book portrays a conflict between personal ethical values and the judicial system of the Western world's first democracy.

It is important to understand two things about the *Apology*. First, it is Plato's dramatic, eyewitness account of the apology of his friend and teacher. Second, this apology is not an expression of regret for an error but a defense of Socrates' conduct and whole way of life.

In 399 B.C.E., the seventy-year-old Athenian citizen Socrates went on trial for allegedly disrespecting the gods and corrupting the youth of Athens. It is clear both from the text of the *Apology* itself and from external evidence that Socrates' real "crime" was severely embarrassing important people in the Greek city-state by his habit of questioning them in public places with respect to matters about which they claimed expertise, exposing their true ignorance, and providing amusement to the onlookers who gathered to see the supposed experts confounded. Socrates regularly insisted that he was merely an earnest philosophical inquirer after truth asking those who presumably knew. In this insistence he was only half sincere. He was pursuing the truth, but he knew that his shallow interlocutors would fall victim to his superior logical and rhetorical skill. He chose the questioning method as an effective way of developing and presenting his own philosophy—a method later adopted in written form by Plato.

#### SOCRATES' DEFENSE

Plato's account, the first literary "courtroom drama," purports to be a verbatim record of Socrates' defense. Far from corrupting youth by promoting atheism or belief in strange gods (for his accusers have vacillated on this point), Socrates explains that he philosophizes in obedience to a divine command. Since he has carried out his divine mission in a quasi-public way, Socrates feels obliged to explain why he has never made an effort to serve the state as an adviser, since the state would seem to need all the wisdom it can find. Here, he raises an ethical issue with which many later thinkers have struggled, including, notably, Sir Thomas More in his *Utopia* (1516).

Socrates has proclaimed himself a loyal Athenian. Why should not a loyal citizen use his primary talent for the benefit of the state? He argues that if he had gone into political life he would have long since "perished." The struggle for the right in his mind required "a private station and not a public one." He once held the office of senator and discovered that his efforts at promoting justice were futile and in fact on

one occasion nearly cost him his life. He did not fear death, he explains, but realized that neither he “nor any other man” could effectively fight for the right in a political position. He could do Athens the greatest good in a private effort to inquire into virtue and wisdom. The state would profit most from citizens schooled in this sort of inquiry. He closes his defense by leaving the decision to the jury and to God.

### SOCRATES’ RESPONSE

According to the rules of an Athenian trial, the jury of 501 men must decide his guilt or innocence by majority vote. Socrates’ opponents have taken every advantage possible of the prevailing prejudice against him as a “clever” intellectual skilled in “making the weaker case appear stronger.” Such prejudice no doubt contributed substantially to what seems in retrospect a misguided verdict. Having been found guilty in a close vote, Socrates exercises his right to propose an alternative to the death penalty requested by the prosecution as a preliminary to the jury’s choice of one of the two proposed punishments. When asked for his counter-sentence, Socrates banteringly suggests that he should be honored, not punished, but finally proposes a token fine that he then raises somewhat at the urging of his friends, whose expressions of dismay actually interrupt the proceedings. They realize that he is in effect condemning himself to death, but Socrates considers that as an unjustly convicted man he should not be punished at all.

To have offered the kind of alternative his enemies undoubtedly expected—exile—would have amounted to a repudiation of his vocation. He is aware that nowhere else would he be free to exercise this vocation as he has been doing in Athens for years before his enemies’ conspiracy to silence him. To save his own life by leaving Athens or by accepting some other compromise such as agreeing to cease philosophizing would contradict the values that he has spent that life to date elucidating. Were he to compromise those values, he would give his shabby accusers a moral victory. Instead, he guarantees that his memory will be revered and—what surely is more important to him—that his work in pursuit of the truth will endure, thanks especially to Plato’s decision to publish it. (Socrates himself never transcribed his dialogues.)

After the jury’s inevitable vote in favor of the prosecution’s request for the death penalty, Socrates

rebukes his judges as men more interested in escaping the pressure of the accusers than in giving an account of their own lives. He believes that he is going to “another world where they do not put a man to death for asking questions.” He does have a final request of them, however: that they punish his own still young sons if they show more interest in riches or anything else than in virtue. In this way, the judges can still do him and his sons justice.

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SEE ALSO: Capital punishment; Democracy; Freedom of expression; Justice; Plato; Platonic ethics; Socrates.

## Applied ethics

**DEFINITION:** Application of ethical and moral principles to particular disciplines and situations

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The ways in which ethics are applied in a society help to determine the nature of that society.

There is no consensus regarding the meaning of the term “applied ethics.” Some people hold that applied ethics involves methods of enforcing ethics. Others view it as a kind of ethics that is used up over a period

of time. In academic circles, however, there is an increasing tendency to view applied ethics as the large body of codes that define desirable action and are required to conduct normal human affairs. These codes may produce rules that come to be regarded as formal, legal ethics.

Every kind of ethics has been applied at one time or another. A prehistoric cave dweller, for example, who hit his wife or child with a club and afterward felt sorry and vowed to refrain from beating members of his family was developing an applied ethic. Such a rule remained in the realm of applied ethics until some prophet wrote it down or until a chieftain or legislative body adopted it as a law.

Many varieties of ethics have developed by themselves. As modern civilization developed, new applied ethics were developed for specific vocations or specific households. When Harriet Beecher Stowe wrote *Uncle Tom's Cabin*, she helped many men and women to understand that slavery was unethical because of its effects on men, women, and children; in doing so, she introduced an applied ethic. Later, a constitutional amendment changed this applied ethic to a permanent, legal ethic.

In the United States, many professional and vocational groups have established rules for conducting business. The rules that they devised probably grew out of applied ethics. Groups endeavor to secure in their work certain rules that initially do not have the force of law but can certainly be described as applied ethics. These ethics are used as the basis for determining which rules should become rules of law.

### **PUBLISHED ETHICAL CODES**

There are many published codes of applied ethical rules. Of these, one of the most important to the business and financial world is the code of the American Institute of Certified Public Accountants. This code requires members of the institute to exercise "professional and verbal judgments" in all accounting activities. In addition, they are told to maintain the "public trust" and "professionalism." They are also required to maintain "integrity and objectivity" and to avoid discreditable acts and advertising. Unfortunately, however, these rules have been violated fairly frequently. Suits brought chiefly by shareholders who found that their clients' stocks had been overvalued by auditors have resulted in multimillion-dollar fines being levied against auditing firms. The

federal government and some state governments have at times tried to support rules of accounting ethics.

The American Association of Advertising Agencies created its own applied ethics banning false or exaggerated statements, recognizing an obligation to clients and the public. The standards also forbid unfair competition practices, disclaiming "suggestions or pictures offensive to public decency." Advertising agencies "should not knowingly fail to fulfill all lawful contracted commitments with media."

It should be noted that industry efforts to inculcate standards of applied ethics in the areas of accounting and advertising have not been fully realized. Governmental efforts have helped to move these applied ethics closer to the status of formal ethics.

The Direct Marketing Association enjoins its members to use applied ethics in advertising, solicitations, and special offers. The association may be moving toward developing an ethical code.

The American Institute of Architects has a code that has probably had some effect on the field of architecture. This code includes general obligations regarding knowledge and skill as well as specific obligations to the public, including involvement in civic activities and public interest service. Obligations to clients, to the profession, and to colleagues are fully outlined.

### **OTHER PROFESSIONAL CODES**

Applied ethics have not yet taken an adequate step toward genuine ethical values in the business world. New efforts are being made, however, to institute better ethics in business management. The federal government and the Business Roundtable, a thoughtful group of chief executive officers of large corporations, have recommended that corporations adopt written codes of conduct and well-defined corporate policies regarding executive compensation, fair play for employees, freedom of expression, and product quality. Corporate codes may do more than any other single policy to humanize business ethics.

The American Association of Engineering Societies has prepared a Model Guide for Professional Conduct that includes a number of applied ethics. Engineers are to be honest and truthful in presenting information and to consider the consequences of their work and the social issues that are pertinent to it. They should let affected parties know about potential conflicts of interest.



The American Society for Public Administration has prepared a code for its members to use. This code is not now actively promoted by the association, however, and for that reason the likelihood of developing new ethics is slim.

Bar associations have worked hard to enforce ethical considerations; Bar examinations include ethical questions, and law schools, some of them reluctantly, offer courses in legal ethics. State officials who regulate legal practice, however, note that ethical violations still occur all too often. A former worker on the staff of the Los Angeles County Bar Association, for example, has observed that there seems to be a trend toward light treatment of unethical behavior.

Similar problems arise in medical practice, and efforts to enforce ethical standards are sometimes hampered by problems of short staffing of local medical associations. Most physicians are relatively committed to following ethical standards, particularly because medical students are required, upon graduation, to take the Hippocratic oath, which dates from the fifth century B.C.E., a period during which the Greeks were greatly interested in ethics.

### BANKING

Banking is so basic in modern capitalist democracies that one would expect to see a host of applied ethics studies in the field. Banking has been so much a creation of politics, however, that there has been little discussion of banking ethics. President Andrew Jackson probably made a basic ethical mistake when he killed the Second National Bank and its equalizing rules. President Woodrow Wilson tried to remedy Jackson's mistake with the establishment of the Federal Reserve System in 1914.

Clearly, banks that hold deposits of public funds should invest those funds carefully and pay interest to depositors. Some banks have maintained adequate resources, but many others have sought growth by endangering depositors' funds. Government regulators have tried to establish ethics of safe banking but have been unsuccessful in developing applied ethics.

The American Bankers Association has had a tough job outlining applied ethical demands on an industry that at times has helped to improve American economic life and at other times has caused the bankrupting of innocent citizens. The Revised Code of Ethics of 1985 lists basic ethical values that are needed in banking as well as a number of practices

that should help to ensure the safety of depositors' money. It is unlikely, however, that the code places sufficient emphasis on establishing ethics that relate to maintaining bank safety. A more appropriate system of banking ethics must be developed, and this is particularly true of the savings and loan branch of the banking industry.

*George C. S. Benson*

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SEE ALSO: Business ethics; Cohen, Randy; Ethical codes of organizations; Ethics; Honor systems and codes; Law; Marketing; Medical ethics; Professional ethics; Sales ethics; Theory and practice.

## Arbitration

**DEFINITION:** Mechanism for dispute resolution—often employed as an alternative to litigation—to which parties to a given controversy voluntarily submit

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Arbitration is part of a self-regulating process in that disputants agree to submit their disagreements to a mutually acceptable disinterested third party for settlement, rather than go through court proceedings.



Although arbitration agreements were not traditionally favored in common, or judge-made, law, in modern times arbitration has come to be viewed as an expedient, less-expensive alternative to litigation that—not incidentally—helps to ease court docket congestion. Indeed, agreements to arbitrate are now protected by statute, at both state and federal levels. Contracts, or other written agreements between parties, often include an arbitration clause, and arbitration is used to settle disputes in such contexts as labor, insurance, and commerce. Because the rules of arbitration are not legally mandated but are set by the parties concerned, the process of settling disputes by this means is more informal than that of court proceedings. Arbitration does, however, proceed in accordance with rules agreed upon in advance—often those of the American Arbitration Association, founded in 1926—and unlike less-formal proceedings, its outcome is final and is enforceable in a court of law.

*Lisa Paddock*

SEE ALSO: Adversary system; Jury system; National Labor Relations Act.



*Hannah Arendt.* (Library of Congress)

## Arendt, Hannah

IDENTIFICATION: German philosopher

BORN: October 14, 1906, Hannover, Germany

DIED: December 4, 1975, New York, New York

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Hannah Arendt analyzed twentieth century totalitarianism and posited the essential conditions of a genuine political order in such works as *The Origins of Totalitarianism* (1951), *The Human Condition* (1958), *Eichmann in Jerusalem* (1963), and *On Revolution* (1963).

A student of philosophers Karl Jaspers and Martin Heidegger, Arendt, a German Jew, fled Europe for the United States in 1941. She taught at the New School for Social Research in New York City and at the University of Chicago.

Arendt claimed that, beginning with Plato, the Western tradition has tended to denigrate human ac-

tion by misconstruing it as production—that is, as something fabricated by a craftsman—and by valorizing the solitary life of contemplation rather than the plural realm of interaction. As a result, the political realm of human interaction is not given intrinsic value and is misconstrued as the mere execution of rules dictated by a “master,” as in the workshop of the craftsman. Ethically speaking, Arendt claimed that those who are reliable are *not* those who “hold fast” to ethical codes or formulae but those who engage in critical self-examination and dialogue. Twentieth century totalitarianism rendered individuals “superfluous” and attempted to replace critical debate with abstract ideologies. What interested Arendt were the conditions that make political life possible or impossible.

*Vanessa B. Howle*

SEE ALSO: Collective guilt; Dictatorship; Heidegger, Martin; Human nature; Orwell, George; Tyranny.

## Aristotelian ethics

**DEFINITION:** Ethical system put forward by, or modeled after that of, Aristotle, primarily concerned with determining what the good life is and how to go about living it

**DATE:** Formulated in the fourth century B.C.E.

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Aristotelian ethics emphasize the moral analysis of one's overall character rather than that of particular actions one may perform. They center on the concepts of the golden mean and natural law, as well as stressing the importance of moral education.

Aristotle's ethical theory is contained in two works: the *Nicomachean Ethics* (*Ethica Nicomachea*) and the *Eudemean Ethics*. The *Nicomachean Ethics* is later and more comprehensive than the *Eudemean Ethics*, and it has been studied far more. A third book sometimes attributed to Aristotle, the *Magna Moralia*, is probably not authentic.

Aristotle's ethical theory was conditioned by his training as a biologist. He observed that every living thing tends to develop into a mature specimen of its kind that may be either healthy and flourishing or somehow stunted. His ethical theory is an attempt to describe the healthy, flourishing way of life for human beings (the "good life"). His motivation was political, since he believed that an understanding of the good life should guide lawmakers. He believed that since human beings are naturally social beings, a normal person whose natural inclinations are properly cultivated will be virtuous; hence, wrongdoing is a function of stunted development. In basing ethical behavior upon human nature (the essence of human beings), Aristotle largely founded natural law theory.

### THE GOOD LIFE

Aristotle followed Greek practice in calling the good life *eudaimonia*, often translated as "happiness." He observed that people agree that happiness is an intrinsic good and that attaining happiness is the guiding directive of life; however, they disagree concerning the nature or content of the happy life.

Aristotle criticized three popular candidates (then and now) for the happy life: sensual pleasure, pursuit of honors and recognition, and money-making. He assumed that human happiness must be unique to hu-

man beings. Hence, a life of sensual pleasure cannot be happiness, since sensual pleasures derive from behaviors—eating, drinking, sex—that animals also display; that is, they are not based upon human nature. He also assumed that happiness must be achievable through one's own efforts. Hence, receiving honors cannot be happiness, since merit is not necessarily recognized; it is not "up to us." Moreover, recognition is pursued as a warrant of excellence; therefore, excellence is valued more highly than recognition even by those who esteem recognition. Aristotle dismissed the life of money-making on the ground that money is essentially a tool and therefore cannot be an end in itself.

Aristotle recognized sensual pleasure, honors, and money as concomitants of the good life but held that genuine happiness is "an activity of the soul in accordance with excellence": Happiness consists in self-development, or the positive, habitual expression or realization of potentials inherent in human nature. Since human beings are both social and rational, they possess basic potentials for moral goodness and intellectual goodness (wisdom). Aristotle held that intellectual goodness is produced by training and moral goodness by habituation. Therefore, all persons are morally and intellectually neutral at birth and are subsequently shaped by their experiences and education. Modern criticisms that media violence leads to violence in society agree with Aristotle that character is shaped rather than inborn. In this view, the notion of education is expanded to include all character-determining experiences, moral education becomes the foundation for society, and censorship may seem attractive.

Moral goodness consists of possession of the virtues, which include courage, temperance, generosity, "greatness of soul," magnanimity, response toward small honors, mildness, friendliness, truthfulness, wit, "shame," and justice. Some commentators allege that this list specifies an ideal of the Greek upper class, so that Aristotle's ethics is relativistic. Aristotle believed, however, that he had grounded his theory upon human nature, and his intent was not relativistic.

### VIRTUE

A virtue is a trained disposition to express a particular emotion, through behavior, to a degree that is neither deficient nor excessive relative to a given

agent in a given situation. For example, a generous rich person will donate more money than will a generous poor person. Aristotle coined the phrase “golden mean” to denote the midpoint between excess and deficiency to which virtuous actions conform. He probably arrived at this idea by analogy with Greek medical theory, according to which bodily health consists of a balance between opposite bodily states.

Aristotle held that character is fixed by repeated actions: One becomes like what done does. Hence, every virtue results from repetition of acts of the relevant sort, which train their corresponding emotions. For example, one becomes generous by, in effect, practicing to be generous through repeated instances of giving. Moral education consists in training persons to experience pleasure in doing virtuous acts and displeasure in doing vicious acts. Hence, a virtuous person will enjoy behaving well. The tie between virtuous behavior and pleasure solves the problem of motivation (“Why be moral?”) to which more rationality-based theories tend to be subject, but it also invites the criticism that Aristotle’s ethical theory is egoistic.

Intellectual goodness is of two kinds: practical and theoretical. Practical wisdom is knowledge for the sake of action. It enables one to discern the golden mean in particular situations. Doing so is a complex process that cannot be reduced to rules; it requires experience. The rejection of a definite method for determining right actions distances Aristotle’s theory from rule-based theories as varied as Kantianism and utilitarianism. Theoretical wisdom is knowledge of basic truths of philosophy and science solely for the sake of knowledge. Aristotle held that theoretical wisdom is the noblest part of life and that the happiest life is a life of moral goodness with a large admixture of study and learning. Critics respond that study tends to isolate one from society.

Joel Wilcox

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SEE ALSO: Aristotle; Character; Excellence; Golden mean; Kantian ethics; Moral education; Natural law; *Nicomachean Ethics*; Platonic ethics; Stoic ethics; Wisdom.

## Aristotle

**IDENTIFICATION:** Greek philosopher  
**BORN:** 384 B.C.E., Stagirus, Chalcidice, Greece  
**DIED:** 322 B.C.E., Chalcis, Euboea, Greece  
**TYPE OF ETHICS:** Classical history  
**SIGNIFICANCE:** Aristotle wrote the *Nicomachean Ethics* (*Ethica Nicomachea*), the first systematic treatment of ethics in Western civilization. His definition of virtue, which combines fulfillment of function, striving for a mean between extremes, and rational control of the appetites, has influenced ethical theory for over two thousand years.

A philosopher with encyclopedic knowledge, Aristotle wrote on numerous topics, including physics, metaphysics, logic, ethics, politics, poetics, and rhetoric. In the area of ethics, his major works are the *Nicomachean Ethics*, the *Eudemian Ethics*, and the *Politics* (all written between 335 and 323 B.C.E.). He claims that the purpose of the state is to provide for the intellectual and moral development of its citizens. The *Nicomachean Ethics* is considered to contain Aristotle’s mature moral theory.

#### THE GOOD

Aristotle begins the *Nicomachean Ethics* by claiming, “Every art and every inquiry, and similarly

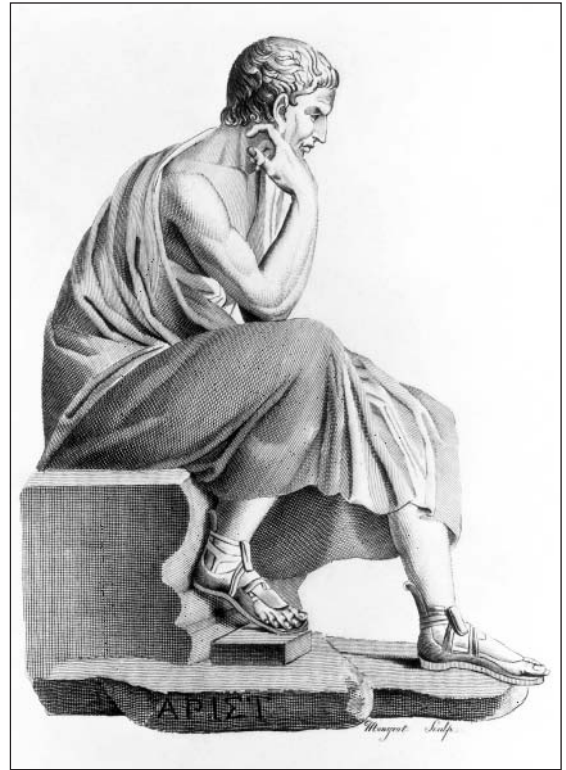
every action and pursuit, is thought to aim at some good; and for this reason the good has rightly been declared to be that at which all things aim." The good is what human beings are seeking. The Greek word for this goal is *eudaimonia*, which can be roughly translated as "happiness." *Eudaimonia* means much more, however, than mere transitory happiness. *Eudaimonia* can be equated with having a good spirit or with the fulfillment of function. Humans have many goals, but *eudaimonia* is that goal that is final, self-sufficient, and attainable.

Aristotle discusses the fulfillment of function in terms of a member of a species doing what is distinctive to that species. Other species share with human beings the ability to live and to experience sensation. Neither of these capabilities is unique to the human species. No other species, however, is able to reason. Therefore, when a human being is performing his distinctive function, he is using reason. Aristotle remarks that the human is potentially a rational animal. He attains *eudaimonia* only when he is actually engaged in activity according to reason. (The use of the masculine pronoun is necessary for the above discussion, since Aristotle was referring specifically to the male of the species.)

### STRUCTURE OF THE SOUL

Aristotle claims that the human soul has two parts: a rational element and an irrational element. The irrational part of the soul may also be divided into two parts: the part concerned with nutrition and growth, which is shared with other living species, and the appetites, which are shared with other animal species. The rational part of the soul likewise has two divisions: One part is concerned with pure contemplation, while the other part is occupied with control of the appetites.

There are proper virtues, or excellences, which belong to each of the rational divisions of the soul. A virtue is the performing of a proper function. Intellectual virtues, such as wisdom, belong to the contemplative part of the soul; moral virtues, such as courage, belong to the part of the soul that is concerned with control of the appetites. Intellectual virtues are attained through education, whereas moral virtues are a matter of habit. One becomes courageous by repeatedly behaving courageously. According to Aristotle, it is important to behave in such a way as to develop the moral virtues.



Aristotle. (Library of Congress)

### VIRTUE AS A MEAN BETWEEN EXTREMES

Aristotle claims that for many activities and ways of behavior there is an excess and a deficiency. Reason shows that the proper way of acting or being is to strive for a midpoint between these extremes. For example, cowardice is a deficiency of courage. There is also an excess of courage that may be termed rashness or foolhardiness. This is a jump-before-you-think way of behaving. Courage, the mean, is having the right amount of fearlessness so that one is neither a coward nor a fool. Reason determines midpoints such as this. These means are the virtues.

Virtue, however, is not an absolute mean. It is relative, varying from individual to individual and from time to time. Courage for one person might be cowardice for another. What one must do as a moral individual is to strive for behavior that is somewhere near the mean between the two extremes of excess and deficiency. This is often done by realizing to which extreme one is closer and aiming for the opposite extreme. This will result in the individual being closer to the mean.



**RESPONSIBILITY**

Aristotle claims that one is responsible for one's voluntary actions. These are actions that are not committed out of ignorance. The individual is not externally compelled and is not acting to avoid a greater evil. Therefore, if an individual, with full knowledge, freely chooses an action, he may be held morally responsible for that action. Aristotle is here departing from the Socratic/Platonic position that to know the good is to do it. Knowledge is important, but so is making the right choice. Making the right choice is an activity of the soul that is in accord with reason. Reason controls the appetites and adds to the fulfillment of man's function by choosing rightly. Furthermore, this right choice will be a mean between extremes. For the moral individual, this will become habitual behavior.

Rita C. Hinton

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SEE ALSO: Aristotelian ethics; Golden mean; *Nicomachean Ethics*; Responsibility; Virtue; Virtue ethics.

**Arrest records**

**DEFINITION:** Documents recording the arrests of persons charged with crimes for which they may or may not eventually be convicted

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Having a record of prior arrests generates a strong and possibly misleading inference that a person has a propensity toward criminal behavior, so the use of such records raises independent ethical concerns that have led to restrictions on how such records can be used.

Under American criminal procedure, the level of evidence needed before an arrest can constitutionally take place is not nearly as high as that required for a criminal conviction. These distinct standards have led to different conclusions dependent on circumstance about the ethics of how arrest records are used. For example, the rules of evidence rarely allow the admission of a defendant's prior arrest records at a trial. This principle is well established, as the admission of an arrest record would be intensely prejudicial to an accused person. Indeed, the law even places significant restrictions on the admissibility of a defendant's prior convictions at trial. However, the records of some convictions are admissible when a court determines that the value of admitting such evidence outweighs its prejudicial effect to the accused.

The retention and use of arrest records by law enforcement agencies, however, is often viewed as ethical as an aid to law enforcement. This may sometimes be true even when a charge against an accused is dismissed or even if the accused is subsequently exonerated of wrongdoing at trial. A conclusion reached in these circumstances is that a legal arrest, while rarely rising to evidence admissible at trial, may be useful to authorities investigating similar crimes, and material gathered as a result of the arrest, including photographs of the accused, can be shown to subsequent victims of a crime as a means of investigating the crime.

Despite these legal restrictions, prior arrests may still impair the ability of arrestees to obtain professional licenses or apply for employment. Some applications for admission to the bar, for example, require that applicant disclose any prior arrests. This raises independent ethical concerns because arrested persons retain the presumption of innocence under



American law. Moreover, it is well established that certain ethnic groups are subject to a disproportionate number of unjust arrests, and the use of such arrests in other contexts perpetuates and intensifies the consequences of such arrests.

*Robert Rubinson*

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## **Art**

**DEFINITION:** Human creative expression

**TYPE OF ETHICS:** Arts and censorship

**SIGNIFICANCE:** Issues of censorship and artistic freedom are raised by artistic production in virtually all human societies. In addition, some philosophers and artists believe that aesthetic creation is in itself a profoundly moral activity.

The earliest discussion of the relationship of art and ethics goes back to the Greek classical period, when philosophers such as Socrates, Plato, and Aristotle considered art and its goodness and importance in relationship to the search for truth and virtue in human life. Socrates believed that the beautiful is that which both serves a good purpose and is useful, therefore uniting the beautiful and the good. He viewed the arts as being only incidental to other concerns, however, not of primary importance. Plato considered the relationship of art to nature and truth, and its resulting ethical function, which led him to reject art. Art was imitation and therefore was not good because imitations were untrue. Plato loved beauty but hated painting. Aristotle separated ethics and art by describing goodness as present in human conduct and beauty as

existing in a motionless state. He saw moral good and aesthetic value as separate considerations.

In the modern understanding, art—specifically, the fine arts of drawing and painting, sculpting, dance, music, theater, photography, and creative writing—is the act and process of creating. Works of art are the creations of the artistic process. It is the contact of the artist's work—the painting, dance, musical composition, and so forth—with the lives of other people that creates an ethical responsibility for the artist. Such contact invites participation by persons other than the artist in the artistic product, and it is this participation that implies an ethical responsibility.

### **ARTISTIC FREEDOM**

Artistic freedom is publicly determined by ethical values; art as a creative act is independent of morality, but the artist as a human being is not. By making artwork public, artists involve themselves in the lives of others, necessarily resulting in accountability for the contributions they are making to their lives. While artists are not responsible for every effect their work may have, tension can exist between their aesthetic interests and the moral interests of the community.

The relationship of art and ethics is different from the relationship of art and aesthetics in that ethics deals with the concepts of what is good or bad, while aesthetics deals with the concepts of what is beautiful or ugly. These relationships are different yet closely related, because ethics raises questions of morality and propriety and aesthetics helps judge the aims and values of art: Is the end product beneficial for human life? Does it elevate the human spirit? Does the work of art respect the common good in intellect and conscience?

Answers to these questions involve the public in the role of censor when ethical standards are violated by the artist. Public censorship and self-censorship can determine the success or failure of a work of art but not the success or failure of the artistic process.

It is generally not subject matter but the manner of its treatment that causes art to be subject to moral ethical considerations. The very nature of art requires complete artistic freedom for the artist in order to "create," to bring about something new that is highly personal and unique. To impose limits on the creative process often stymies the goal of the process. Many people believe that art in itself is amoral, that the pro-

cess cannot be subjected to ethical judgment because of its very nature. It is, however, the result of this process, the creative work of art, that is subject to ethical judgment. Moral value is judged by its contribution to the richness of human experience. Is it honest and fair-minded as well as aesthetically pleasing? Does it elevate the human spirit?

The issues of artistic freedom and artistic responsibility and the subordination of one to the other are at the heart of art and ethics. Using sensitivity, imagination, and inspiration, it is the responsibility of the artist to nourish the human spirit and express human emotion. Certain types of subject matter, such as nudity, cultural social taboos, religious concepts, and sexual perversion, can be difficult for the general public to accept. Art that utilizes such subjects is often subject to ethical examination and/or censorship.

The issues of forgery, plagiarism, and honest business practices are also important to the relationship of art and ethics. Professional artistic standards in the modern world require that works of art be original if presented as such and that ethical business standards apply to the marketing of works of art.

The relationship of art and ethics touches the lives of all artists who share their work with others. The artist is often on the edge of cultural and societal changes, supporting as well as challenging traditional and modern ethical standards, broadening and enriching the human experience.

*Diane Van Noord*

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SEE ALSO: Art and public policy; Book banning; Censorship; Christian ethics; Golden mean; *Index librorum prohibitorum*; Mapplethorpe, Robert; Plagiarism.

## Art and public policy

DEFINITION: Relationship between artistic freedom of expression and governmental and public policies and attitudes

TYPE OF ETHICS: Arts and censorship

SIGNIFICANCE: Public funding of the arts raises issues of freedom of speech, cultural bias, and appropriate uses of taxpayer money.

The legislation creating the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH), passed by the U.S. Congress in 1965, maintained that "it is necessary and appropriate for the federal government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry, but also the material conditions facilitating the release of this creative talent." In a speech at Amherst two years earlier, President John F. Kennedy had pledged support for artistic achievement, stating, "I look forward to an America which commands respect not only for its strength but for its civilization as well."

#### THE ARTS AND AMERICAN CULTURE

During the 1960's, there was widespread agreement across the United States that the time had come for federal, state, and local governments to subsidize

the arts; however, the notion that public funds could properly be spent on art was never universally embraced. Traditionally, in the fabric of American life, the arts were considered marginal. Puritan contempt for artistry outlived colonial times. Among the grievances held against the British by Boston patriots during the 1770's was that the soldiers of King George III staged plays. The antiobscenity campaigns of Anthony Comstock and others in the nineteenth century masked profound mistrust of artists, art, and free expression. Until Franklin D. Roosevelt's Works Progress Administration created programs to get artists off the relief roles, government support for the arts was restricted to funding for military bands, statuary in public spaces, and adornment of public buildings.

The National Endowment for the Arts, resulting from years of lobbying by arts organizations, was hailed as a wise first step toward cultural democracy. The endowment immediately contributed to a flowering of the arts at the local level, nudging state arts councils into being and fostering unprecedented attention to arts education. After President Richard M. Nixon came to power in 1969, however, his NEA Chairperson Nancy Hanks set about increasing the endowment's funding by favoring well-heeled elitist institutions such as symphony orchestras and large urban museums. The endowment began to back away from individual artists and small arts organizations. By 1981, when President Ronald Reagan took office, there was a serious movement to relegate funding for the arts to the private sector. This was thwarted by pressure from major arts institutions, and the endowment survived with some cuts.

### CULTURE WARS

During Reagan's administration, powerful forces began to use the "immorality" of the arts as a rallying point for fund-raising and political gain. The failure of any meaningful public arts education ensured that much contemporary art would remain incomprehensible to the masses and that isolated examples of publicly supported art works that were difficult, heterodox, or sexually explicit could offend people whose previous exposure to art was minimal. The propaganda of the religious right exploited the belief that art was at best a frill and at worst a cause of moral turpitude and treason. A typical advertisement from Pat Robertson's Christian Coalition asked members of Congress: "Do you want to face the voters with the

charge that you are wasting their hard-earned money to promote sodomy, child pornography, and attacks on Jesus Christ?"

Within the U.S. Congress, the most powerful adversary of the arts was North Carolina senator Jesse Helms, a former television personality who was given to taking the University of North Carolina to task for the teaching of such "filth" as Andrew Marvell's 1650 poem "To His Coy Mistress." In 1989, outraged by an NEA-supported exhibit of Robert Mapplethorpe's occasionally homoerotic photographs, Helms, a conservative Republican, attached to NEA funding legislation an amendment forbidding the funding of "obscene or indecent materials," work that "denigrates the objects or beliefs of a particular religion or nonreligion," or work that denigrates particular persons "on the basis of race, creed, sex, handicap, age, or national origin."

This Helms Amendment was stripped away from the appropriations bill by the House of Representatives, but its language was reflected in a pledge the NEA began to require of its grantees, who were asked to sign statements promising not to use NEA money to create anything obscene. Interpreted as a loyalty oath that exercised prior restraint on artistic expression, the antiobscenity pledge sparked an uproar. More than thirty grant recipients, including Joseph Papp of the New York Shakespeare Festival, refused to sign; some artists sued. The pledge was quietly retired at the end of the 1990 fiscal year. Congress, however, soon augmented the agency's enabling legislation with a clause stating that NEA-supported art must reflect "general standards of decency and respect for the diverse beliefs and values of the American public." Although blandly worded, the clause cast a wide net and had an insidious effect on grant-making policy.

From 1989 through the 1990's, a succession of subsidized artists and arts organizations were effectively demonized by right-wing activists, both secular and religious. In response, President George Bush's appointee as NEA chairman, John Frohn-mayer, and his successor, Anne-Imelda Radice, preemptively vetoed a number of grants that had been approved by peer panels. The artists most typically affected were gay men, lesbians, feminists, AIDS activists, and members of racial minorities: Robert Mapplethorpe, Andres Serrano, David Wojnarowicz, Todd Haynes, Mel Chin, Marlon Riggs, Kiki Smith,

and many others. At the heart of this cultural strife was enmity between those who saw the NEA as custodian to a Eurocentrist tradition and those who believed that the NEA should nurture art at the grassroots level, acknowledging the diverse cultures that constitute the United States. The real issue was a clash of incompatible American dreams. In this context, concern for “your hard-earned tax dollars” was disingenuous.

Defunded performance artists Karen Finley, Tim Miller, Holly Hughes, and John Fleck—the “NEA Four,” whose concerns included sexual issues—fought back by suing to reclaim their fellowships. After receiving out-of-court restitution of grant money in 1993, the NEA Four continued litigation in order to challenge the arts agency’s “decency and respect” clause, which they viewed as an unconstitutionally vague measure that facilitated viewpoint discrimination.

In 1993, when Democratic president Bill Clinton selected Jane Alexander to replace Radice as chair of the NEA, many believed the public-funding debate was over. A respected actress, Alexander was the first working artist to head the NEA; it was assumed that she would bring vision and integrity to the role of NEA chair. However, during Alexander’s tenure, the Republican-dominated 104th Congress, led by House Speaker Newt Gingrich, sought aggressively to eliminate “socialistic” government services. In 1994, threatened with draconian cuts or extinction, the NEA’s governing body, the National Council on the Arts, began preemptively vetoing grants awarded by peer panels in various disciplines, targeting anything conservatives could use as propaganda.

When Alexander resigned in 1997, the NEA’s budget had been reduced to \$99.5 million from its 1993 appropriation of \$176 million. The agency’s spending power had dipped below its late 1970’s lev-

Image not available

*Anticensorship demonstrators march in Cincinnati to protest the trial of the city’s Contemporary Arts Center directors, who were charged with obscenity for staging an exhibition of Robert Mapplethorpe’s homoerotic photographs in 1989. (AP/Wide World Photos)*

els. Awards to individual artists had been eliminated in all but a few literary categories. The NEA had been restructured in a way that placed more emphasis on its administrative role in funding state, jurisdictional, and regional cultural agencies.

Meanwhile, the NEA Four's legal initiative, *Finley v. National Endowment for the Arts*, made its way through the judicial system. When lower courts ruled in favor of the artists, the Clinton administration appealed the case at every turn. In 1998, it reached the U.S. Supreme Court. To the dismay of many arts professionals and First Amendment advocates, the William Rehnquist court upheld the NEA's "decency and respect" clause. Writing for the majority, Justice Sandra Day O'Connor interpreted the clause as "merely hortatory" language that "stops well short of an absolute restriction."

In a rigorous dissent, Justice David Souter said the proviso "should be struck down on its face." He declared its language "substantially overbroad," with "significant power to chill artistic production." Souter noted that the high court was, in effect, giving the NEA permission to practice viewpoint discrimination, and he asserted that "the government has wholly failed to explain why the statute should be afforded an exemption from the fundamental rule of the First Amendment that viewpoint discrimination in the exercise of public authority over expressive activity is unconstitutional. . . ."

Once the decency clause had obtained the Supreme Court's imprimatur, oversight of artistic content by public officials became more overt. Following the *Finley v. National Endowment for the Arts* ruling, the best-known local censorship imbroglio took place in New York City in 1999. That year, Mayor Rudolph Giuliani targeted the Brooklyn Museum over an exhibit including Anglo-Nigerian artist Chris Ofili's iridescent, stylized painting of an African "Holy Virgin Mary." The work involved a lump of elephant dung, an African symbol of fertility and renewal that Giuliani interpreted as blasphemous. Failing to obtain court approval for shutting down the show or freezing the museum's city funding, the mayor eventually revived New York's dormant Cultural Advisory Commission and redirected its mission toward decency issues.

Most arts advocates consider such machinations superfluous. Institutions dependent in part upon government subsidy almost always play it safe. In the

case of the NEA, its yearly per capita expenditure on "controversial" art was, in fact, infinitesimal. In 1992, when the agency was near its budgetary peak, the combined budgets of the National Endowments for the Arts and Humanities added up to about 0.024 percent of the total federal budget. In 2002, thanks to his skill at distancing the NEA from creation of art, the new chairman, William J. Ivey of the Country Music Foundation, who succeeded Jane Alexander, managed to obtain an NEA budget of \$115.7 million—far below its appropriations during the first Bush administration. At the beginning of the twenty-first century, the United States government continued to spend less on the arts than any other Western industrialized nation.

At the start of the new century, the future of public arts funding hinged on whose vision of the United States will prevail, and on the availability of arts education. Former arts administrator Edward Arian had assessed the struggle in his 1989 book, *The Unfulfilled Promise*: "The stakes in the contest are high. The right to artistic experience cannot be separated from the quality of life for every citizen, the opportunity for full self-development for every citizen, and the creation of the open and tolerant personality that constitutes the underpinning of a democratic society."

*James D'Entremont*

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SEE ALSO: Art; Censorship; Mapplethorpe, Robert; Motion picture ratings systems; Song lyrics.

## *The Art of War*

IDENTIFICATION: Book attributed to Sunzi (fl. c. 500 B.C.E.)

DATE: *Sunzi Bingfa*, c. 500 B.C.E.; English translation, 1910

TYPE OF ETHICS: Military ethics

SIGNIFICANCE: *The Art of War* provided the theoretical and strategic basis for the way in which war was waged by East Asian countries for many centuries.

According to Sunzi (also known as Sun Tzu), a state should not begin a war unless definite advantages are foreseen; indeed, aggressive war should be avoided unless the situation is absolutely critical and no alternative exists. In determining whether war should be waged, questions should be raised regarding not only its moral basis but also season and weather, the kind of terrain to be traversed, the qualities necessary to a competent commander, and army organization and discipline. Success also depends on the internal harmony (dao) of the state; without such harmony, the state's efforts in war will fail. One should never engage in a protracted war, which is likely to result in military defeat and heavy financial deficit.

In waging war, deception is the key to success and attacks should always be conducted according to a coherent strategy. Indeed, supreme military excellence consists of breaking the enemy's resistance without fighting. The best tactics involve blocking the enemy's plans. The worst tactics involve besieging walled cities and fighting in mountains. The best strategy is always a balancing of the possibilities for victory. The good commander places himself in an

invulnerable position and then watches for a favorable opportunity to defeat the enemy. Good tactics involve varying the concentration and division of forces. No one should attempt to wage war without knowing the topography of the territory involved. Above all, if a general fails to acquaint himself with the character of the enemy, whatever he does will lead to ruin. What enables a general to employ stratagems and deception is his knowledge of the enemy. Such information can be obtained only by means of espionage. Captured spies should be well treated and should be turned into defectors and double agents.

SEE ALSO: Just war theory; Limited war; Military ethics; War.

## Artificial intelligence

DEFINITION: Electronic processes that simulate human thinking

DATE: Earliest developments began around 1945

TYPE OF ETHICS: Scientific ethics

SIGNIFICANCE: Artificial intelligence research is creating increasingly complex, computer-generated processes that are increasingly affecting the lives of humans. Because of this development, human beings must address the ethical behavior of such machines and the possible ethical treatment of future thinking machines.

Secret research in British and U.S. military labs during World War II spawned the age of modern digital computers. The house-sized machines of that era performed vast number of computations at speeds no human could match. Soon, however, researchers sought to build machines that did more than compute numbers. Their goal was to create artificial intelligence (AI), electronic processes that simulate human thought patterns.

During the late 1940's, the English mathematician and computer pioneer Alan Turing was the first scientist to suggest that the key to creating artificial intelligence lay in developing advanced software, not more advanced hardware. From that moment, computer labs around the world began investing increasing resources in software development. As a result, AI software is everywhere. Online shopping, voice

recognition systems, robotic probes that search Mars for sign of life, automated climate-controlled “intelligent” buildings, and “smart” credit cards are all made possible by advances in artificial intelligence. Researchers have also developed “expert systems,” or software programs that replicate human decision-making processes to aid corporations in marketing, research, costing, management, and billing operations. AI systems work quickly and consistently, and they eliminate much of the tedium and drudgery of modern work. Coupled with the power of the Internet, they also give human beings astounding personal power in the privacy of their own homes.

### **BEHAVIOR OF ARTIFICIAL INTELLIGENCE MACHINES**

Artificial intelligence is, however, also provoking concern. Critics argue that too little research is going into addressing the question of how the machines themselves should behave. Some ethicists argue that AI systems that function automatically and independently of human control pose great dangers. Because AI systems lack the ability to emulate human empathy, compassion, and wisdom, they have no ability to use discretion over when to act. Also troubling to ethicists are AI systems programmed with malicious intent that can release confidential information, steal from bank accounts, and disrupt communication and transportation systems. Virulent computer viruses—a malicious form of artificial intelligence—already create havoc on the Internet worldwide. Artificial intelligence offers such tantalizing prospects in weaponry that by the early twenty-first century military organizations were pouring billions of dollars into creating software designed to disrupt the daily operations of modern nations and cause widespread misery, deprivation, and death.

Many ethical questions arise over the use of modern “smart weapons.” By 2004, several nations possessed a host of AI-based missiles, bombs, and electronic monitoring systems, programmed to detect enemy targets and automatically attack them, often without human intervention. Enabling machines, and not humans, to decide whether to inflict death upon human beings strikes many thinkers as morally and ethically repugnant. By distancing humans from the killing, artificial intelligence may also entice them to ignore their moral responsibilities. Moreover, argue critics, when human beings are fighting in a war, they

often experience profound abhorrence over killing other human beings and may thus be moved to stop further bloodshed. By contrast, AI weaponry may be programmed to continue killing with cold, mechanical efficiency, without compunctions.

In addition, the absence of human beings from the decision making of waging war might trigger the loss of innocent lives when a smart weapon errs. Such was the case in July, 1988, when an American warship, the USS *Vincennes*, destroyed an Iranian passenger jet flying over the Persian Gulf and killed 290 civilians. The mishap occurred when the ship’s electronic detection system on the *Vincennes* incorrectly profiled the Iranian aircraft as a warplane and alerted its crew to launch a missile attack.

### **WHEN ARTIFICIAL INTELLIGENCE BECOMES SELF-AWARE**

Smart weapons and similar forms of rules-following technologies are often called “soft” artificial intelligence, as they are not truly independent, intelligent agents capable of reason or any form of true human thought. Some researchers, however, believe it is simply a matter of time until researchers produce “hard” artificial intelligence—artificial intelligence that is truly alive, or at least appears to be. Computer entities already exist that imitate biologic systems. They move, reproduce, consume other computer-generated entities, and react to external stimuli. Advanced synthetic thinking systems also exist. Deep Blue—an advanced AI system—now plays chess well enough to defeat a human world-class master.

Some researchers also predict that before the middle of the twenty-first century advanced AI systems will be more than high-tech problem solvers. They may also become conscious, or semi-conscious, of their own mental states. If and when that develop occurs, will such machines be entitled to ethical treatment from humans? Will artificial beings deserve civil rights or due process of law? Who should decide such questions? Will AI systems themselves be designed to evaluate ethical questions? Some ethicists suggest that if machines ever do become aware of their own existence, they should be included in the growing rights movement, which bestows rights on animals and other living things that are not conscious, such as plants and ecosystems.

Skeptics, such as philosopher John Searle of the University of California, dismiss such concerns.

They argue that there is a marked difference between machines that appear to think and machines that really do create intelligence. Machines may be programmed to respond in human ways, but only actual human beings can reflect intelligently on what they are experiencing. Some critics also suggest that emotion is a necessary ingredient of intelligence—something that artificial intelligence lacks. Moreover, they ask, does artificial intelligence have needs? A psyche?

Nonetheless, some ethicists envision a near future when AI systems will interact with human brains. Some speculate that nanotechnology will make possible electronic replicas of human brains. In such an event, it could be theoretically possible to implant a memory chip with an electronic copy of the mind of a deceased person into the consciousness of a living person and create an after-death existence. Some observers believe that AI systems may one day even surpass human beings in intelligence. In fact, philosopher Nick Bostrom at Oxford University believes that super-intelligent machines will be the last invention humans ever need to make.

### ETHICAL PRECAUTIONS

Although ethicists can only speculate about the future of artificial intelligence, they do offer some practical suggestions. Ethical safeguards, for example, might be programmed in soft AI systems to protect privacy and reduce automated decision making. Hard AI systems, however, would require more complex programs that impart a deep, universal understanding of ethics that benefit both human and machines. Otherwise, as some futurists warn, the possibility of a super-intelligent sociopathic machine may someday be realized. Other ethicists wonder if artificial intelligence should be allowed to evolve its own ethics, as humans have done. Perhaps, they suggest, artificial intelligence could develop ethics superior to those of humans.

Finally, some thinkers wonder if humans ought to be creating life at all, and whether Earth really needs another highly developed intelligence. They also point out that if super-intelligent artificial intelligence ever emerges, it may be so profoundly different from what is predicted that all ethical questions now being asked will become irrelevant.

*John M. Dunn*

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SEE ALSO: Computer misuse; Computer technology; Exploitation; Robotics; Sentience; Technology.

## Asceticism

**DEFINITION:** The theory and practice of using self-discipline to gain self-mastery, usually in order to fulfill religious or spiritual ideals

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Ascetical practices include the cultivation of virtue and the performance of good works. In addition, increased virtue and ethical conduct contribute to greater mastery of self, the immediate objective of ascetical practice.

Although popularly associated with extreme forms of bodily penance such as the wearing of hair shirts or self-flagellation, asceticism in its broadest sense refers to practices of self-discipline designed to benefit body and mind and to gain self-mastery. Even today, people modify their lifestyles and make use of practices to care for body, mind, and spirit. Physical exercise routines, special diets, meditation, and relaxation techniques are examples of modern ascetical practices.

Traditionally, ascetical practices have been linked to religious or spiritual goals. Ascetical self-mastery has been sought in order to achieve salvation, expiate individual or communal guilt, or imitate the example of a divine figure. In its positive expression, asceticism has taken the form of the practice of virtues—such as patience, forgiveness, or generosity—to benefit others. Ascetical practices remove personal limitations so that a person is less egoistic and better able to serve others.

Asceticism is a feature of the major religious and philosophical traditions. The term “asceticism” is derived from the Greek word *askesis*, meaning “athleticism” or “athletic training.” The Christian apostle Paul of Tarsus likens the renunciation that Christians practice to gain eternal life to the discipline that prepares athletes to win a perishable trophy. The earliest records of ascetical thought are found in the Upaniṣads, written between 800–400 B.C.E. in India. They urge the wise person to practice austerities, or *tapas*, in order to apprehend the Cosmic Self, the unmanifest source and ground of creation.

### JUDAISM, CHRISTIANITY, AND ISLAM

The earliest Jewish thought valued asceticism little, limiting ascetical practices to the fasting and sexual abstinence required by the divine commandments. In later Jewish thought, an awareness of individual and communal guilt led believers to acts of penance and expiation for sin. In the aftermath of the expulsion of the Jews from Spain in 1492, ethical and ascetical practice fused with mystical thought. This fusion continues to influence Jewish ethical teaching. It can be summarized as follows: Every action in accord with the divine commandments and every ethical deed provides a way for each Jew to help bring redemption to the Jewish nation and the world.

Christian asceticism takes the example of Jesus’ life as its model for ascetical practice. Jesus did the will of his Heavenly Father in his life of teaching and service and in his death by crucifixion. Christians follow his example by crucifying their selfish desires and sinful inclinations. They accept suffering in imitation of Jesus’ suffering. Leaders of the Protestant Reformation attacked asceticism because salvation is God’s free gift and cannot be merited by good works. In response Catholic teaching maintains that although salvation is a gift, the good Christian freely

chooses to grow in unity with Jesus by trying to live and die as he did.

Muḥammad, the founder of Islam in the seventh century, stressed the need for asceticism. Prayer and fasting are two of the Five Pillars of the Faith central to Islamic teaching. Many ascetical practices are associated with Sufism, the mystical movement in Islam. These include cleansing one’s heart through the constant remembrance of God and through restraining the breath in the recitation of one’s prayers. A clean heart brings conformity to the will of God, the basis of right action in Islam.

### HINDUISM AND BUDDHISM

The traditional structure of Hindu life sets aside the last two of four stages in life for ascetical practices and spiritual development. While the individual is engaged in worldly affairs, the performance of social duties is emphasized and every aspect of life is governed by elaborate codes of behavior. After supporting a family, serving the community, and accomplishing the worldly aims of life, the householder is freed from those responsibilities to devote the rest of life to gaining *moksha*, or liberation, union with the transcendental Ground of Being. By setting aside a certain time in life for spiritual development, Hinduism makes asceticism an established part of life while guaranteeing that the needs of family and society are also met.

Buddha advocated moderation in ascetical practice. The Eightfold Path of Buddhism sets forth the ethical conduct and ascetical practices necessary to gain nirvana, a state of absolute consciousness. Buddhist asceticism demands discipline, psychological control, and selflessness in order to develop compassion, the supreme virtue according to the Buddhist tradition. Certain livelihoods, such as the manufacture of weapons and the butchering and sale of meat, are considered illegitimate in Buddhist societies because they violate the rule of compassion.

### MODERN ASCETICISM

Asceticism has fallen out of favor because of its association in the past with philosophies that condemned the body and matter. The forms of physical torture some ascetics chose to discipline their bodies disgust most modern people. Asceticism has come to be advocated on much more positive grounds. Discipline can aid in gathering and focusing personal energy in a culture that distracts its members in count-

less ways. Quiet reflection can help a person locate negative cultural conditioning in order to confront it. Spiritual discipline can intensify and concentrate awareness in order to help one make sound choices in life. Asceticism means having the power to choose. Choice is essential for ethical conduct. Bodily and spiritual discipline not only benefit body and mind but also contribute to ethical decision making by increasing a person's options.

*Evelyn Toft*

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SEE ALSO: Buddha; Jesus Christ; Mysticism; Schopenhauer, Arthur.

## Aśoka

IDENTIFICATION: Early Indian emperor  
 BORN: c. 302 B.C.E., India  
 DIED: c. 230 B.C.E., India  
 TYPE OF ETHICS: Religious ethics  
 SIGNIFICANCE: Aśoka unified India and promoted the spread of Buddhism. He redefined Buddhist ethics as they relate to statecraft.

The emperor of India from approximately 270 to 230 B.C.E., Aśoka is known to posterity through the rock and pillar inscriptions that he left across the Indian subcontinent and through various Buddhist chronicles. Aśoka, who was the grandson of Chandragupta, was the third monarch of the Maurya Dynasty. From

his capital at Pataliputra (modern Patna), he governed the largest Indian empire that had existed up to that time.

Aśoka converted to Buddhism after a particularly bloody campaign to win the territory of Kalinga (modern Orissa). He is said to have been so distraught over the sufferings caused by war that he renounced violence as a tool of statecraft. The central concept in his political philosophy was *dhamma* (Pali; Sanskrit, *dharma*), a Buddhist and Hindu concept that, in one of its meanings, referred to a kind of civic morality.

Aśokan reforms, which have been valorized by Buddhists throughout history, included social services such as free medical aid and the development of rest houses for travelers. He also promoted vegetarianism, enacting laws that restricted animal sacrifices and limited butchering and hunting.

Although Aśoka was said to have given up military imperialism, the expansion of his influence continued, this time through *dhamma-vijaya*, or "moral conquest." This idea of winning over one's enemies by dint of sheer moral superiority is echoed in Mohandas K. Gandhi's twentieth century notion of *satyagraha*, or the "victory of truth."

Although much about Aśoka is wrapped up in legend, it is clear that he attempted to rule in a way that no other Indian ruler had attempted. He developed a concept of citizenship that was broader than those of the caste and local loyalties to which people had adhered before his rule. The modern symbol of India, four lions facing the four directions, is derived from the capital of one of Aśoka's famous pillars.

*Cynthia Keppley Mahmood*

SEE ALSO: Akbar the Great; Buddhist ethics; Citizenship; Hindu ethics.

## Assassination

DEFINITION: Killing, often by stealth, of persons prominent in government, religion, or culture, usually for the purpose of effecting political or social change

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Whether and under what circumstances assassination is ever morally justified has



perplexed ethicists for centuries, as has the search for practical and morally permissible methods of combating terroristic assassination.

Assassination, which is as old as history, arose at least in part from the lack of mechanisms for the removal of rulers in antiquity and also from the need of subjects to protect themselves from oppression. The Bible relates numerous acts of assassination, many of which receive the approval of Holy Writ. For example, in Judges, the prophet Ehad stabbed Eglon, King

of Moab. Jael slew the retreating Canaanite general Sisera, and Judith decapitated general Holofernes. The tyrannical judge-king Abimelech died when a woman dropped a millstone on him. Under the monarchies of Israel and Judea, many tyrants were killed, including Nadab, Elah, Jehoram, Ahaziah, Jezebel, Zechariah, Jobesh, and Pekah.

In the ancient world, Hipparchus, a tyrant of Athens, was fatally stabbed by Harmodius and Aristogiton. That these tyrannicides acted more from personal motives than from love of political liberty

### Notable Assassinations in History

<i>Year</i>	<i>Place</i>	<i>Person</i>
514 B.C.E.	Athens	Hipparchus
44 B.C.E.	Rome	Julius Caesar
661 C.E.	Mecca	Caliph 'Ali ibn Abi Talib
1170	England	Thomas Becket, archbishop of Canterbury
1192	Tyre	Conrad of Montferrat, king of Jerusalem
1327	England	King Edward II
1400	England	King Richard II
1610	France	King Henry IV
1762	Russia	Emperor Peter III
1792	Sweden	King Gustav III
1801	Russia	Emperor Paul I
1828	South Africa	King Shaka of the Zulu
1865	United States	President Abraham Lincoln
1881	United States	President James A. Garfield
1900	Italy	King Umberto I
1901	United States	President William McKinley
1914	Bosnia	Archduke Francis Ferdinand of Austria-Hungary
1922	Ireland	Prime Minister Michael Collins
1934	Austria	Chancellor Engelbert Dollfuss
1935	United States	Louisiana governor Huey Long
1940	Mexico	Soviet exile Leon Trotsky
1948	India	Nationalist leader Mohandas K. Gandhi
1948	Palestine	U.N. observer Count Folke Bernadotte
1956	Nicaragua	President Anastasio Somoza Garcia
1958	Iraq	King Faisal II
1961	Democratic Republic of the Congo	Premier Patrice Lumumba
1961	Dominican Republic	President Rafael Trujillo

*(continued)*

### Notable Assassinations in History — continued

<i>Year</i>	<i>Place</i>	<i>Person</i>
1963	Iraq	Abdul Kareem Kassem
1963	South Vietnam	President Ngo Dinh Diem
1963	United States	Civil rights leader Medgar Evers
1963	United States	President John F. Kennedy
1965	United States	Black nationalist leader Malcolm X
1966	South Africa	Prime Minister Hendrik Verwoerd
1968	United States	Civil rights leader Martin Luther King, Jr.
1968	United States	Senator Robert F. Kennedy
1973	Chile	President Salvador Allende Gossens
1975	Bangladesh	President Mujibur Rahman
1975	Saudi Arabia	Faisal ibn al-Saud
1978	United States	San Francisco mayor George Moscone and Supervisor Harvey Milk
1979	Ireland	Louis, First Earl Mountbatten
1979	South Korea	President Park Chung Hee
1981	Bangladesh	President Ziaur Rahman
1981	Egypt	President Anwar el-Sadat
1983	Philippines	Opposition leader Benigno Aquino, Jr.
1984	India	Prime Minister Indira Gandhi
1986	Sweden	Prime Minister Olof Palme
1992	Algeria	President Mohammed Boudiaf
1994	Mexico	Presidential candidate Luis Donaldo Colosio
1994	Rwanda	President Juvenal Habyarimana
1995	Israel	Prime Minister Yitzak Rabin
2001	Democratic Republic of the Congo	President Laurent-Désiré Kabila
2002	Afghanistan	Vice President Abdul Qadir
2003	Serbia	Prime Minister Zoran Djindjic

did not cloud their godlike status in antiquity.

From the experiences of the Roman Empire, the West absorbed a deep ambivalence about assassination, since many targets were vicious tyrants, such as Caligula, Domitian, Commodus, Caracalla, and Heliogabalus, but the heroic reformer emperor Julius Caesar was also a victim.

#### THE MIDDLE AGES

Ambivalence toward assassination carried over to the Middle Ages, when Scholastic theologians struggled with the divergent traditions of Christianity. Its

early pacifism had evaporated, but the tradition of obedience to authority and of suffering evils meekly remained. Yet Old Testament support for assassination and the natural law tradition's support for a right of rebellion against wickedly unjust rule created support for the practice.

John of Salisbury, the English medieval theologian, held that any subject might kill an oppressive tyrant for the common good, but Saint Thomas Aquinas, like many later figures, retreated from the full implications of that view. Thomas Aquinas introduced the *melior pars* doctrine, which placed respon-

sibility for elimination of a tyrant upon those in society who enjoy office, wealth, or rank.

A vital distinction drawn by the medieval schoolmen was between a tyrant by usurpation (*tyrannus in titulo*) and a tyrant by oppression (*tyrannus in regimine*). The former is one who has no legal right to rule but seizes power. The latter is one who rules unjustly. Thomas Aquinas, Francisco Suarez, and others maintained that private individuals had a tacit mandate from legitimate authority to kill a usurper to benefit the community.

### REFORMATION AND RENAISSANCE

During the Reformation, most Protestant reformers endorsed tyrannicide: Martin Luther held that the whole community could condemn a tyrant to death, Philipp Melancthon called tyrannicide the most agreeable offering man could make to God, and John Calvin endorsed the *melior pars* doctrine. The Jesuit Juan de Mariana condemned usurpers and praised

slayers of princes “who hold law and holy religion in contempt.”

Renaissance drama often centered upon assassination; for example, Christopher Marlowe’s *Edward II* and much of William Shakespeare concentrated upon the morality of it—in historical plays such as *Richard II*, *Henry VI* (in three parts), and *Richard III*, and also in *Macbeth*, *Hamlet*, and *Julius Caesar*. Julius Caesar was a tyrant by usurpation against the corrupt Roman Republic, but he ruled well. King Claudius in *Hamlet* was a tyrant by usurpation and oppression, as was Macbeth. A constant Renaissance theme involved the motivation for the tyrannicidal act. In *Julius Caesar*, all the assassins except Brutus have motives of jealousy, and Hamlet must struggle within himself, since he desires to kill the king because of private hatred rather than justice.

In the East, religion was often the motive, as with the Order of the Assassins in Muslim Syria in the



On November 24, 1963, two days after the assassination of President John F. Kennedy in Dallas, Texas, suspected assassin Lee Harvey Oswald was himself assassinated when Dallas nightclub owner Jack Ruby shot him on live television while police were escorting him out of a building. (Library of Congress)

twelfth and thirteenth centuries, and the Thuggees in India strangled travelers to honor the goddess Kalī until the British suppressed the cult during the 1830's.

### THE MODERN ERA

In the modern era following the French Revolution, the main sources of assassinations have been nationalism, political ideology, and madness. Daniel McNaughtan, a Scot who killed the secretary of British prime minister Sir Robert Peel, represents an entire class of assassins. Because of McNaughtan's manifest insanity, the House of Lords created the McNaughtan Rule, which set the standard for the insanity plea in criminal law.

Nationalism motivated assassinations from the Phoenix Park murders in Ireland in 1882 and the calamitous slaying of Austrian archduke Francis Ferdinand in 1914 to the killing of Indian premier Indira Gandhi by Sikhs in 1984. Finally, political ideologies, especially anarchism, claimed many victims, such as Russian prime minister Peter Stolypin and U.S. president William McKinley.

With both extreme nationalism and radical political ideologies, the moral arguments about assassination have tended to be focused upon the practical question of the effects of assassination rather than upon its abstract moral nature. V. I. Lenin, the founder of the Soviet Union, condemned assassinations of political figures and other terroristic acts as tactically inopportune and inexpedient.

In the twenty-first century, international terrorism has used random assassination as a tool to disrupt society by putting pressure upon targeted governments in order to alter policies, as when the president of Chechnya was assassinated in May, 2004.

### ETHICAL ISSUES

Similar to personal self-defense, capital punishment, and just war, assassination raises general issues of whether homicide can ever be justified. Beyond this, there are special issues raised by the particular nature of assassination. Can the private citizen be trusted to wield the power of life and death, especially over his or her own magistrates?

Ethicists see assassination as destructive of the trust and loyalty that ought to exist between subject and ruler, and they dislike the fact that even when used upon vicious tyrants, it necessarily involves cir-

cumventing judicial forms, though the guilt of the tyrant may be manifest.

Practically speaking, attempted assassinations, like abortive revolts, may intensify the repression of a tyrannical regime. Additionally, it is notorious that democratic and even authoritarian rulers are more susceptible to assassination than are truly totalitarian despots.

*Patrick M. O'Neil*

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SEE ALSO: Anarchy; Covert action; Evers, Medgar; Homicide; International law; Lincoln, Abraham; Tyranny.

## Atatürk

IDENTIFICATION: First president of Turkey

BORN: Mustafa Kemal; May 19, 1881, Salonika,

Ottoman Empire (now Thessaloniki, Greece)

DIED: November 10, 1938; Istanbul, Turkey

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Between 1921 and 1923, Atatürk successfully drove the Greeks out of Turkey, thwarted postwar partition by the allies, and established the modern nation of Turkey. As the founder and first president of that nation, Atatürk aggressively initiated a reform movement designed to Westernize and modernize Turkish law and social customs.

The son of an Ottoman bureaucrat, the young Mustafa Kemal (Atatürk, meaning "father of the Turks," was added to his name in 1934) was educated

at the Istanbul military academy, where, like many other youths, he participated in subversive organizations. While initially allied with the Young Turk revolution, Atatürk in 1919 founded the rival Turkish Nationalist Party and was elected its president. His military acumen and leadership, best illustrated by his engineering of the World War I victory over the British at Gallipoli, earned him a substantial and loyal following.

After his masterful ousting of the Greeks in 1923, Atatürk, as head of the Nationalist Party, declared Turkish independence and was subsequently elected Turkey's first president. While serving for fifteen years as a virtual dictator, Atatürk initiated a program of modernization that fundamentally altered Turkish society. His reforms included the disestablishment of Islam, the abolition of the sultanate, the banning of polygamy, the institution of compulsory civil marriage, the enfranchisement of women, the replacement of Arabic script with the Latin alphabet, and compulsory literacy training for adults under age forty.

Atatürk also introduced economic reforms, including a policy of self-sufficiency and refusal of foreign loans.

*Mary E. Virginia*

SEE ALSO: Constitutional government; Dictatorship; Islamic ethics.

## Atheism

**DEFINITIONS:** Unbelief in supreme beings, religion, or the supernatural

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Although ethical systems in Western cultures have traditionally been grounded in religions, unbelievers also have their own value systems and seek to know and practice what is good and right.

Although some ethicists find unbelief incompatible with ethics, many ethical views and practices grow from atheism. Because atheism is not institutionalized or codified in the same way that religions are, generalizations about the “ethics of atheists” are risky.

Paul Roubiczek restates three main ethical ques-

tions: How should people act? What does “good” mean? Are people able to do what they should? A fourth question, raised by G. E. Moore in *Principia Ethica* (1903), is “What kind of things ought to exist for their own sake?” Atheists, like believers, struggle to answer these hard questions.

### ATHEISTS

The term “atheism” was first used in 1571 to define an ideology “without theism.” Many atheists do not deny the existence of a god; instead, they find the term “god” itself meaningless. Atheists constitute a small minority in modern society: In 1989, only 10 percent of American adults reported having “no religious preference.” This figure also includes agnostics and people without clear ideas about religion.

Unbelief places atheists outside the mainstream, because even in modern, secularized societies, most people have some sort of religion to guide them. Religions often prescribe traditional codes of conduct, such as the Ten Commandments of the Old Testament or the New Testament teachings of Jesus Christ. Atheists lack such institutionalized ethical codes. Atheists tend to be well educated and trained in the humanities or sciences; they usually entertain scientific, not supernatural, theories about cosmic and human origins.

To religious believers, the term “atheist” may trigger the negative stereotype of one who is “against” something good and sacred; “atheist” may even suggest “demonically inspired,” though “devil worship” is inconsistent with unbelief. The public image of modern atheists has been shaped by abrasive activists such as Madalyn Murray O’Hair, a highly publicized crusader against Bible readings and prayer in American public schools, and author Ayn Rand, founder of a unique conservative ideology: objectivism.

### HISTORY

Religious unbelief has a long history. One of the early figures to question religious orthodoxy and customs was Hecataeus, who ridiculed the Greek myths in the sixth century B.C.E. Herodotus and, later, the Sophists were also critical of justifying Greek customs as “the will of the gods.” Socrates was sentenced to death in 399 B.C.E. partly for being “impious.” Epicurus—still popularly associated with an “eat, drink, and be merry” ethic—denied the gods’ supernatural power and doubted the afterlife.



James Thrower traces the historic stages of unbelief: the breakdown of classical myths; the rise of science in the Renaissance; the rationalism of the Enlightenment, when such philosophers as Immanuel Kant and David Hume attacked the “reasonable” bases of religion; and later movements such as Marxism and existentialism. The moralist Friedrich Nietzsche, who died in 1900, declared, “God is dead,” inaugurating what some call the “post-Christian” era.

### VARIETIES OF ATHEISM

Confusingly, modern atheists call themselves skeptics, utilitarians, objectivists, self-realizers, emotivists, relativists, Marxists, pragmatists, intuitionists, materialists, naturalists, empiricists, positivists, nihilists, libertarians, rationalists, hedonists, secularists, humanists, and existentialists. The principles of each ideology have ethical implications—but not easily predictable ones. Existentialism and ethical humanism are among the best-known atheistic philosophies.

Mary Warnock, who surveys nonreligious ethical theories, says that modern ethicists have not built large metaphysical systems but have focused, instead, on human nature, social interaction, and language. According to existentialists such as Jean-Paul Sartre, individuals confront isolation, impermanence, and the “burden of choice” in a stark, incomprehensible world. As Warnock notes, that view is not a helpful ethical guide. However, existentialist Albert Camus has urged humans not to give up the quest for right action in an absurd world.

Paul Kurtz says that the flexible ethics of modern humanism stands on basic principles: tolerance, courage, freedom from fear, respect for individuals, social justice, happiness and self-fulfillment, and the ideal of a world community. Kurtz believes that ethical conduct is possible without religious belief because certain “human decencies” are almost universally accepted: telling the truth; dealing fairly with others; being kind, sincere, honest, considerate, thoughtful, helpful, and cooperative; having friends; seeking justice; not misusing others; and not being cruel, arrogant, vindictive, or unforgiving.

Most modern philosophies and ethical theories leave humans free to make subjective, contingent, and relativistic choices; thus, students searching for specific, practical guides to personal morality may find modern writings theoretical, complex, and in-

conclusive. Ross Poole says, pessimistically, “The modern world calls into existence certain conceptions of morality, but also destroys the grounds for taking them seriously. Modernity both needs morality, and makes it impossible.” John Casey, however, affirms the persistent relevance of “pagan” virtues: courage, temperance, practical wisdom, justice, and respect for the personhood of all people. Such time-proven guides encourage honor, humanistic achievement, and proper kinds of pride and self-assertion.

*Roy Neil Graves*

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SEE ALSO: Camus, Albert; Epicurus; Existentialism; God; Humanism; Marxism; Nietzsche, Friedrich; Nihilism; Postmodernism; Religion; Secular ethics.

## Atom bomb

THE EVENT: Creation of an extremely powerful bomb utilizing the process of nuclear fission

DATE: 1939-1945

TYPE OF ETHICS: Scientific ethics

SIGNIFICANCE: Scientists ordinarily prefer to regard themselves as members of an international brotherhood devoted to the expansion of knowledge;

however, the race to create an atom bomb during World War II highlighted the fact that scientific knowledge also has direct nationalist and military applications.

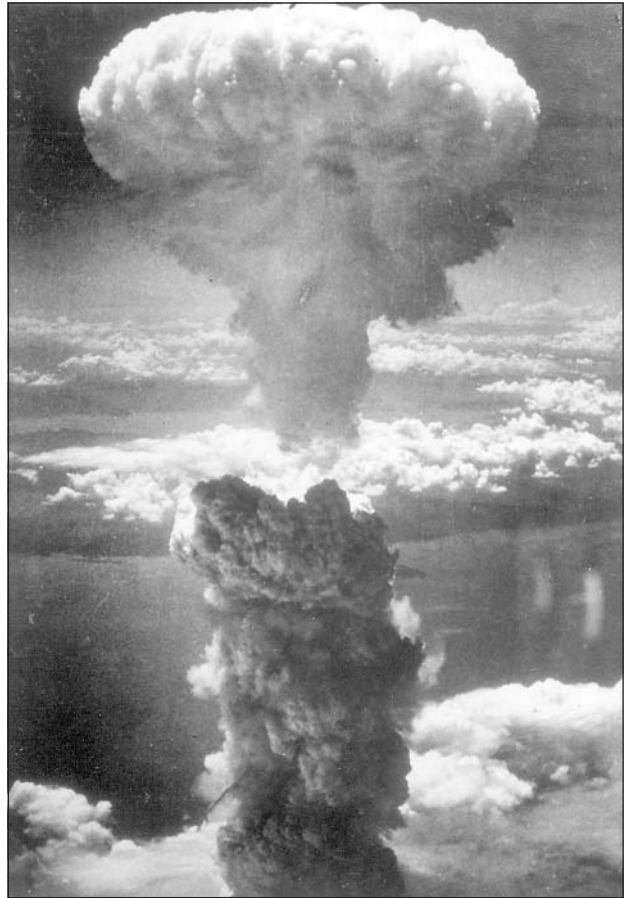
Among those caught in the ferment of World War I were members of the international scientific community. Early in the war, scientists in the United States were shocked to find that distinguished Germans such as Wilhelm Roentgen had signed a manifesto justifying the destruction of the famed library at Louvain, Belgium, by German armed forces. Soon, however, the imperatives of the war effort placed greater and more direct demands upon scientists, who generally were eager to use their abilities to advance the causes of their respective nations.

Although chemists bore the moral burden most directly, thanks to their essential role in the development of increasingly lethal poison gases, physicists also shared in the war efforts of the various belligerents, making significant contributions to the development of acoustic devices for detecting enemy submarines and of flash-ranging and acoustic apparatuses for ascertaining the location of enemy artillery positions.

### DEMANDS OF WORLD WAR II

World War II demanded still more of scientists, and physicists in particular, for several of the war's most far-reaching new technologies demanded their expertise: the proximity fuze, radar, and the atom bomb. "Almost overnight," a scientist at a midwestern state university remarked, "physicists have been promoted from semi-obscurity to membership in that select group of rarities which include rubber, sugar and coffee." Colleges and universities readily made their facilities available for various wartime endeavors, weapons research among them. In wartime, ethical distinctions between defensive and offensive weaponry can easily be blurred, for physicists who entered radar work labored over devices ranging from microwave apparatuses used to detect enemy submarines and approaching aircraft to equipment designed to enable Allied bombers to drop their bombs with greater accuracy.

At all stages of the conflict, ethical concerns about the war and its weapons were revealed in the



Characteristic "mushroom" cloud created by the explosion of an atom bomb over Nagasaki. (National Archives)

thinking of various groups and individuals, including military personnel. Before the war and early in it, air force officers preferred to think of strategic bombing as so precise that only targets of direct military value such as the submarine pens at Wilhelmshaven, Germany, or the ball-bearing plants at Schweinfurt would be attacked. Precision bombing was much more difficult to accomplish than prewar theorists had argued, however, and area bombing, in which not only the plants but also the surrounding communities were designated as target areas, was increasingly used. It was only a matter of time until the communities themselves became targets. Japan's great distance from Allied bases meant that sustained bombing of Japanese targets could not even be undertaken until well into 1944, by which time American forces had had more than a year of experience in the air war

against Germany. Area bombing therefore played an especially large role in the air war against Japan. Would the use of an atom bomb represent something altogether different or would it simply expand the still uncertain boundaries of area bombing?

Almost as soon as the discovery of nuclear fission was revealed in 1939, physicists began to discuss an atom bomb. Such a bomb would be a weapon of enormous destructive potential, and using it would claim the lives of many thousands of individuals. First it had to be asked whether an atom bomb could be developed. American physicists and their émigré colleagues rallied to the war effort, nearly five hundred going to the Radiation Lab at the Massachusetts Institute of Technology and many others entering the Manhattan Project (organized in 1942 to coordinate and push forward ongoing fission research) and its various facilities: Among these were the Metallurgical Lab at Chicago, where a controlled chain reaction was first achieved; Oak Ridge, Tennessee, where weapons-grade uranium was processed; and Los Alamos, New Mexico, where work on the bomb itself—it was innocuously called “the gadget” for security reasons—was undertaken. Even when their own efforts seemed disappointing, Manhattan Project scientists could not know whether their German counterparts, such as Nobel laureate Werner Heisenberg, had achieved an insight that had eluded them and had therefore put the atom bomb into Adolf Hitler’s hands.

Preoccupied with the work before them, these scientists rarely took time to reflect upon what they were doing. The surrender of Germany in the spring of 1945 was the occasion when scientists should have paused to ask themselves whether work on the atom bomb should continue. A young physicist at Los Alamos did raise the question of resigning from atom bomb work en masse, only to be told by a senior colleague that if work were suspended it would be easy for another Hitler to pick up where they had left off.

At the Met Lab, where work was nearly done by 1945, scientists did join in issuing the Franck Report, which asked that a demonstration of the new weapon be made on an uninhabited area before any use of it was made against Japan. Some half dozen of the most eminent scientists involved in war work, however—those with access to policymakers in Washington—rejected such a recommendation. A direct use of the atom bomb against a Japanese city would be far more

likely to bring the war to a prompt conclusion and to increase the likelihood of maintaining peace afterward, they reasoned. Although many scientists involved in the Manhattan Project did at one time or another speculate upon the ethical questions that the development of an atom bomb posed, their concern that Hitler might secure prior access to this weapon sufficed to keep their efforts focused on developing the atom bomb. Moreover, mastering the physics involved in creating an atom bomb was an immensely challenging and absorbing scientific and technological problem. “For most of them,” Michael Sherry has observed, “destruction was something they produced, not something they did,” an attitude that helps explain the wagers these scientists made on the magnitude of the explosive yield of the bomb used in the July, 1945, Trinity test.

#### GERMAN SCIENTISTS

Ironically, some German physicists might have pondered the ethical dimensions of the atom bomb more keenly than had their Allied counterparts. Unlike the Manhattan Project scientists, the Germans knew that their own research could give Hitler the atom bomb. After the war had ended, scientists were more likely to step back and ask what the atom bomb meant and whether international control of it or further development of nuclear weapons should take precedence.

Among those who went on to develop a far more devastating weapon, the hydrogen bomb, the fear of Joseph Stalin and the Soviet Union provided the ethical justification that the thought of a Nazi atom bomb had provided for their Manhattan Project colleagues. By the same token, however, as historian Daniel Kevles put it, “To maintain their scientific, political, and moral integrity, the Los Alamos generation on the whole declared . . . that scientists could ‘no longer disclaim direct responsibility for the uses to which mankind . . . put their disinterested discoveries.’”

*Lloyd J. Graybar*

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SEE ALSO: Biochemical weapons; Hiroshima and Nagasaki bombings; Manhattan Project; Military ethics; Mutually Assured Destruction; Nazi science; Nuclear arms race; Nuclear energy; Union of Concerned Scientists; Weapons research.

## Atomic Energy Commission

IDENTIFICATION: Federal government agency established to provide joint military and civilian supervision of nuclear power

DATE: Founded in 1946; superseded 1974-1975

TYPE OF ETHICS: Scientific ethics

SIGNIFICANCE: After World War II, it became clear that nuclear energy called for special regulation, and the Atomic Energy Commission (AEC) was created to provide it.

When World War II was ended by the atom bombs that were dropped on Hiroshima and Nagasaki, nearly all that the general public knew about nuclear energy was that it could be devastatingly destructive. The many medical and industrial uses of the atom lay mostly in the future, and only its horrific power was

known. Furthermore, advocates of military applications of nuclear energy insisted on continuing development and testing of atomic weapons.

In this atmosphere, the Atomic Energy Act of 1946 was signed into law. It provided for the formation of a presidentially appointed commission, with separate military and civilian committees under it. The AEC devoted much attention to military weaponry in its early years, but the Atomic Energy Act of 1954 provided for civilian industrial participation in the research and manufacture of atomic materials and in the construction of atomic power installations, licensed by the AEC.

In 1974, the AEC was disbanded, and in 1975 two new organizations took up changed functions: the Nuclear Regulatory Commission, charged with the investigation and licensing of all uses of atomic energy—medical, industrial, and power, as well as the health aspects connected with these uses; and the Energy Research and Development Administration, which later became the Department of Energy, with the narrower function implied by its name. The weapons applications have been less prominent since then.

*Robert M. Hawthorne, Jr.*

SEE ALSO: Hiroshima and Nagasaki bombings; Nuclear energy; Nuclear Regulatory Commission; Union of Concerned Scientists; Weapons research.

## Attorney-client privilege

DEFINITION: Testimonial privilege that permits clients and their attorneys to refuse to disclose or to prohibit others from disclosing certain confidential communications between them

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: Although the disclosure of certain sorts of information that is exchanged between attorney and client is relevant to legal proceedings, the rules of attorney-client privilege are designed to ensure the confidentiality of this relationship.

In the U.S. legal system, the following rules apply to the attorney-client privilege. First, in order for a communication to be covered by the attorney-client privilege, an attorney-client relationship in which the cli-



ent or the client's representative has retained or is seeking the professional services of the attorney must exist at the time of the communication. Second, only communications that are intended to be confidential—that is, those that are not intended to be disclosed to third parties other than those who are involved in rendering the legal services—are protected by the privilege. Third, the privilege cannot be invoked by either the plaintiff or the defendant in a lawsuit when both are represented by the same attorney in the transaction that is at issue. Either party may, however, invoke the privilege against third parties. Fourth, the client holds the power to invoke or waive the privilege.

No privilege can be invoked in any of the following circumstances: when the attorney's services have been sought in connection with planning or executing a future wrongdoing, when the adversaries in a lawsuit make their respective claims through the same deceased client, or when the communication concerns a breach of duty between lawyer and client, such as attorney malpractice or client failure to pay legal fees.

*Lisa Paddock*

SEE ALSO: Adversary system; Arrest records; Attorney misconduct; Code of Professional Responsibility; Codes of civility; Confidentiality; Jurisprudence; Legal ethics; Personal injury attorneys; Privacy.

## Attorney misconduct

**DEFINITION:** Illegal or unethical behavior of attorneys that relates to their professional work

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Attorneys who act inappropriately may be punished by the bar associations or supreme courts of the states in which they practice law.

In the United States admission to the practice of law and oversight of attorney conduct are matters supervised generally by the each state's supreme court. In most states the supreme court remains the final authority in regulating admissions and attorney conduct, although the court may rely in part on the assistance of state bar associations. In practice, however,

complaints concerning the conduct of lawyers should normally be directed to the state or local bar association, which generally plays the most important role in the initial investigation of and decisions concerning complaints.

Sanctions against attorneys for unethical conduct should be distinguished from other means of redress for inappropriate attorney behavior. The chief alternative avenues for such redress are criminal proceedings and civil lawsuits. Attorneys who violate the law in connection with their legal practice can find themselves subject to criminal sanctions. Similarly, attorneys who violate legal obligations owed to clients and other third parties can be sued for legal malpractice or a variety of other legal claims.

### VARIETIES OF SANCTIONS

The sanctions available to disciplinary authorities who regulate the conduct of lawyers vary from private reprimands to disbarment. For a relatively minor infraction disciplinary authorities may simply censure an attorney privately, informing him or her of the bar's verdict and warning against repeating the infraction. This private reprimand remains in the attorney's file, however, and might have a bearing on the severity of sanctions in future cases should further transgressions occur. For more serious cases, disciplinary authorities may move to a public reprimand, which informs other lawyers of the offending lawyer's ethical misconduct, generally by mentioning it in a legal publication such as the state bar association's monthly periodical. The next level of sanction is a suspension from the practice of law for some period of time, generally ranging from three months to five years. Finally, disciplinary authorities deal with the most severe ethical lapses by disbarring the offending attorney. Disbarment strips the attorney of the right to practice law in the state in question. In some cases, attorneys so disbarred may seek reinstatement to the bar after a period of time, normally specified in the original disbarment order. Reinstatement depends on whether the attorney demonstrates that the offending conduct is not likely to be repeated.

In the late twentieth century the traditional sanctions of reprimand, suspension, and disbarment were supplemented with other sanctions designed to educate offending lawyers. For example, disciplinary authorities sometimes dismiss complaints against lawyers for relatively minor infractions if the lawyers



agree to attend a continuing legal education program on the subject of attorney ethics. Sometimes the right to undertake the practice of law again after a suspension or disbarment is linked to this kind of requirement. In addition, disciplinary authorities may occasionally make readmission to the bar after disbarment contingent on an erring lawyer's passing all or part of the state bar examination.

### ETHICAL RULES

Beginning early in the twentieth century national and state bar associations attempted to set forth principles of legal ethics that would guide the conduct of lawyers and provide a basis for disciplining wayward attorneys. In 1983 the American Bar Association (ABA) proposed a set of ethical rules called the Model Rules of Professional Conduct. Since the ABA does not itself have authority to establish standards for legal ethics in each state, the Model Rules were simply a uniform collection of ethical principles proposed for adoption by the various state supreme courts. In fact, most states subsequently enacted some version of the Model Rules as their own, although many states modified them in some respects. A few states still operate under a predecessor set of ethics rules proposed by the ABA in the 1970's called the Model Code of Professional Responsibility.

Rules of legal ethics, whether the Model Rules or the older Model Code, attempt to set forth ethical principles to guide lawyers in dealing with the various ethical problems that occur in the practice of law. They define the various obligations that lawyers owe their clients, the courts, and third parties. Violation of these rules, which touch on matters as various as the kinds of fees lawyers may charge and their obligation to disclose the misconduct of their fellow lawyers, is the chief basis for sanctions against lawyers.

### SANCTIONS FOR OTHER TYPES OF UNETHICAL CONDUCT

In the main, lawyers receive sanctions for unethical conduct committed in their role as attorneys. Occasionally, however, disciplinary authorities sanction lawyers for ethical infractions that are not com-

mitted in the context of legal practice. For example, a lawyer might be sanctioned after being convicted of embezzlement or tax evasion. Lawyers may also be sanctioned for unethical business conduct, even if the conduct does not occur in connection with their practice of law.

The modern view—reflected, for example, in the ABA's Model Rules of Professional Conduct—is that lawyers should be disciplined for conduct outside the scope of their practice only under certain circumstances. According to the ABA's Model Rules, some kinds of illegal or unethical conduct may not reflect adversely on lawyers' fitness to practice law. Thus, even though private moral infractions, such as adultery, might be a crime in particular jurisdictions, this infraction does not necessarily mean that an attorney who engages in this conduct lacks the characteristics necessary to practice law. On the other hand, criminal offenses involving violence, dishonesty, or interference with the administration of justice would reflect adversely on a lawyer's fitness to practice law.

*Timothy L. Hall*

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SEE ALSO: Attorney-client privilege; Code of Professional Responsibility; Codes of civility; Ethical codes of organizations; Legal ethics.

## Augustine, Saint

**IDENTIFICATION:** North African theologian and philosopher

**BORN:** Aurelius Augustinus; November 13, 354, Tagaste, Numidia (now Souk-Ahras, Algeria)

**DIED:** August 28, 430, Hippo Regius, Numidia (now Annaba, Algeria)

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Augustine's most influential works were *Confessions* (*Confessiones*, 397-400) and *The City of God* (*De civitate Dei*, 413-427). His abiding importance rests on his unique understanding and interpretations of salvation history, human psychology, and Christian moral imperatives.

For centuries, the immense influence of Augustine of Hippo has been felt in the life of the Christian Church in the West. Theologians, preachers, ecclesiastical officials, and laity alike have been guided by, or forced to respond to, the power of his ideas and ethical teachings. Thomas Aquinas, Martin Luther, and John Calvin, to name only a few, formulated their own theological positions with special reference to Augustinian thought. A prolific and brilliant writer whose works range from spiritual autobiography to biblical interpretation, Augustine was also a man of the people and a man of action.

Born of a pagan father and a Christian mother, he received a first-rate education in Rome's North African province of Numidia and later became a teacher of rhetoric in Italy. Reconverted to Christianity in 386, Augustine went on to become bishop of Hippo Regius, in what is now Algeria, in 395/396 and served in that capacity until his death.

As with any great thinker, Augustine's ideas developed and changed somewhat over the years, but there is also a remarkable consistency to much of his thought, especially in the area of ethics. Augustine's views on ethics were conditioned by his own powerful, personal experiences as well as by the theological and ecclesiastical controversies that erupted during his period of service in the Church. Although he had some knowledge of the ethical theories of both Plato and Aristotle, his familiarity was derived at second hand from his reading of Cicero, Plotinus, and others. Nevertheless, his high regard for Platonic thought can be seen in his at-

tempts to reconcile Christian ideals and Platonic teachings.

### GOD, LOVE, AND DESIRE

On the general issues of human conduct and human destiny, Augustine's thinking was naturally conditioned by the New Testament and by Church tradition. Human beings, he states, are truly blessed or happy when all their actions are in harmony with reason and Christian truth. Blessedness, accordingly, does not mean simply the satisfaction of every desire. Indeed, the satisfaction of evil or wrong desires provides no ultimate happiness: "No one is happy unless he has all he wants and wants nothing that is evil." Central to Augustine's understanding here is his emphasis on God and love. Indeed, for Augustine, virtue can be defined as "rightly ordered love." Throughout his writings, he stresses that for the Christian an action or work can have value and be worthy only if it proceeds from the motive of Christian love, that is, love of God. Augustine's famous and often-misunderstood injunction "Love, and do what you will" is to be understood in this context.

For Augustine, there exists in humans a conflict of wills, a struggle between original human goodness and the later, inherited desire for lesser things. Although, as he states, "the guilt of this desire is remitted by baptism," nevertheless "there remains the weakness against which, until he is cured, every faithful man who advances in the right direction struggles most earnestly." In time, as a person matures in the Christian faith, the struggle lessens. As long as humans allow God to govern them and sustain their spirits, they can control their lower natures and desires, and advance on the Christian path. As the concluding prayer of *On the Trinity* (*De Trinitate* c. 419) puts it: "Lord, may I be mindful of you, understand you, love you. Increase these gifts in me until you have entirely reformed me."

### SIN, MORAL CONDUCT, AND SOCIETY

According to Augustine, the essential task of humans is to attempt the restoration of the image of God within themselves through prayer, meditation on Scripture, worship, and moral conduct. Sin, by its very nature, obscures and imprisons this image. Especially dangerous to people is the sin of pride, which opens the soul to other vices such as earthly desire and curiosity. Each is destructive of the human

soul as well as of human society. A properly ordered moral life not only marks a person's individual movement toward God but also contributes to the improvement of earthly society.

Although Augustine believed that humans are social animals by nature and that human potential can be realized only within such an environment, he did not agree that the machinery of political organization is natural. Rather, government institutions are at most a necessary check on the worst excesses of human behavior following the fall of Adam and Eve. The best government is one that provides a peaceful, stable environment in which people can work out their own salvation. For Augustine, as for other early Christian teachers, humans are earthly pilgrims in search of a final resting place. God is both the goal and the means of attaining such: "By means of him we tend towards him, by means of knowledge we tend towards wisdom, all the same without departing from one and the same Christ."

*Craig L. Hanson*

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SEE ALSO: Christian ethics; Dignity; Evil; Just war theory; Lying; Manichaeism; Natural law; Self-love; Violence; Virtue.

## Aurobindo, Sri

IDENTIFICATION: Indian philosopher

BORN: August 15, 1872, Calcutta, India

DIED: December 5, 1950, Pondicherry, India

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Sri Aurobindo, one of the foremost religious thinkers of twentieth century India, helped to revitalize India both politically and spiritually. He is the author of *The Life Divine* (1914-1919) and *Synthesis of Yoga* (1948).

After being educated in England from the age of seven until he was twenty-one, Sri Aurobindo returned to India in 1893. He soon became involved in the nationalistic movement in India, and he was imprisoned for his activities in 1908. Realizing through visionary experience that real human liberation went far beyond the political liberation of India, he withdrew from the world and established an ashram, or retreat, in Pondicherry, India.

Aurobindo was very much influenced by the Western philosopher Henri Bergson, and he created a synthesis of Bergson's evolutionary view and the Upanishads. According to Aurobindo, no evolution is

### The Three Steps of Integral Yoga

1. Surrender oneself totally to God.
2. Recognize that one's progress is a result of the śakti energy working within oneself.
3. Have the divine vision of the deity in all things.

possible without involution, which entails the descent of the divine to the world of matter. The Eternal Spirit is beyond all description, but it descends into the lower realms of being and then by evolution ascends until it returns to its source. This transition from the Eternal Spirit to the multiplicity of the phenomenal world is what Aurobindo calls Supermind. Although matter is the lowest level of being, it is nevertheless a low form of the Supreme. The practice of integral yoga, which consists of three steps, awakens the potentiality of self-perfection that exists in each person.

*Krishna Mallick*

SEE ALSO: Bergson, Henri; Śāṅkara; Upaniṣads; Vedānta.

## Authenticity

**DEFINITION:** Individual's autonomy in making moral choices that are not bound by society's norms

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Authenticity is opposed to conformity. Adherence to an ethic of authenticity shifts the basis of moral judgment from the shared values of society to the personal values of each individual.

Lionel Trilling, who wrote *Sincerity and Authenticity* (1971), concurs with French philosopher Jean-Jacques Rousseau that society thwarts authenticity. Trilling analyzes the relationship between sincerity, which he defines as the similarity of what one says and what one feels, and authenticity, which is the essence of that person revealed. He finds that society often rejects authenticity when it conflicts with prevailing standards. Authentic individuals may find it difficult to remain true to themselves and still meet with social acceptance. Such alienation could lead to a form of madness—either clinical madness, as Sigmund Freud suggested could occur when one's ego is unable to reconcile primitive desires with social norms; or a spiritual form of madness-as-truth of the type suggested by Michel Foucault.

The authentic person acts from a sense of innate principles and does not depend on social acceptance for his or her standards of ethics. This emphasis on

the individual has led some critics to claim that authenticity tends toward situation ethics. Jean-Paul Sartre has suggested, however, that the actions of the individual are not completely separate but link him or her with society, and Simone de Beauvoir believed that genuine authenticity requires a sustained commitment by the individual within a community.

*James A. Baer*

SEE ALSO: Autonomy; Bad faith; Existentialism; Relativism; Sartre, Jean-Paul; Situational ethics.

## Autonomy

**DEFINITION:** Absence of external constraint plus a positive power of self-determination

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Moral autonomy is considered by many philosophers to be both a prerequisite for moral accountability and a basis for moral dignity. It is a fundamental feature of the more traditional Western models of personhood.

There are many levels at which autonomy can be said to operate. For example, nations can be said to be autonomous if they formulate and enforce their own laws and policies. (The original use of the word "autonomy," in ancient Greek political thought, designated the independence of city-states that created their own laws instead of having them imposed from without by other political powers.) Similarly, other groups of people can be said to be autonomous, including companies, universities, religious institutions, and even families.

### INDIVIDUAL AUTONOMY

The most important level at which autonomy is believed to be operative, however, is probably the level of the individual person. In Western thought, the ideal of individual autonomy has become enormously important for the evaluation of various political arrangements and for moral reasoning in general (at both the theoretical level and the level of practice). For example, the idea of a totalitarian state is often criticized by political philosophers because of the failure of such an arrangement to respect the autonomy of individual citizens.

In a similar way, at the level of particular moral practices, people often appeal to individual autonomy in order to justify or criticize specific ways of behaving. For example, many people argue that in order to respect the autonomy of individual patients, medical professionals are typically obligated to obtain some kind of informed consent from patients before treating them. The notion of individual moral autonomy also plays a very significant role in modern moral theory; for example, many theorists insist that the morality of particular actions depends in part upon the self-determined moral outlook of the person acting, and others claim that some kind of individual autonomy in action is necessary in order for persons to be morally responsible agents.

In order to explore the notion of individual autonomy, it will be helpful to consider in some detail what it involves and to examine briefly the influential views of Immanuel Kant concerning individual moral autonomy.

The notion of individual autonomy is often applied to the actions of individual people; in this sense, people are said to act autonomously to the extent that they determine for themselves what to do, independently of external influences (including the wishes of other people). This individual autonomy with respect to action is often viewed as essential for attributing actions to people as their own and for holding people morally responsible for what they do. It is a matter of great controversy, however, just how much independence a person must have from external influences in order to act autonomously. Some people claim that the actions of persons cannot be determined by environmental factors that are beyond their control if they are to act autonomously, whereas others claim that such independence is not necessary for individual autonomous action.

It is important to realize that the notion of individual autonomy is not applied only to the actions that people perform; it is also applied to the formation of individual beliefs, desires, and preferences, as well as of individual moral principles and motives for acting. Since Immanuel Kant's influential views concerning moral autonomy involve individual autonomy with respect to moral principles and motives for acting, perhaps it would be wise to consider his views at this point.

For Kant, people are distinctive because they are sources of value or ends in themselves, rather than

mere means to ends. (In this respect, people are different from other things, such as tables and chairs, which can be treated only as means to other ends, not as ends in themselves.) People are autonomous, self-determining moral agents who are capable of adopting different principles of action. According to Kant, one ought to adopt only those principles that are universalizable; that is, principles that could be willed rationally to become universal laws of conduct for anyone, anywhere, at any time. (Such principles must be completely impartial and make no reference to any particular person's preferences, values, or circumstances.)

The following principle expresses one version of Kant's universally binding moral principle (or categorical imperative): One should always act so as to treat persons as ends in themselves, and never merely as means to ends. This principle reflects the emphasis upon respect for individual moral autonomy in Kant's moral philosophy, an emphasis that has had considerable influence upon later moral philosophers.

The idea of autonomy plays a crucial role in political and moral philosophy. Although other notions of autonomy are important, Kant's account of individual moral autonomy has probably been the most influential, and it has served to focus the attention of many moral philosophers upon notions of individual autonomy.

Scott A. Davison

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SEE ALSO: Accountability; Choice; Coercion; Determinism and freedom; Freedom and liberty; Impartiality; Individualism; Kant, Immanuel; Moral responsibility.

## Avalokiteśvara

**DEFINITION:** Personification of wisdom and compassion understood as a bodhisattva (an enlightened being who postpones entrance into nirvana to help people achieve salvation)

**DATE:** Depicted in art and literature in India by the third century

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** A bodhisattva who destroys false views and passions, Avalokiteśvara is an important figure in the Buddhist religion.

Avalokiteśvara is the bodhisattva of compassion par excellence, who preaches the way to Buddhahood, saves people from suffering and death, and leads them to safety and even enlightenment. The Sanskrit name perhaps meant “the Lord who looks in each direction”; hence, he is sometimes depicted iconographically as a being with eleven or more heads. He is believed to dwell on a mountain, from which he hears the cries of suffering people and brings them aid. In the *Pure Land* sūtras (scriptures), he is one of two bodhisattvas associated with the Buddha Amitābha, who dwells in the Western Paradise and saves those who call upon him. Avalokiteśvara es-

corts believers from their deathbeds to the Western Paradise.

The *Avalokiteśvara Sūtra* teaches that he will intervene directly in human affairs to make fires burn out, enemies become kind, curses fail, and fierce animals calm. Originally conceived of as masculine, Avalokiteśvara could take feminine forms to teach. In addition, believers thought that the bodhisattva could fulfill wishes, including the wish to bear children.

By the fifth century, some Buddhists in China had begun to view Avalokiteśvara (in Chinese, Kuan Yin) as primarily feminine, although this view did not predominate until the twelfth century. Even then, some held that the bodhisattva had transcended sexual identity altogether, and many representations of Avalokiteśvara combine both masculine and feminine features in order to denote this transcendence. In Japan, the bodhisattva is known as Kannon, a feminine figure; in Tibet, the bodhisattva is known as the male figure Chenrezig.

Paul L. Redditt

SEE ALSO: Bodhisattva ideal; Buddhist ethics; Shinran.

## Averroës

**IDENTIFICATION:** Arab philosopher

**BORN:** Abū al-Walīd Muḥammad ibn Aḥmad ibn Muḥammad ibn Rushd; 1126, Córdoba, Spain

**DIED:** 1198, Marrakech, Almohad Empire (now in Morocco)

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Averroës’ philosophical innovations and interpretations of Aristotle were important as far east as the Levant, and his European followers challenged Roman Catholic orthodoxy.

The most scrupulously Aristotelian of the medieval Islamicate philosophers, Averroës nevertheless introduced some significant innovations in his interpretation of Aristotle. His *The Incoherence of the Incoherence* (*Tahāfut al-tahāfut*, 1180) responded to al-Ghazālī’s attacks on demonstrative philosophy, which, Averroës argued, is independent of revelation and even is necessary for correct interpretation of

revelation. Religion is useful for the masses, who can attain only a modicum of practical moral virtue at best, whereas philosophy is for the few who can attain intellectual contemplation of immaterial substance.

Agreeing with Aristotle that only the intellectual part of the soul is immaterial, Averroës argued that the bliss of the soul is in its conjoining (*ittiṣāl*) with the (Neoplatonic) Active Intellect, returning the individual intellectual soul to the source from which it emanated. This apparent denial of the individual immortality of the soul was championed by Latin Averroists (such as Siger of Brabant), whose challenge to Roman Catholic orthodoxy was so persistent that it was the professed target of René Descartes in his *Meditations* (1680).

Thomas Gaskill

SEE ALSO: Altruism; Avicenna; Ghazālī, al-.

## Avicenna

IDENTIFICATION: Medieval Persian philosopher

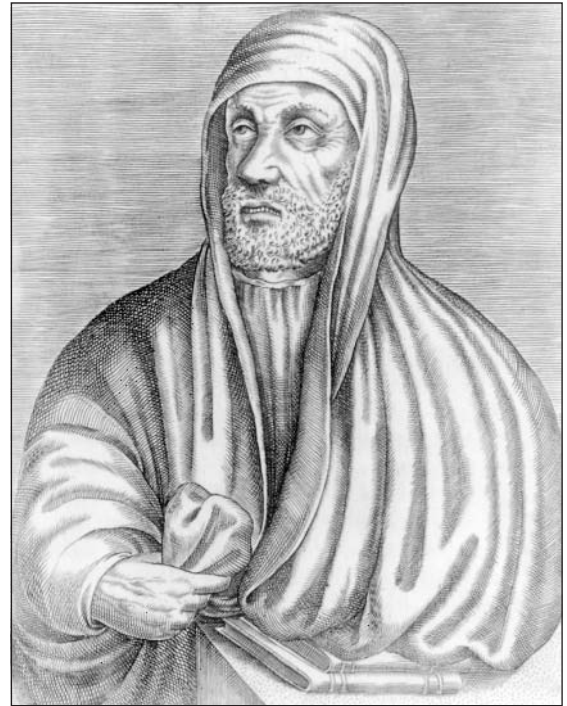
BORN: Abū ‘Ali al-Ḥusayn ibn ‘Abd Allāh ibn Sīnā; 980, Afshena, Transoxiana Province of Bukhara, Persian Empire (now in Uzbekistan)

DIED: 1037, Hamadhan, Persia (now in Iran)

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The author of *The Book of Healing* (early eleventh century) among numerous other works, Avicenna is arguably the most widely discussed philosopher in the Islamic world. In medieval Europe, his early works contributed to the understanding of Aristotle and the framing of twelfth through fourteenth century philosophical controversies.

Avicenna happily acknowledged his debt to Aristotle and al-Fārābī, but he was also an original thinker. His distinctive ethical concern with the relation between individual beings and Pure Being (which was to become important for Thomas Aquinas, John Duns Scotus, and others) focused on the fate of the soul after bodily death. The being of individual things is utterly dependent on Pure Being, from which one came and to which, if one is to attain bliss, one returns. That return is ensured only by rigorous study, which over-



Avicenna. (Library of Congress)

comes attachment to this world of change and purifies the soul so that it can be immersed in the Light of Being.

Although he was sometimes a commentator on Aristotle (frequently, in *The Book of Healing*), Avicenna also wrote mystical allegories and poetry that suggest a strong affinity with his Sufi contemporaries.

Thomas Gaskill

SEE ALSO: Altruism; Averroës; Fārābī, al-; Ghazālī, al-.

## Ayer, A. J.

IDENTIFICATION: English philosopher

BORN: October 29, 1910, London, England

DIED: June 27, 1989, London, England

TYPE OF ETHICS: Modern history

SIGNIFICANCE: In *Language, Truth, and Logic* (1936), Ayer combined the principles of Austrian logical positivism with the tradition of British empiri-

cism to argue for a noncognitivist (emotivist) view of ethics.

Ayer was Wykeham professor of logic at Oxford, where he completed his education in 1932. Through his early association with the Austrian group of philosophers known as the Vienna Circle, he became a logical positivist. In 1936, he published his best-known book *Language, Truth, and Logic*, one of the most influential philosophical essays of the twentieth century.

Ayer's book defended the logical positivist doctrine known as the verification principle, which states that the meaning of any statement is its method of verification. According to this view, which was adopted in order to eliminate all metaphysics, a statement is meaningful if and only if it is either analytic

or verifiable by empirical means. Thus, many utterances are pseudo-statements, since they do not express any matter of fact even though they have the grammatical appearance of doing so. Such utterances are therefore neither true nor false. Moral utterances conform to this analysis. So-called "judgments of value" of the form "*x* is good" are not factual judgments at all; instead, they are emotional judgments (reports) meaning "*x* is pleasant" or "*x* is desired." This view of the nature of moral judgments came to be called "emotivism." For Ayer, who was an atheist, moral philosophy is reducible to the metaethical analysis of the meaning of ethical terms.

*R. Douglas Geivett*

SEE ALSO: Atheism; Cognitivism; Comte, Auguste; Emotivist ethics; Epistemological ethics; Metaethics.

# B

## Bacon, Francis

IDENTIFICATION: English philosopher  
BORN: January 22, 1561, London, England  
DIED: April 9, 1626, London, England  
TYPE OF ETHICS: Renaissance and Restoration history

SIGNIFICANCE: Bacon inaugurated the naturalistic approach to ethics that came to dominate British moral philosophy into the twentieth century.

Francis Bacon's chief contribution to modern philosophy was his effort to reconstruct completely the conception and practice of science. His own novel method of induction figures prominently in his reconstruction, which helped to launch the modern period of philosophy. His approach, however, was quickly surpassed by better accounts of scientific methodology.

In ethics, the *Essays* was Bacon's main work. These essays were published in three editions (1597, 1612, 1625), the second one an enlargement upon the first, and the third a completion of the whole. No systematic moral theory is presented; Bacon's style is more aphoristic than philosophical. The *Essays* offers practical advice on moral and social questions. Bacon's major preoccupation as a philosopher was to point the way in which individuals could be restored to a position of superiority over nature. His views about ethics exhibit a hint of this same spirit. Thomas Hobbes, who is best known for his own elaborate political and moral philosophy, was Bacon's apprentice for a time. His emphasis on overcoming the state of nature may have been reinforced by his association with Bacon.

On a personal note, Bacon pleaded guilty in 1621 to charges of political corruption. For this offense, he paid a fine, was imprisoned in the notorious Tower of London for a brief time, and was permanently banned from political office. Although his particular actions clearly were illegal, the morality of a law that

would impugn them has been disputed. As a happy consequence of the leisure thus afforded him, Bacon composed most of his writings during the last five years of his life.

*R. Douglas Geivett*

SEE ALSO: Enlightenment ethics; Hobbes, Thomas; Power; Science; Technology; Theory and practice.

## Bad faith

DEFINITION: Existentialist form of self-deceit in which one accepts as true that which one knows, on some level, to be false

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Bad faith results from the natural human tendency to avoid the sense of responsibility that truly free human beings feel for the consequences of their actions. As authenticity is the ultimate result of complete freedom, moral, social, and political constructs in a free society must discourage bad faith.

The notion of bad faith was introduced by existentialist philosopher Jean-Paul Sartre in his book *L'Être et le néant* (1943; *Being and Nothingness*, 1956). Sartre was known for his theory that humans are not born with an essential nature but have complete freedom to create their essence as individuals. He saw bad faith, or self-deception, as one's denial of one's freedom. When acting in bad faith, individuals willingly accept as true what they know on some level is actually false. It is the acceptance of nonpersuasive, or faulty, evidence about the object of one's deception.

A modern example of society's effort to discourage bad faith is the legal doctrine allowing extra-contractual damages for bad faith breach of contract. Under ordinary legal doctrine, damages for breach of contract are limited to those that will put the parties in the same positions they would have had the con-

tract been performed. In the early 1980's, courts began to award damages beyond this in cases in which contracts were breached in bad faith, that is, with the knowledge that there was no real question as to the existence and extent of the breaching party's obligation.

*Sharon K. O'Roke*

SEE ALSO: Accountability; Authenticity; Beauvoir, Simone de; *Being and Nothingness*; Conscience; Existentialism; Responsibility.

## Baḥya ben Joseph ibn PaḶuda

IDENTIFICATION: Arab philosopher

LIVED: Second half of eleventh century

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Baḥya ibn PaḶuda's *Duties of the Heart* (c. 1080) is a classic statement of the inner response necessary for a true commitment of self to the service of God.

Despite Arab and Islamic influence (notably, Muslim Sufism and Arabic Neoplatonism), the cosmological, ethical, and eschatological discourses of Baḥya ben Joseph ibn PaḶuda's *Duties of the Heart* are essentially Jewish in both content and character. Indeed, although written originally in Arabic as *al-Hidāya ilā farā'id al-gulūb*, *Duties of the Heart* was first popularized in a Hebrew translation of questionable accuracy (*Ḥovot ha-levavot*, 1161).

The introduction distinguishes between overt ceremonial rituals and commandments performed by organs and limbs of the body ("duties of the limbs")—such as prayer, charity, fasting, and so forth—and inward belief, intention, attitude, and feeling, which are accomplished by the human conscience. Each of the ten sections that follow highlights a specific duty of the heart, which serves as a gate through which the soul must ascend if it is to attain spiritual perfection. The ten gates are divine unity, divine wisdom and goodness as the foundation of creation and nature, divine worship, trust in God, unification of and sincerity in purpose and action in serving God, humility, repentance, self-examination, abstinence, and the love of God. Each duty of the heart is illustrated by both positive and negative precepts (for example, to attain

nearness to God, to love those who love him and to hate those who hate him).

All duties of the heart are informed by revealed Torah, tradition, and—especially—reason. Philosophical proofs are offered for the unity and incorporeality of God and for the creation of the world, including teleology and *creatio ex nihilo*. Total separation from the pleasures of the world is not encouraged; the recommended asceticism involves living in society and directing societal obligations toward the service of God.

In summation, the communion of humanity and God is made possible by the duties of the limbs, but the further union of the soul of humanity with the "divine light" of God is by the synthesis of virtues gained by the duties of the heart. Baḥya's theological work, which is considered the most popular moral-religious work of the medieval period, has left an indelible mark on subsequent generations of Jewish ethical and pietistic writing.

*Zev Garber*

SEE ALSO: God; Jewish ethics; Sufism; Teleological ethics; Torah.

## Beauvoir, Simone de

IDENTIFICATION: French philosopher and novelist

BORN: January 9, 1908, Paris, France

DIED: April 14, 1986, Paris, France

TYPE OF ETHICS: Modern history

SIGNIFICANCE: An important voice of both existentialism and feminism, Beauvoir defended existentialist ethics as optimistic, identified ethics with politics, upheld the value of authentic individualism, and propounded the concept that meaning (function, essence) is never fixed. She is author of *The Second Sex* (*Le Deuxième Sexe*, 1949), and other works.

Like Jean-Paul Sartre, her partner in philosophy and in life, Simone de Beauvoir maintained the existentialist point of view that individuals are free from every principle of authority save that which they consciously choose and that they are ineluctably free in a meaningless existence to determine the meaning, or essence, that their lives are to have. She insisted that



one's individual existence is authentic to the extent that it is defined by oneself in relation to, but never as prescribed by, others (or the Other).

### ETHICS AND AMBIGUITY

According to Beauvoir's 1947 book, *The Ethics of Ambiguity* (*Pour une morale de l'ambiguïté*), the difference between absurdity and ambiguity, as ethical directions, is that absurdity denies the possibility of any meaning, while ambiguity allows that existence, although it has no absolute meaning and no meaning that can achieve permanence, can be given meanings by individuals who do not deceive themselves about the arbitrariness of meaning: Those who do deceive themselves are inauthentic and in "bad faith" (*mauvaise foi*).

Beauvoir illustrated "bad faith" by identifying eight types of man (*l'homme*: Beauvoir always used the generic masculine): the "sub-man," who limits himself to facticity and makes no move toward ethical freedom; the "serious man," who claims to subordinate his freedom to a movement or cause, the values of which he takes as the valorization of himself; the "demoniacal man," who rigidly adheres to the values of his childhood, a society, or a religious institution in order to be able to ridicule them; the "nihilist," who, in wanting to be nothing, rejects, as a corollary to rejecting his own existence, the existences of others, which confirm his own; the "adventurer," who is interested only in the process of his conquest and is indifferent to his goal once it is attained; the "passionate man," who sets up an absolute, such as a work of art or a beloved woman, that he assumes only he is capable of appreciating; the "critic," who defines himself as the mind's independence; and "artists and writers," who transcend existence by eternalizing it. In her categorization, authenticity, which is the self's full awareness and acceptance of its own responsibility for what it is and what it does, can be generated in the movements of only the last two types, each of whom accepts existence as a constant and recognizes the inconstancy of meanings; each is susceptible, however, to the self-deception that characterizes the other six types.

In *Pyrrhus et Cinéas* (1944) Beauvoir had argued the ambiguity of ends: Every goal attained or every end reached becomes no more than a means to still another end, but not to act in the face of nonfinality is to deceive oneself about human reality. Life is incon-

clusive action, and action is one's relationship to the Other and to existence.

The existentialist ethics of ambiguity is individualistic in its opposition to conventional principles of authority, but Beauvoir insisted that it is not solipsistic, since the individual defines himself in relation to others. It is an ethics of freedom but not, she asserted, of anarchy, since the individual discovers his law by being free, not from discipline, but for constructive self-discipline.

### EXISTENTIALISM AND CONVENTIONAL WISDOM

The nonsolipsistic character of existentialism is presented with broader scope in the collection of four essays originally written for *Les Temps modernes* during 1945 and 1946. The title essay—literally, "Existentialism and the Wisdom of Nations"—condemns conventional wisdom as resignation. Phrased in commonplaces such as "Possession kills love" and "Human nature will never change," it amounts, in Beauvoir's opinion, to a shirking of the responsibility of challenging the sources of pessimism. She contrasted it with existentialism, which is the directing of one's individual freedom toward the mastery of one's fate, along with the willingness to risk one's own existence in striving to improve the conditions of all existence.

The other three essays in this volume carry ethical risk to levels of abstraction, idealism, and metaphysics (for example, literature should "evoke in its living unity and its fundamental living ambiguity this destiny which is ours and which is inscribed in both time and eternity") from which she retreated in her next three essays.

*Must We Burn Sade?* (*Privilèges*, 1955) "Right-Wing Thinking Today" attacks bourgeois idealism and conservative ideology in favor of Marxist realism. "Merleau-Ponty and Pseudo-Sartrism" defends Sartre's Marxist philosophy against Maurice Merleau-Ponty's utopian reading of Marxism. Both essays revert to Beauvoir's identification of ethics with politics. The most challenging of the essays in *Must We Burn Sade?* is the title essay, which reemphasizes individualist ethics, self-definition in relation to others without being dictated to by the Other. Beauvoir defended the eighteenth century aristocrat, from whose name the word "sadism" was coined, as one who fashioned a consistent ethics apart from a conventional moral system and in keeping with his self-identifying choice. She applauded

neither his actions nor his fictional wish-fulfillments, but she saw his defiant flouting of conventional morality and his exercise of choice as prerequisites for authentic individualism.

Beauvoir elaborated the existentialist concepts of living both for oneself and with others, accepting no situation or moral system that one does not make one's own, acting in commitment, being realistic about human limitations, and eschewing all modes of self-deception.

*Roy Arthur Swanson*

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SEE ALSO: *Being and Nothingness*; Existentialism; Humanism; Individualism; Sartre, Jean-Paul; *Second Sex, The*.

## Behavior therapy

**DEFINITION:** Collection of procedures for changing behavior based upon principles of learning

**DATE:** Developed during the early 1950's

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Because behavior therapy techniques often involve extensive control of patients' environments and can include aversive procedures,

they raise ethical concerns about manipulation, denial of rights, and the dehumanization of people.

Behavior therapy describes a set of specific procedures, such as systematic desensitization and contingency management, which began to appear during the early 1950's based on the work of Joseph Wolpe, a South African psychiatrist; Hans Eysenck, a British psychologist; and the American experimental psychologist and radical behaviorist B. F. Skinner. The procedures of behavior therapy are based upon principles of learning and emphasize the careful measurement of undesired behavior and the setting of objective goals. By the 1960's, behavior therapy and behavior-modification procedures were widely taught in colleges and universities and practiced in schools, prisons, hospitals, homes for the developmentally disabled, businesses, and in private practice offices. By the early 1970's, the ethical and legal status of behavior therapy was being challenged from several sources.

### ETHICAL CHALLENGES TO BEHAVIOR THERAPY

Behavior therapy techniques have associated with them the same concerns raised by any form of psychotherapy; namely, that informed consent be obtained from the patient, that the patient play the central role in the selecting of therapy goals, that the patient be primary even when a third party may be paying for or requiring the services, and that the least restrictive means (those that least restrict the freedom of the patient) be employed.

Behavior therapy procedures have been challenged on a variety of ethical grounds. Humanistic psychologists, most notably the late Carl Rogers, argued that behavior modification as practiced by the followers of Skinner led to treating people as objects to be manipulated by contrived rewards and denied patients the opportunity to find solutions to their problems through their own resources. Behavior modifiers reply that contrived reinforcers are already a part of our culture, that the learning of self-control techniques increases the client's or patient's freedom, that the patient or client is already controlled by the current environmental consequences, and that the client can select the desired goals of the behavior modification program.

Behavior therapy procedures that involve deprivation (withholding of desired objects and events) or

aversive conditioning have come under special criticism. Aversive procedures (such as contingent electric shock) have been employed most often to lessen physically self-abusive behavior in the developmentally disabled and, during the 1970's, in attempts to change the behavior of persons with lengthy histories of sexual deviance. Time-out (a procedure in which a person is removed from all sources of reinforcement for a brief period of time) has also received criticism. Its use by school districts has been restricted in some states.

Legal authorities at two levels have singled out behavior therapy for regulation (again, nearly always techniques that involve aversive procedures or depriving a patient in some manner). Federal courts in several decisions have restricted the kinds of reinforcers (rewards) that may be withheld from patients and have required that in all circumstances the "least restrictive alternative" be employed in treating a patient. In addition, state legislatures and state divisions of mental health have established regulations limiting the use of aversive procedures and requiring review committees for certain behavior-modification techniques.

The Association for the Advancement of Behavior Therapy has developed a set of ethical guidelines for behavior therapists and has, along with the Association for Behavior Analysis, assisted states in developing appropriate regulations that ensure that patients have the right to effective treatment and the right to decline treatment. The associations have also been concerned that persons instituting behavior modification and therapy programs in fact have the requisite training to do so. Standards for claiming expertise in the field have been developed.

One of the unique aspects of behavior analysis and therapy is the attempt to develop ethical principles based upon theories of behaviorism and behavior analyses of the situations in which ethical constraints are necessary. For the most part, these efforts have been undertaken by followers of B. F. Skinner, who have tried to develop his ethical ideas.

*Terry Knapp*

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SEE ALSO: Behaviorism; Family therapy; Group therapy; Psychology; Therapist-patient relationship.

## **Behaviorism**

**DEFINITION:** Systematic study of how environmental factors affect behavior

**DATE:** Developed during the early twentieth century

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Behaviorism holds that traditional ethics should be replaced by an objective science of behavior and that such a science should be applied to correct the ills of society and foster moral behavior in individuals.

As a psychological theory, behaviorism can be distinguished from behaviorism as an ethical theory. Psychological behaviorism is a loosely knit collection of theories and doctrines concerning the nature of science and the study of humankind woven around the central idea that psychology should model itself on the objective methods of natural science. In particular, psychology should restrict itself to descriptions of observable behavior, the situations in which it occurs, and its consequences. Such descriptions should make clear, among other things, whether particular environmental conditions tend to positively reinforce (make more likely) or negatively reinforce (make less likely) certain behaviors.

Behaviorism in that sense aims not so much at *explaining* behavior as it does *predicting* and *control-*

ling it. The methodological precept of psychological behaviorism is that this is *all* that a scientific psychology should study. Behaviorism as an ethical theory builds upon the prescriptions and insights of psychological behaviorism and argues that the only effective means of solving individual and social problems is by implementing environmental conditions that systematically encourage “desirable” behaviors and discourage “undesirable” ones. In what follows, the term “behaviorism” will refer both to the methodology of psychological behaviorism and to the goals and procedures of ethical behaviorism.

### THEORY OF HUMAN NATURE

The late Harvard psychologist B. F. Skinner is primarily responsible for the development of modern behaviorism. According to Skinner, much of what is called “human nature” refers not to inborn propensities (such as aggression or altruism), but to the effects of environmental variables on behavior. Like other behaviorists, Skinner is little concerned with innate determinants; for, if they exist at all (for example, as part of the genetic endowment), then they, too, can be traced back to the environment through our evolutionary history. The basic qualities of human nature, therefore, are neither good nor bad; they are merely the results of complex environmental interactions. Perhaps more important, what is called an individual’s “personality” consists of nothing more than his or her overall behavior repertoire, which is itself a function of the individual’s idiosyncratic history of reinforcement.

The behaviorist makes two important assumptions regarding the study of human nature and personality. First, the behaviorist assumes that all behavior is lawful and determined; that is, that behavior is governed by scientific laws of some kind or other. Call this the assumption of universal determinism. Second, the behaviorist assumes that these scientific laws relate environmental causes to behavioral effects. These so-called stimulus-response relations state causal connections that a properly scientific psychology will discover and exploit in the prediction and control of behavior. Call this the assumption of environmentalism. (Environmentalism is as important for what it *denies* as for what it *asserts*. In particular, environmentalism denies that internal mental or physiological processes play an important role in the production of behavior.)

### SOCIAL POLICY

The behaviorist’s optimism in shaping human behavior by the manipulation of environmental variables is nowhere more evident than in J. B. Watson’s famous claim that if he were given a dozen healthy infants, he could guarantee to take any one at random and train the child to become a doctor, lawyer, beggar-man, or thief. This optimistic (and extreme) version of environmentalism forms the basis of behaviorism as a social policy.

Skinner has repeatedly made the argument that the inescapable fact of the matter is that behavior is controlled either by factors that lie outside human knowledge and thereby intelligent control and manipulation or by factors that people create and can thereby direct toward ends of their choosing. The choice is *not* between actions that are “free” and actions that are “determined,” as perhaps a traditional ethicist might insist, for *all* human actions (behaviors) are under the control of the environment. Rather, Skinner insists, the choice is to allow arbitrary and unknown factors to shape behavior or to manipulate the environment in order to create the best possible humans.

Behaviorists are vague about how one should go about manipulating the environment, though a few steps immediately suggest themselves. First, science must elucidate the processes and factors that control behavior. Why is it, for example, that Peter becomes a doctor and Paul becomes a thief? Second, this knowledge must be utilized by governments, educators, parents, and so on to develop more productive and socially beneficial behaviors. Parenting and social policy must work in tandem in this (as yet unspecified) process.

Behaviorists are even more vague about what should count as desirable behaviors and who should decide them. To say that people ought to be “happy and productive” is platitudinous, and it hardly guarantees respect for human rights or democratic forms of government. Skinner claims that objective science can settle the matter of what should count as socially beneficial behavior, and he states that totalitarian societies would be inimical to the flourishing of human potential. The fact remains, however, that what is good for the individual may not be what is good for society, and neither may be what is good for the long-term survival of the species. How these competing conceptions of the good might be resolved by science is far from clear.

**ANALYSIS**

Psychological behaviorism has been used with much success in behavior modification therapy, educational and industrial settings, prisons, and even advertising. Few would disagree that the behavioral sciences have made great progress in predicting and controlling behavior. The question of whether the principles and methods of behaviorism can be extended to deal with problems of enormous magnitude and complexity, however, is far from answered.

Even if such principles and methods can be extended, one is still left with the question of whether they should be. Moreover, many philosophers and psychologists doubt either universal determinism or environmentalism, or both. Long-standing beliefs regarding human freedom and volition contradict the assumption of universal determinism, and modern cognitive science is committed to the view that internal mental processes are not incidental to intelligent behavior—that they are, in fact, essential to it. On either account, behaviorism may be deeply flawed. Even so, behaviorism’s vision of a happier and more rational human order based upon the tenets of natural science and human reason remains the hope of many.

*James A. Anderson*

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SEE ALSO: Animal consciousness; Behavior therapy; Choice; Human nature; Motivation; Psychology.

***Being and Nothingness***

IDENTIFICATION: Book by Jean-Paul Sartre (1905-1980)

DATE: *L'Être et le néant*, 1943 (English translation, 1956)

TYPE OF ETHICS: Modern history

SIGNIFICANCE: According to *Being and Nothingness*, human beings are free, but freedom is given within the limits of historical existence; inter-human relationships are threatened by each person’s ability to objectify others.

For Jean-Paul Sartre, human existence is conscious being, “being-for-itself” (*pour-soi*). Human existence as “being-for-itself” is temporal—always in some present, always on the way from some past toward some future. Another characteristic of human existence is its dependence on things. Things have a fundamentally different mode of existence: “being-in-itself” (*en-soi*). They have no consciousness, no possibilities, no freedom. Their being is complete as it is.

One danger for human existence is that it may be falsely reduced from free “being-for-itself” to unfree “being-in-itself.” This threat may come from others or from oneself. One may intentionally avoid freedom and the anxiety of conscious decision making by convincing oneself that one has no options, but this is to reduce oneself to an object, to use freedom to deny freedom, to live in “bad faith” (*mauvaise foi*).

The existence of “the others” (*autrui*) is a fundamental fact of human existence. In Sartre’s view, however, the constant factor in interpersonal relationships is not potential harmony, but inevitable alienation. Lovers, in his analysis, cannot avoid the objectifying will to possess, which denies freedom and reduces the loved one from “being-for-itself” to “being-in-itself.”

SEE ALSO: Bad faith; Beauvoir, Simone de; Cruelty; Existentialism; Lifestyles; Love; Other, the; Personal relationships; Sartre, Jean-Paul.



## Benevolence

**DEFINITION:** Motivation to act sympathetically and altruistically

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Benevolence is a source of controversy in ethics. For some theorists, the central task of ethics is to encourage benevolence; for others, benevolence is unethical.

Thomas Aquinas, David Hume, and many others consider benevolence or altruism a key virtue. As Michael W. Martin acutely observes, “Hume makes [benevolence] the supreme virtue, and of all virtue ethicists Hume most deserves to be called the philosopher of benevolence.” Jonathan Edwards considers benevolence the supreme virtue in Christianity. Hume believes that benevolent acts are natural products of two features of human nature: sympathy and imagination. Sympathy generates altruistic desires, while imagination enables one to see oneself in the shoes of others in need and conclude, “There but for the grace of God or good fortune go I.”

Charity is a virtue that involves benevolence. Martin reported some hard data on charity. He found that rich people and wealthy foundations account for only 10 percent of private donations. The remaining 90 percent comes from individuals, half of whom are in families whose income is under \$39,000 a year. Also about half of Americans older than thirteen volunteer an average of 3.5 hours of their time each week. Horace Mann used the concept of benevolence to try to distinguish between the ethical value of generosity during the prime of life (for example, teenage volunteers) and deathbed generosity. He said, “Generosity during life is a very different thing from generosity in the hour of death; one proceeds from genuine liberality and benevolence, the other from pride or fear.”

In law, mortmain statutes forbid deathbed gifts, apparently out of concern that the gift may be motivated by desperate fear rather than genuine benevolence. Law often encourages benevolence by providing tax deductions for charitable donations, but traditional Anglo-American law (unlike Islamic law, for example) imposes no general duty to rescue strangers and thus fails to require much benevolence.

Regarding political and business ethics, some people argue that the welfare state institutionalizes

benevolence and charity. They contend that welfare state programs such as those that mandate minimum wages and relief payments smooth some of the rough edges of laissez-faire capitalism, which is notorious for its cutthroat competition. The alternative of relying on private donations to charity, they believe, will tend to fail precisely when charity is needed most, during an economic recession or depression. During such hard times, people will have less to give for charity and will be less willing to give what they do have as a result of economic insecurity. These trends will intensify as the number of charity cases grows and the need for charitable giving grows with them.

In political ethics and in debates on sex and gender issues, benevolence plays a crucial role. While many feminists try to debunk stereotypes of women as the more emotional and illogical sex, other feminists support the idea that women have a special ethical outlook called care ethics. The latter feminists follow Carol Gilligan in suggesting that women are generally more cooperative and less confrontational than men.

Care ethics claims that women are generally less interested in dealing with abstract rules and impersonal ideals such as justice and impartiality and are more interested in nurturing personal relationships by attending to the specifics of the backgrounds or surroundings of particular people. This view seems self-contradictory, however, since so much of the specific backgrounds of particular people consists of rules, which care ethics was designed to de-emphasize. Such contradictions do not deter some feminists, who openly embrace inconsistency while criticizing traditional ethics for being male-dominated and logocentric. Unfortunately, aside from its obvious illogic, this view has the defect of playing into the hands of those who would stereotype women as more prone to hysteria and inconsistent mood swings between emotional extremes (for example, the view that it is a woman’s prerogative to change her mind). Some feminists thus regard care ethics as making a retrograde step in the women’s movement.

Ethical egoism and the thinking of Friedrich Nietzsche condemn benevolence. Ethical egoists, such as Ayn Rand, think that each person should always act only in his or her self-interest. In contrast, Johann Friedrich Herbart argued that benevolence involves the harmonization of one’s will with others’ wills. Nietzsche’s concept of the will to power rejects such

harmony between wills. One's will to power involves one's domination of the weak.

In conclusion, it would be appropriate to ponder Walter Bagehot's view that "The most melancholy of human reflections, perhaps, is that, on the whole, it is a question whether the benevolence of mankind does most good or harm."

*Sterling Harwood*

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SEE ALSO: Altruism; Christian ethics; Edwards, Jonathan; Hume, David; Nietzsche, Friedrich; Rand, Ayn; Thomas Aquinas; Virtue ethics.

## Bennett, William

**IDENTIFICATION:** Official in two Republican presidential administrations, popular speaker, and author

**BORN:** July 31, 1943, Brooklyn, New York

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The public's discovery of Bennett's gambling habit seemed to some observers inconsistent with his well-known stances on moral issues.

William J. Bennett spent most of the 1980's in prominent political posts, beginning with his tenures as chairman of the National Endowment for the Humanities and as secretary of education under President Ronald Reagan, and continuing as President George Bush's director of drug policy (for which he was dubbed the "drug czar") from 1989 to 1990. Bennett afterward earned a reputation as a champion for traditional moral values, especially through his publication in 1993 of *The Book of Virtues: A Treasury of Great Moral Stories*. This collection of stories and other readings was designed to provide readers with examples of virtues around which they might anchor their own moral lives. Bennett followed this best-selling volume with *The Book of Virtues for Young People: A Treasury of Great Moral Stories* (1996) and *The Children's Book of Heroes* (1997), books specifically targeted at younger readers.

Bennett's reputation as a kind of "czar" of virtue suffered a severe setback in 2003, upon the public's discovery that he was a high-stakes gambler and a preferred customer at several Las Vegas and Atlantic City casinos. By at least some accounts, his gambling losses over the previous decade had amounted to millions of dollars. Bennett's initial response to these revelations was to insist that he had never jeopardized his family's financial security through his gambling and that he had broken no laws. Although some critics accused him of hypocrisy, Bennett insisted that he had never publicly assailed gambling as a vice. However, he subsequently announced to the public that he believed his gambling to have been a sin and that he planned to give it up.

*Timothy L. Hall*

SEE ALSO: Conscience; Ethics/morality distinction; Family values; Hypocrisy; Value; Values clarification.

## Bentham, Jeremy

IDENTIFICATION: English philosopher and economist

BORN: February 15, 1748, London, England

DIED: June 6, 1832, London, England

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Bentham was a founder of English utilitarianism. In such works as *A Fragment on Government* (1776), *An Introduction to the Principles of Morals and Legislation* (1789), *The Rationale of Reward* (1825), and *The Rationale of Punishment* (1830), he systematically developed a social theory and an ethics based upon the goal of the “greatest happiness for the greatest number” of people.

Frustrated by his inability to pursue a career in politics and law, Jeremy Bentham developed a radical philosophy based upon the notion of the “greatest happiness principle.” He argued that humankind by nature seeks pleasure and the avoidance of pain and that this principle should be the dominant value in society. Society should seek to promote the “greatest happiness for the greatest number.” Furthermore, Bentham contended that the law should be based upon this ethical principle. The level of “evil” that results from a crime should be the basis for appropriate punishment; the motivation for the crime is fundamentally insignificant.

Bentham maintained that some alleged crimes, such as homosexuality, were not criminal actions because they did not cause harm to anyone. The greatest happiness principle would be realized through an effective government that would be focused on four major concerns: subsistence, abundance, security, and equality. Bentham and John Stuart Mill were the founders of English utilitarianism, which was a philosophic elaboration of the greatest happiness principle.

*William T. Walker*

SEE ALSO: Consequentialism; Criminal punishment; Distributive justice; Good, the; Hedonism; Mill, John Stuart; Teleological ethics; Utilitarianism.

## Berdyayev, Nikolay

IDENTIFICATION: Russian philosopher

BORN: March 6, 1874, Kiev, Ukraine, Russian Empire

DIED: March 24, 1948, Clamart, France

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Berdyayev’s Christian existentialism explored the role of freedom in the improvement of humankind. He was author of *The Origin of Russian Communism* (1937) and editor of the journal *Put’* (path).

A Marxist in his youth, Nikolay Berdyayev moved steadily toward religious idealism. After failed attempts to revitalize Russian spirituality by reconciling the intelligentsia with the Russian Orthodox Church, he distanced himself from the main socialist and liberal reform movements and investigated teleological and eschatological approaches. While retaining traces of his early Marxism, he combined mystical elements taken from early Christian theology, the Reformation theologian Jacob Boehme, and the Moscow philosopher Vladimir S. Solovyov with the idealistic philosophy of Immanuel Kant to develop a Christian existentialist philosophy.

In numerous writings, Berdyayev criticized the materialism and spiritual impoverishment of the Russian intelligentsia; promoted intuitive, mystical modes of investigation; and rejected logic and rationality. To Berdyayev, the value of humanity lay in its capacity for creation. The act of creation illuminated truth and helped to bridge the gap between God and human beings, Creator and created. The key element in Berdyayev’s God/human relationship was the way in which freedom was used. If it was used in the service of enlarged awareness and capacity, God and humanity became co-creators in a continually progressing universe; if it was turned toward material products instead of being, humanity and society remained in turmoil and confusion.

*Michael J. Fontenot*

SEE ALSO: Christian ethics; Determinism and freedom; Existentialism.

## Bergson, Henri

IDENTIFICATION: French philosopher

BORN October 18, 1859, Paris, France

DIED: January 4, 1941, Paris, France

TYPE OF ETHICS: Modern history

SIGNIFICANCE: The first person to advance a “process philosophy,” Bergson emphasized the primacy of personal actions within the context of evolutionary processes. He wrote several important philosophical treatises, the most famous of which was *Matter and Memory (Matière et mémoire: Essai sur la relation du corps à l'esprit, 1896)*.

Throughout his professional life, Henri Bergson maintained that ethical questions, which are affected by myriad external factors, were fundamentally personal issues. During the latter part of his life, Bergson became absorbed in mysticism and religious thought. In *The Two Sources of Morality and Religion (Les Deux Sources de la morale et de la religion, 1932)*, he argued that human progress—including the ethical dimension—would be advanced by those few who gained intuitive insight into the mind of God. These “enlightened” individuals would contribute to the continuing progressive evolution of humanity by providing direction and leadership.

Thus, Bergson moved in the direction of the authoritarianism of the Christian tradition in which mystics assume an obligation to control society and direct it toward the realization of its fullest potential (the good) in the evolutionary process. He noted that this process would be impeded by the seemingly endless effort to provide the requirements for sustaining physical life. Bergson’s philosophy opposed “radical finalism”; in the ethical aspect as in all others, it supported a “progression,” or “fulfillment,” predicated upon the direction of overriding principles.

*William T. Walker*

SEE ALSO: Aurobindo, Sri; Christian ethics; Mysticism; Whitehead, Alfred North.

## Betting on sports

DEFINITION: Legalized gambling on the outcome of sporting events that is sanctioned by, and sometimes promoted by, governmental bodies

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Although sometimes defended as a way of discouraging organized crime from dominating gambling, legalized betting on sports has created other ethical problems.

Wagering on sporting events has existed at least since the time of the ancient Greek Olympic Games, but it now pervades many parts of the world. In the early twentieth century, the influence of organized crime resulted in scandals in both professional and amateur sports and led to greater vigilance by governmental bodies. The sanctioning or tacit approval of betting on sports events by the media has reduced the involvement of organized crime but has undoubtedly made betting on sports more popular than ever.

The question of the advisability of allowing betting to flourish legally is part of the larger question of whether gambling should be permitted at all. In a society of religious diversity and widespread religious skepticism, prohibitions based on specific religious doctrines do not command widespread allegiance. In a country such as the United States, such prohibitions are likely to be condemned as violating the separation of church and state as well as being constitutional affronts to personal freedom. Important arguments remain, however, to the effect that betting on sports events is harmful both to the bettors and to the sports on which they bet.

Although liberal moralists are likely to argue that the follies of weak individuals may be addressed without impinging on the freedoms of others, gambling may be objected to as leading to personal dissolution and the neglect of family and other social responsibilities. Regardless of whether a given behavior is intrinsically wrong, however, it becomes a legitimate concern of citizens and lawmakers if it leads to criminal behavior that is costly or destructive to society. Compulsive betting, like addiction to drugs, may lead participants into levels of financial ruin that in turn offer strong temptations to commit actual crimes, such as larceny, to sustain the addiction.

With specific reference to sports betting, oppo-

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*In 1989, former baseball star Pete Rose was banned for life from Major League Baseball, apparently for having gambled on baseball games while managing a team. Fifteen years later he published a memoir, My Prison Without Bars, in an evident attempt to win reinstatement in time to be admitted into the Baseball Hall of Fame. (AP/Wide World Photos)*

nents of the routine modern publication of point spreads and betting odds on games in the sports pages of daily newspapers see these practices as encouragements to more widespread wagering than would otherwise be the case, thus increasing the numbers of bettors. Published point spreads offer inducements to bettors and sports participants alike. An individual athlete urged to shave the margin of victory may conclude that merely winning by a closer margin than expected is not as serious as “throwing” a game; however, such behavior poses a threat to the integrity of games such as basketball and football in which spreads are widely publicized and discussed.

A final objection to legalized betting is that emphasizing the importance of betting odds tends to persuade sports devotees of the dubious proposition that the most important measure of the worth of sport is the money that can be made, whether by playing or gaming.

*Robert P. Ellis*

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SEE ALSO: Family values; Lotteries; Medical ethics; Native American casinos; Relativism; Responsibility; Vice.

### ***Beyond Good and Evil***

IDENTIFICATION: Book by Friedrich Nietzsche (1844-1900)

DATE: *Jenseits von Gut und Böse: Vorspiel einer Philosophie der Zukunft*, 1886 (English translation, 1907)



TYPE OF ETHICS: Modern history

SIGNIFICANCE: The first of his two major treatises on morality, Nietzsche's *Beyond Good and Evil* argues against the unquestioning acceptance of universal value systems or seemingly absolute values such as good or truth. It advocates instead a critical, pragmatic approach to values in which each individual subscribes to those values that are best suited to the individual's own life and experience.

Friedrich Nietzsche disputed the long-unexamined notion that morality was an absolute. He believed that morality was relative to the condition in which one finds oneself. In *Beyond Good and Evil*, he defined two moralities. The "master morality" encouraged strength, power, freedom, and achievement, while the "slave morality" valued sympathy, charity, forgiveness, and humility. Those qualities that the master morality deemed "good," such as strength and power, were a source of fear to the slave morality and were thus deemed "evil." Nietzsche believed that each person was motivated by the "will to power," the essential driving force behind human behavior, and that exploitation of the weak by the strong was the very nature of life. Reform movements such as democracy and Christianity, which he associated with the slave morality, tried to negate this basic life function and were thus "antilife."

Nietzsche feared that Western society had been unduly influenced by the slave morality's resentment and fear of the life-affirming qualities of the master type. Because the achievements of the master class were necessary to human progress, the overall effect was a weakening of the human race. To solve the problem, *Beyond Good and Evil* suggested that the master class's will to power should be encouraged and that members of this class should be freed from the debilitating value system of the oppressed so that they could rise above the paradigm of the slave morality; that is, "beyond good and evil." Thus freed, they could metamorphose into a higher level of existence, which Nietzsche termed "the overman."

*William L. Howard*

SEE ALSO: Elitism; Evil; Maximal vs. minimal ethics; Nietzsche, Friedrich; Police brutality; Power.

## *Bhagavadgītā*

IDENTIFICATION: Central text of Hinduism

DATE: Written between c. 200 B.C.E. and 200 C.E.

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Taken from the Vedic tradition, the *Bhagavadgītā* contains practical guidelines for ethical living, acknowledging standard moral values but emphasizing that the particular situation determines the right course of action.

The *Bhagavadgītā* is the crown jewel of Vedic literature and has had a profound influence on Hindu thought, ethics, and practices. A short eighteen chapters in the epic *Mahābhārata*, the Gita consists of a dialogue between Lord Kṛṣṇa (an incarnation of the god Viṣṇu) and Arjuna, a great warrior. A battle between the Pavas—Arjuna and his brothers—against the evil Kauravas is imminent, but Arjuna is suddenly transfixed when he realizes that he must wage war against relatives and close friends. He asks for Kṛṣṇa's guidance.

Kṛṣṇa's reply to this and subsequent questions constitutes the text of the *Bhagavadgītā*, whose title translates literally as "divine song."

Kṛṣṇa begins by addressing Arjuna's problem, stressing that nothing with a soul really dies. People are immortal. Furthermore, Arjuna's duty as a warrior is to fight in a righteous battle. With these instructions, Kṛṣṇa reveals his relativistic ethics—right action must be appropriate to the specific situation.

### CENTRAL MESSAGE OF THE GITA

Kṛṣṇa continues by revealing the central message of the Gita: be without the three *guṇas*, the basic forces of nature that bind people to the temporal world. The first, *sattva*, or light, binds people to happiness and lower knowledge. The second, *rajas*, or fire, binds people to action with strong desires. The third, *tamas*, or darkness, binds people to sleepy dullness. In transcending the everyday world of the senses to gain a direct perception of God, or ultimate reality, one must resist being overcome by these forces. By working toward this transcendence, one can achieve liberation from the cycle of death and rebirth and live in eternal bliss consciousness.

At first, Kṛṣṇa describes two basic ways to transcend the three *guṇas*: Jñāna Yoga and Karma Yoga. Jñāna Yoga is the way of monks or renunciants—the

path of wisdom on which one studies the sacred texts and lives life away from the pleasures of the world. Karma Yoga is the way of the householder—the path of action on which one is active in the world, meditates, and follows one’s dharma, or duty. In terms of talent and temperament, people are suited to different roles in society; therefore, everyone has a duty that, however lowly, should always be followed. In later epochs of Indian history, this key concept gave rise to a rigid caste system.

Later, Kṛṣṇa talks about a third path, that of Bhakti Yoga, or the path of devotion, on which one practices Vedic rituals or simply offers anything one does to Kṛṣṇa or some lesser god. Kṛṣṇa emphasizes that everyone should practice all three Yogas, although one Yoga will tend to predominate in one’s life.

*Philip Magnier*

SEE ALSO: Ahimsā; Caste system, Hindu; Gandhi, Mohandas K.; Ḥallār, al-; Hindu ethics; Karma; Narrative ethics; Nonviolence; Religion.

## Bigotry

**DEFINITION:** Obstinate and unreasonable attachment to one’s own opinions and prejudices

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** Bigotry causes innumerable personal and social problems, raising many issues in ethics.

Bigotry is the obstinate and unreasonable attachment to one’s own opinions or beliefs. A bigot is intolerant of beliefs that oppose his or her own. This is the state of mind of a prejudiced person. Often, such a person is very emotional and may become stubbornly intolerant or even hostile toward others who differ with him or her regarding religion, race, sexual orientation, or other issues. This state of mind encourages stereotyping, overgeneralization, and other errors that suggest the absence of critical thinking.

Bigoted attitudes can be culturally transmitted as part of the education of children or adults. Bigotry is a learned prejudice that is founded on inaccurate and inflexible overgeneralizations. Bigots may believe, for example, that all black people are thieves, despite the fact that they have no experience on which to base

such a belief. They may even know scrupulously honest black people. In such cases, the bigots will state that such black people are the exceptions to the rule or that they have yet to reveal their truly degenerate characters by being caught stealing. When confronted with new information that contradicts their beliefs, bigots are unwilling to change. Instead, they typically grow excited and emotional when their prejudices are threatened.

Bigoted attitudes are learned from the social environment. Some people believe that economic competition creates conflict between groups and that this scenario may create hostility and prejudices. The probability of conflict increases if two groups differ in easily identifiable ways. Thus, those who pose the greatest threat to people’s jobs or security become the targets of those people’s prejudice and bigotry. For example, when Vietnamese immigrants to the United States bought fishing boats and began successfully to fish off the coast of Texas, many Texan fishermen called them names, threatened them, and physically attacked them. The immigrants’ fishing boats were burned by Texan bigots who feared being displaced because they could not compete with the Vietnamese. Bigotry and unfair tactics were used to eliminate competition and reward inefficient fishermen.

### OTHER FORMS OF BIGOTRY

Bigotry is not confined to race. Some bigots dislike fat people, redheads, or older people and discriminate against these populations without cause. It should not be forgotten that, in addition to persecuting African Americans, the Ku Klux Klan targeted Roman Catholics and Jews as objects of their hatred.

In societies such as the old American South or the white minority-ruled apartheid regime of South Africa, where racial prejudice was legally sanctioned and socially rewarded, people often manifested both prejudice and discrimination as a means of conforming to prevailing social norms, values, and beliefs. It was against the law for black South Africans to become bosses or managers because it would have given them authority over white workers, which was unthinkable to white South Africans. To them, a person’s biological inheritance set limits upon that person’s current position and what he or she would be allowed to achieve. Where social reward and reinforcement for such ethically reprehensible behavior are absent, bigotry and prejudice are likely to

be exhibited by people who suffer from personal insecurity or psychological problems.

Bigotry is not immutable behavior. Social policy can be used to influence bigots in positive ways. Teaching bigots to avoid overgeneralizations and to think critically can provide a good beginning.

*Dallas L. Browne*

SEE ALSO: Anti-Semitism; Apartheid; Civil rights and liberties; Discrimination; Ethnocentrism; Hate crime and hate speech; Racial prejudice; Racism; Segregation; Sexual stereotypes.

## Bilingual education

**DEFINITION:** Educational policy developed in late twentieth century America for the purpose of instructing young immigrant and ethnic minority children in their native or home languages and in English at the same time

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** Educating non-English-speaking children to acquire English-language skills that will enable them to succeed in the classroom and become self-reliant, productive citizens is a generally accepted goal. However, the question of whether achieving this goal through bilingual education is ethical remains debatable.

Political and philosophical differences and debates over educational direction have resulted in sharp disagreements among those involved regarding the purpose and value of bilingual education. Some educators have argued that non-English-speaking children should be mainstreamed into English-medium classes in what has been dubbed the "immersion," "transitional," or "English-only" method. Others have argued that successful immersion experiences seldom occur and that "developmental" or "dual language" bilingual education remains the most effective way.

As part of the Title VII Elementary and Secondary Education Act, the Bilingual Education Act became federal law in 1968. The Bilingual Education Act was based on three points: Many immigrant children have limited ability to speak or write English; many come from ethnically diverse, non-English-speaking backgrounds; and native languages and cul-

ture affect a child's learning. Based on these points, Congress reached a decision that many children in the United States need to be educated through programs in bilingual education. Since 1968, amendments to Title VII in 1974, 1978, 1984, 1988, 1994, and 2002 resulted in policy changes promoting or opposing bilingual education methods. For example, in 1999, the Educational Excellence for All Children Act was implemented, mandating English-language standards for all children, regardless of their backgrounds. The No Child Left Behind Act of 2001 included a provision supporting the "preservation and maintenance" of Native American languages only. In 1998, California's Proposition 227 mandated abolishing bilingual education practices altogether in that state. In 2000, Arizona followed suit.

### CONTROVERSY

One perspective places greater emphasis on attaining more successful integration and assimilation of immigrant and ethnic minority children. The expected outcomes mostly have to do with English-language acquisition. Accelerated assimilation of all non-English-speaking children into an English-speaking society remains the central goal of many parents, educators, and politicians. Many people believe that bilingual-education practices promote diversity to the detriment of national unity.

Others argue in favor of sustaining a child's home language and culture, contributing to the overall development of the child. Sociocultural, academic, cognitive, and linguistic factors become interdependent and—some parents, educators, and politicians assert—should not be overlooked. For bilingual education to become effective, the active involvement of parents, the relationships between schools and communities, and financial and material resources all come into play.

Bilingual education persists as a deeply divisive issue on educational as well as political grounds. Because desired means to ends are varied, bilingual education is likely to remain a political issue.

*Kevin Eyster*

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SEE ALSO: Child psychology; Children; Diversity; Head Start; Intelligence testing; Multiculturalism.

## Bill of Rights, U.S.

**IDENTIFICATION:** Collective name for the first ten amendments to the U.S. Constitution

**DATE:** Adopted on December 15, 1791

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The Bill of Rights provides legal and civil rights and liberties to all citizens of the United States and places limits upon the powers of the federal government.

The Bill of Rights, which comprises the first ten amendments to the U.S. Constitution, is the legal basis for the protection of the civil and legal rights and liberties of the people of the United States. Protection of those rights and liberties was not included in the Constitution itself because the majority of the framers did not feel it was necessary. The federal government was a government of limited powers and therefore could not violate the rights of the citizens. It was at the state level that protection was necessary, and most state constitutions included bills of rights.

When the U.S. Constitution was submitted to the states for adoption, however, objections centered on its lack of a bill of rights. Its proponents agreed to submit amendments after the adoption was completed. James Madison led the effort and persuaded the first House of Representatives and the Senate to submit twelve amendments to the states. Ten of the amendments were approved between 1789 and 1791. In December, 1791, the ten amendments were adopted and became known as the Bill of Rights.

### PROTECTIONS OFFERED BY THE BILL

The first eight amendments enumerate rights that cannot be abridged by Congress. Freedom of speech, press, assembly, petition, and religion are included in the First Amendment. The right to keep and bear

arms is in the Second Amendment. The Third Amendment prohibits the quartering of troops in private homes. The Fourth Amendment provides for persons to be secure in their person, homes, and papers against unreasonable search and seizure, and sets limits for search warrants. The Fifth Amendment rights are concerned with procedural guarantees. Indictment by a grand jury in criminal cases, a ban on double jeopardy, and a ban on self-incrimination are included in the Fifth Amendment. It also mandates that persons cannot be deprived of life, liberty, or property except by due process of law and that private property cannot be taken for public use without just compensation.

The Sixth Amendment ensures the right to a speedy and public trial by an impartial jury in the state and district where a crime was committed and in a court previously established by law. The accused shall be informed of the charge, be confronted with the witnesses, and shall have subpoena power and council. The right of trial by jury is included in the Seventh Amendment. The Eighth Amendment prohibits excessive bail and cruel and unusual punishment. The Ninth and Tenth Amendments were added to ensure that the Bill of Rights would not be used to deprive the people or the states of their implied rights or reserved powers. The Ninth Amendment says that the enumeration of rights does not mean that others not included are denied. Powers not delegated to the federal government or denied to the states are reserved to the states or to the people by the Tenth Amendment.

Initially, the Bill of Rights was not tested in the federal courts. Even the Alien and Sedition Acts, passed by the Federalists in 1798, were not taken into court, because people believed that the Supreme Court, staffed by Federalists in 1798, would not declare them unconstitutional.

The Supreme Court accepted cases involving the Bill of Rights during the 1830's. Chief Justice John Marshall's decision in *Barron v. Baltimore* in 1833 established the principle that the Bill of Rights did not apply to the states. This view dominated Court decisions, with only a couple of isolated exceptions, until the 1930's. In 1897, the due process clause of the Fourteenth Amendment was used to apply the Fifth Amendment right of protection of property to the states, and in 1925 in *Gitlow v. United States*, the Supreme Court held that freedom of speech and press

## The Bill of Rights

### ARTICLE I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

### ARTICLE II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

### ARTICLE III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

### ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

### ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the assistance of counsel for his defence.

### ARTICLE VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

### ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

### ARTICLE IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

### ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.



are among the fundamental liberties protected by the due process clause of the Fourteenth Amendment from impairment by the states.

During the 1930's, the Supreme Court began the "modernization" of the Bill of Rights by incorporating the Bill of Rights into the Fourteenth Amendment. The Court applied the federal guarantees to the states. The judicial principle used in *Palko v. Connecticut* (1937) became the basis for fully incorporating the First Amendment rights of freedom of speech, press, assembly, and religion in the due process clause of the Fourteenth Amendment. During World War II and the Cold War era, however, some restrictions upon these rights were permitted in the interest of security; for example, federal and state loyalty programs.

The Court's incorporation of rights accelerated after 1950. In a series of cases, the Court said that part of the Fourteenth Amendment that reads "no state shall . . . deprive any person of life, liberty, or property without due process of law" provides a guarantee of the fundamental liberties in the Bill of Rights that state governments must protect to the same extent as does the federal government.

By 1991, all the rights included in the first eight amendments were protected from state encroachment except the Second Amendment right to keep and bear arms, the Fifth Amendment right to a grand jury indictment, the Sixth Amendment requirement of twelve jurors in a criminal trial, and the Seventh Amendment right to a civil jury. The Supreme Court has held that state procedures are adequate to protect the values inherent in those Bill of Rights guarantees.

*Robert D. Talbott*

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## **Biochemical weapons**

**DEFINITION:** Living organisms, or infected materials derived from them, used as weapons for the hostile purpose of causing disease or death among humans, animals, and plants

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** The use of biological agents by military combatants or terrorists is generally regarded as inhumane and a violation of human rights.

After the terrorist attacks on the United States on September 11, 2001, grave concern arose about the threat of biological warfare. Biological weapons that cannot be controlled or focused solely on military targets have long been condemned as being particularly heinous. Even though 144 nations ratified the international Biological Weapons Convention (1972) that banned deployment and use of the weapons and ordered the destruction of existing stores, some governments and terrorist groups have been accused of continuing to develop such pathogens as well as toxins (deadly biological agents that are produced by living organisms such as bacteria, plants, or animals) and chemical agents (chemicals intended to kill, injure, or incapacitate because of their physiological effects). By 2004, not all the world's nations had ratified the convention, and terrorists, by definition, continued to flout internationally accepted norms of behavior.

The Geneva Protocol of 1925 sought to prevent the use of such agents in war on the grounds that they were justly condemned by the general opinion of the civilized world and were an inhumane violation of

### Time Line of Biochemical Weapons

<i>Time</i>	<i>Event</i>
<b>Chemical Weapons</b>	
1500-1855	Toxic smoke weapons include arsenical compounds.
1845-1920	Asphyxiating gas weapons include the industrial-scale production of chlorine and phosgene.
1920-1960	Nerve gases, such as tabun and sarin, are developed to inhibit nerve function, leading to respiratory paralysis or asphyxia.
1959-1970	Psychoactive chemical weapons are developed to produce hallucinations in exposed individuals.
1970-present	Binary chemical weapons, stored and shipped in their component parts, are developed to increase quantities that can be safely transported to deployment sites.
<b>Biological Weapons</b>	
300 B.C.E.-1763 C.E.	During the miasma-contagion phase, environments are deliberately polluted with diseased carcasses and corpses.
1763-1925	During the fomites phase, specific disease agents and contaminated utensils are introduced as weapons, with smallpox, cholera, and the bubonic plague as popular agents.
1925-1940	During the cell culture phase, biological weapons are mass-produced and stockpiled; Japan's research program includes direct experimentation on humans.
1940-1969	During the vaccine development and stockpiling phase, there are open-air tests of biological dispersal in urban environments in the United States.
1969-present	During the genetic engineering phase, recombinant DNA biotechnology opens new frontiers in the design and production of biological weapons.

human rights. Nevertheless, Western nations, including the United States, Great Britain, Canada, and the Soviet Union had biological research programs for both offensive and defensive purposes. Several other nations were known or thought to have such programs. Iraq's possible development of biological agents as weapons of mass destruction was one of the reasons cited for coalition forces' invasion of that country in 2003.

Although biological warfare had been used only on a small scale by the early years of the twenty-first century, the experience of military operations influenced by the introduction of disease by combatants provides a grim preview of what could happen if biological agents were intentionally used against a targeted population. Dispersion under optimum conditions of even a small volume of biological warfare

agents might cause high morbidity and mortality that might be intensified by public panic and social disruption.

Biological warfare agents are well suited for use in bioterrorism or by poorer nations against richer ones because they are inexpensive and are relatively easy to obtain and disperse. Indeed, biological and chemical agents have euphemistically been called the poor man's atom bomb. Equipment and technology used for research on biological weapons are no different from those used in legitimate biomedical research and hence are difficult to detect. The ingredients are available on the open marketplace or in nature, and the necessary formulas can be found on the Internet or in other public sources. However, their full-scale use as weapons is difficult. Anyone attempting to disperse biological agents in a manner

that will actually cause widespread casualties faces formidable technical obstacles involving advanced skills and technologies for the drying, milling, and delivery of the agents.

#### **TYPES OF BIOCHEMICAL WEAPONS**

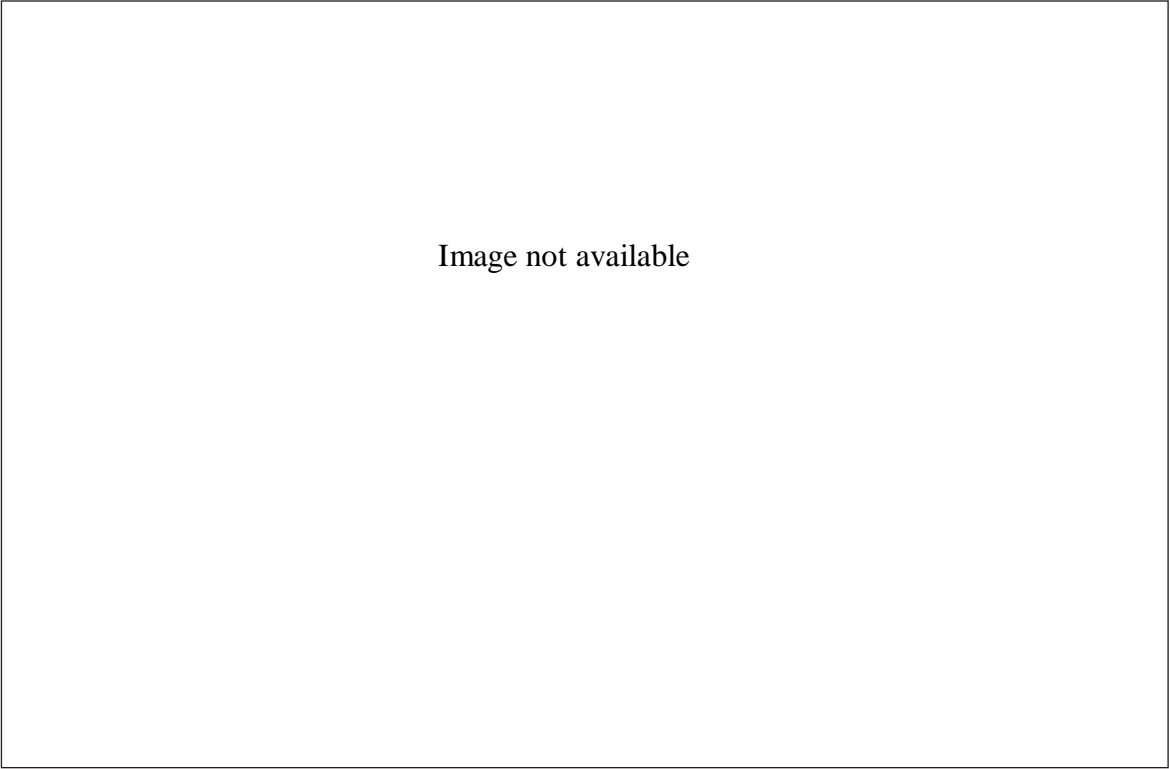
Biological agents that are potential weapons are classified by the Centers for Disease Control according to their clinical characteristics and impact on public health. Clinical effects vary from high mortality (due to smallpox, anthrax, plague, botulism, tularemia, and viral hemorrhagic fevers such as Ebola) to prolonged incapacity (for example, from Q fever, brucellosis, and viral encephalitis).

Many biochemical agents can be transmitted from animals to humans and could have powerful effects on agriculture as well as on human health. Early symptoms of diseases induced by a biological agent may be nonspecific or difficult to recognize. Genetic engineering of biological agents can alter the manner of development of diseases, their incubation periods,

or even their clinical symptoms. The threat of the use of biological agents, which potentially could be disseminated on a large-scale and produce mass casualties, requires broad-based public health preparedness efforts.

The mere threat of the use of biological weapons in a military setting can impair the effectiveness of opposing troops. When the U.S.-led alliance invaded Iraq in early 2003, its troops wore cumbersome full-protective suits in high temperatures. In civilian settings, the disruption of logistic support and the economy and long-lasting psychological effects on the general public may have a greater impact than the direct medial effects of a deliberate attack, as exemplified by terrorist releases of anthrax in the United States in late 2001.

Biological weapons can be delivered by aerosol generators mounted on trucks, cars, or boats and from missiles and planes equipped with tanks and spray nozzles. Weather factors, such as wind velocity and direction, humidity, degree of cloud protection

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*Pakistani postal workers wear protective masks and gloves while inspecting packages for possible anthrax contamination shortly after the September 11, 2001, terrorist attacks on the United States. (AP/Wide World Photos)*

from direct sunlight, and rainfall, may affect the efficiency of such delivery methods. Terrorists might deliver biological agents—such as salmonella or cholera germs—directly into food and water supplies, through ventilation or air-conditioning systems, or by letter or parcels. Suicide attacks also might be used to disseminate pathogens.

## HISTORY

Germ and chemical warfare predate the twentieth century. During Europe's Middle Ages, for example, human bodies infected with plague were sometimes catapulted into enemy fortifications, and poisons were dumped into wells of cities under siege—long before the nature of contagion was even understood. The original inhabitants of the New World were ravaged by smallpox, measles, and other Old World diseases that explorers and conquerors began introducing in the sixteenth century. Indeed, Old World diseases often made it possible for small forces to conquer numerically superior combatants. In pre-Revolutionary America, British forces used blankets contaminated with smallpox to infect North American Indians, a tactic later used by the U.S. military on the frontier.

However, it was not until World War I that biochemical weapons were widely used in modern warfare. Both the Allies and the Central Powers used choking and mustard gases that killed almost 100,000 people and injured more than a million. Postwar public opinion turned against the use of chemical and biological agents in battle, and in 1925 the Geneva Protocol banned the military use of such weapons. However, the lack of enforcement provisions in the protocol provided industrial nations an opportunity to develop lethal chemicals such as nerve gas.

In 1935, Benito Mussolini's Italian Fascists employed poison gas during their invasion of Ethiopia, and during the 1930's and 1940's, the Japanese used chemical agents and released fleas infected with plague in Chinese cities—the only known use of biological weapons during World War II. Although both the Allies and the Nazis possessed chemical and biological weapons throughout the war, neither side was willing to use them in fear of retaliation by the other—a unique deterrence during war. At the conclusion of the Korean War, North Korea charged that the United States had attempted to spread disease among its people, but the charges were not substanti-

ated. In the Vietnam War, U.S. forces sprayed Agent Orange, a defoliant, over jungle hiding places of the Viet Cong, and some veterans of that war suffered health problems they maintained were related to exposure to that agent.

## THE MODERN SITUATION

Throughout the Cold War, both the United States and the Soviet Union developed massive biochemical weapons programs. Some of the weapons were made available to military forces of East Bloc nations and developing world countries friendly to the Soviets. In 1969, President Richard M. Nixon declared that the United States would not retaliate in kind against an enemy attack using biological or chemical weapons and unilaterally ended the development, production, stockpiling, and use of biological warfare agents. Toxins were added to the biological weapons ban in 1970. The U.S. Department of Defense is required to dispose of existing biological weapons and scale down the program to include research only for defensive measures.

In 1972, more than one hundred countries, including the United States and the Soviet Union, signed the Biological and Toxin Weapons Convention banning the possession of lethal biological agents except for research into vaccine development and other defensive programs. An outbreak of anthrax in Russia in 1979, however, indicated that the Soviet Union had continued its own biological weapons program in violation of the convention. It was not until 1992 that Russian president Boris Yeltsin announced that Russia would halt its biological weapons program.

Both Iraq and Iran used chemical weapons during the war between those nations from 1983 to 1988. Subsequently, President Saddam Hussein used poison gas and possibly anthrax to kill Kurdish civilians in northern Iraq. In the 1990-1991 Gulf War, some U.S. forces probably were exposed to biochemical agents that produced "Gulf War Syndrome," a malady still under investigation. In 1993, the Chemical Weapons Convention (CWC), with extensive provisions for monitoring compliance, was ratified by 145 nations. CWC prohibits the development, production, acquisition, stockpiling, retention, transfer, and use of chemical weapons and is the most significant agreement to stem the proliferation of weapons of mass destruction since the 1968 Nuclear Nonproliferation Treaty.

Terrorists pose the greatest threat of using biochemical weapons, and as the Japanese cult Aum Shinrikyo proved, the technical hurdles can be scaled. In 1995, Aum Shinrikyo released the nerve gas sarin in a crowded Tokyo subway, killing twelve people and injuring more than five thousand people.

Aside from product-tampering cases, the sole large-scale attempt to inflict mass casualties with a biochemical agent in the United States was the 1985 Rajneesh cult salmonella salad bar poisoning in Dalles, Oregon, where nearly one thousand people suffered from food poisoning. Even the modest success of these biochemical attacks served notice that certain doomsday cults, religious fanatics, racial supremacists, and state-sponsored terrorists may be determined enough and desperate enough to use such weapons against civilian targets.

#### IMPLICATIONS FOR ETHICAL CONDUCT

Scientific development of biochemical agents has outpaced society's ability to deal effectively with the complex issues raised by such weapons. Research in genetic engineering and molecular biology raises ethical issues about science manipulating nature without clear societal controls. Bioengineered organisms of plant and animal origin may have dangerous effects on the environment. The use of human embryonic tissue in research and the control, storage, and access of genetic information pose new ethical dilemmas.

The military use of biochemical weapons infringes upon the long respected ideas that unnecessary suffering should be avoided and that civilians should not be attacked. Thus, specific military knowledge of genetic defects or vulnerabilities of humans and the ability to modify microorganisms or toxins that would increase disease or death take on added concern.

Medical doctors and researchers involved with biological weapons violate their professional ethics as laid down in the Hippocratic oath. Biotechnology provides opportunities to modify existing organisms so that they gain specific characteristics such as increased virulence, infectivity, or stability. Biological research has made possible the inexpensive production of large quantities of replicating microorganisms and the possibility of creating "new" agents for future warfare that surpass present means of prevention or treatment. This could be accomplished in secret

programs in apparently open biomedical research in pharmaceutical firms or government laboratories. Although such programs might produce dreaded pathogens, the same research could contribute to the development of new medical countermeasures, such as new vaccines, drugs, and diagnostic tests.

At the beginning of the twenty-first century, international agreements designed to limit the use of biological warfare agents needed strengthening. In particular, methods of verification analogous to those used for verifying compliance with chemical weapon treaties remained to be negotiated.

*Theodore M. Vestal*

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SEE ALSO: Atom bomb; Bioethics; Chemical warfare; Homeland defense; Hussein, Saddam; Iraq; Military ethics; Native American genocide; War.

## Biodiversity

**DEFINITION:** Genetic diversity of all forms of life on Earth, measured in terms of both numbers of species and genetic variability within species

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** An ethical mandate for the preservation of biodiversity can be derived either from the potential usefulness of the organisms to human beings or from the viewpoint that humans are stewards of the earth's resources and have no moral right to destroy a unique biological species.

The importance of conserving biodiversity is an idea that attracted increasing international attention during the 1980's; previously, conservationists had concentrated their efforts on preservation of conspicuous and economically important organisms. The 1992 United Nations Conference on Environment and Development ("Earth Summit") arrived at a convention on biodiversity with protocols for protecting endangered species and international cooperation on biotechnology.

Species are undoubtedly becoming extinct at a rapid rate because of pollution, habitat destruction, deforestation, overexploitation, and other human activities. The approximately seven hundred extinctions that have been recorded in the last three hundred years are only a small fraction of the total, which is estimated by some scientists to be approaching fifty thousand species per year. Much of the world's genetic biodiversity is concentrated in inconspicuous insects, fungi, aquatic invertebrates, and herbaceous plants that have never been fully described.

Efforts to conserve biodiversity involve balancing known present needs with projected future needs and

balancing the conflicting demands of local, national, and international agencies. Frequently, corporate and national policy have favored overexploitation. The well-being of the indigenous population of an area is an important consideration. Resource management by stable traditional societies, which is more sophisticated than is commonly realized, favors biodiversity, but global upheaval and the population explosion have destroyed the delicate balance between society and the biosphere in much of the developed and developing world.

The rise of genetic engineering has served to highlight the economic value of biodiversity and raise the question of ownership. Historically, species have been regarded as common property, but advocates for the rights of indigenous peoples have suggested that something akin to patent rights should belong to the group of people on whose territory an economically important organism is discovered.

*Martha Sherwood-Pike*

SEE ALSO: Conservation; Deforestation; Dominion over nature, human; Earth and humanity; Ecology; Endangered species; Environmental ethics.

## Bioethics

**DEFINITION:** Multidisciplinary study of ethical problems of humanity arising from scientific advances in medicine and technology

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** As a discipline, bioethics seeks to develop a set of guidelines for moral decision making utilizing the resources of medicine, biology, law, philosophy, theology, and social sciences.

While the rudiments of bioethics are ancient in origin, modern bioethics—medical, scientific, and environmental—is a relatively young field, which emerged around 1970. Its growth has been necessitated by increasingly complex dilemmas brought about by sophisticated technological knowledge and capabilities. Bioethics deals with questions of moral dimension and professional responsibility involving all forms of life: issues of medical decision making, living and dying, withdrawing and withholding medical care, conducting research on human subjects, al-

locating scarce resources, transferring cells from one or several organisms to produce another with particular characteristics (“cloning”), and preserving natural resources by efficient use of energy to protect the atmosphere and counteract the deleterious effect of pollutants.

These are issues for which no single clear-cut or mechanical answers are possible. Proposed solutions involve reviewing the parameters of various options and selecting the most beneficial. Superimposed on that seemingly facile solution are overriding considerations such as the identity of the decision maker, his or her values, legal capacity, and priorities. Bio-science is based on principles of natural science and risk assessment, while bioethics is based on moral principles developed and applied in the context of professional ethics.

### HISTORICAL BACKGROUND

Ethical medical guidelines are rooted in the writings of the Greek physician Hippocrates, who was born about 460 B.C.E. The Hippocratic oath taken by physicians reflects the traditional notions of paternalism of the medical profession, which regard the physician as the primary decision maker for the patient and the person best able to decide what course of action is in the patient’s best interest. The oath requires physicians to act to benefit the sick and keep them from harm (“*primum non nocere*”). It also admonishes physicians to refrain from assisting patients in suicide or abortion. Most of the codes of ethics adopted by the American Medical Association (AMA) in 1847 and revised in 1903, 1912, 1947, 1955, and 1980 use a similar approach. In 1957, the AMA adopted *Principles of Medical Ethics*, a set of ten principles outlining the ethical mandate of the physician and requiring the medical profession to use its expertise to serve humanity. In 1973, the American Hospital Association adopted a “Patient’s Bill of Rights,” which ensures patient privacy and confidentiality.

*Lectures on the Duties and Qualifications of a Physician*, written by John Gregory, professor of medicine at the University of Edinburgh, was published in 1772. The book emphasized the virtues and dignity of the physician and further defined his responsibilities and duties. In 1803, Thomas Percival, an English physician, wrote *Medical Ethics*. Pragmatic in approach, it stressed the professional con-

duct of the physician, and his relationships with hospitals, medical charities, apothecaries, and attorneys. Percival encouraged physicians to act to maximize patients’ welfare. His influence is reflected in the AMA codes of 1847 and 1957.

A changed focus from a theological approach to a growing secularization of bioethics began with Episcopalian theologian Joseph Fletcher’s *Medicine and Morals* (1954), which introduced “situation ethics,” emphasizing the uniqueness of moral choice. Protestant theologian Paul Ramsey’s *The Patient as Person* (1970) examined the emerging moral issues.

Environmentalism is derived from conservation and ecology. The former concept originated with forester Gifford Pinchot during the administration of President Theodore Roosevelt in the early twentieth century. At that time, the populace first became aware of conservation, but only in the context of how to manage natural resources; the consequences of the wasteful use of property were not considered. The term “ecology” was invented by Ernst Haeckel, a biologist and philosopher, and introduced in his 1866 book *General Morphology of Organisms*. Use of the term spread throughout the life sciences. Charles Elton, a founder of scientific ecology, explained that primitive men and women are actually ecologists who interpreted their surroundings. Therefore, environmentalism may be said to equate to primitivism. Ecology became a household word during the 1960’s, when a public outcry arose concerning abuses of the environment.

Biotechnology evolved from biblical times. Noah’s drunkenness, described in the Book of Genesis, indicates a requisite familiarity with the process of fermentation, which must have been used to produce the alcohol that Noah imbibed. Used in leavened bread, cheese, and pickling, the fermentation process was later utilized to isolate organisms capable of producing acetone and butanol and, in 1928, penicillin and streptomycin.

During the late 1940’s, the study of deoxyribonucleic acid (DNA) began, for scientists recognized that every inherited characteristic has its origin somewhere in the code of each person’s DNA. The structure of DNA was discovered during the early 1950’s. Viewed as one of the major scientific accomplishments of the twentieth century, the study of DNA has significantly widened the horizons of biotechnology.

## PRINCIPLES OF BIOMEDICAL ETHICS ILLUSTRATED

The U.S. Constitution guarantees persons the right to exercise their liberty and independence and the power to determine their own destinies and courses of action. Autonomy is legally grounded in the right to privacy, guaranteed as a “penumbra,” or emanation, of several amendments of the U.S. Bill of Rights. The philosophical origins of autonomy stem from John Locke’s *Two Treatises of Government* (1690), Immanuel Kant’s *Grundlegen Zur Metaphysik deu Sitten* (1785; *Groundwork for the Metaphysics of Morals*), and John Stuart Mill’s *On Liberty* (1989).

There is an inherent tension at the core of biomedical ethics, which springs from the need to balance the rights of patients to act in their own best interests without constraint from others (autonomy) and the obligation of health care professionals to act to promote the ultimate good of the patients, prevent harm, or supplant harm (beneficence). A conflict between patient autonomy and beneficence may arise in the context of medical treatment, acute care, or chronic care.

Acting in the patient’s best interest may dictate a certain course of conduct that is medically indicated but whose result is unacceptable to the patient in terms of limitations in lifestyle. The President’s Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research (1983) declared that where conflicts between patients’ self-interest and well-being remain unresolved, respect for autonomy becomes paramount. A weighing or balancing of the benefits against the burdens must be considered in order to arrive at an acceptable solution. Often, notions of paternalism are raised.

The principle of nonmaleficence, or the noninfliction of harm or evil on the patient, may conflict with obligations to promote the good of the patient, because many medical courses of action may involve certain undesirable consequences yet result in an ultimate benefit. (An example is inflicting a negligible surgical wound to avoid death). In other circumstances, such as the continued futile treatment of seriously ill newborns, pointless treatment for the irreversibly comatose patient, or a decision to withdraw artificial nutrition or hydration from a patient in a persistent vegetative state, there must be a weighing

of potential benefit versus potential harm. Quality of life considerations may influence the outcome of the analysis.

The principle of justice seeks a scheme whereby scarce resources may be allocated fairly and uniform criteria may be developed to determine, for example, an order for the allocation of organs for transplantation, space in intensive care units, participation as clinical research subjects, and access to health care for those who lack health insurance. Governed by a cost-benefit analysis, distributive justice issues arose as pressures for health care cost containment that emerged during the 1980’s escalated during the 1990’s.

## INFORMED CONSENT

The most concrete example of autonomous decision making is contained in the doctrine of informed consent: an explanation of the patient’s condition; an explanation of the procedures to be used, along with their risks and benefits; a description of available alternatives or options, if any; and reasonable opportunity for the patient to change his or her mind, withdraw consent, or refuse consent. Informed consent free from coercion or deception must be obtained before procedures that invade the body can be performed. In the normal setting absent an emergency, if proper consent is not obtained, a legal action for battery may ensue.

In the partnership model that characterizes the physician-patient relationship in pluralist Western society, variables may act as obstacles to the true exercise of autonomy. Individual circumstances and cultural, familial, and religious differences may color a person’s moral judgment and influence that person’s decision-making capacity. Because of patients’ limited understanding of their medical conditions, they may make decisions that are ambivalent, contradictory, or detrimental to their own health. At the same time, they may be harmed by the fears and anxieties induced by a more accurate understanding of the risks and options they face. The health care professional may be required to make a determination about the extent of disclosure and the degree of assimilation of the information conveyed.

The most controversial exception to informed consent is the therapeutic privilege, which permits medical personnel to withhold information intentionally if in the exercise of sound medical judgment

it is determined that divulging certain information would be harmful to the patient. The use of placebos for the welfare of the patient is an extension of the therapeutic privilege. Another instance of intentional nondisclosure or limited disclosure occurs in the context of clinical research, where “adequate” disclosure for purposes of consent does not necessitate “complete” disclosure. Resolution of these and other dilemmas of this nature are the subject of debate in this area.

### ENVIRONMENTAL ETHICS

The steadily developing global environmental crisis is serving as a catalyst for the reexamination of human values and ethical concerns about moral responsibility for the common good. Questions of environmental concern include the propriety of exposing workers to substances whose toxicity is unknown or discharging pollutants into the air, the role of the government in preventing adverse activity, a determination of the steps to be taken to halt or slow the erosion of biological diversity, and the fair and equitable allocation of material resources.

Examples of serious environmental problems that threaten the earth and its inhabitants are overpopulation, an inadequate food supply, the threat of global warming or climate change caused by the release of greenhouse gases and the destruction of the ozone layer, deforestation, loss of biodiversity, threats of water and air pollution, and the depletion of mineral and energy resources. Wastes and poisons are threatening land, water, and air quality as well as mineral and energy resources. Soil erosion is the greatest threat to farmland. Chemical fertilization, once thought to provide a solution to the problem of the billions of tons of topsoil that are lost in runoff, is costly and does not accomplish its goal effectively. Worldwide dumping of litter has caused the loss of millions of sea birds and animals and contamination from crude oil residue. Freshwater lakes have become polluted from bacteria, sewage, groundwater contamination, and hazardous waste; drinking water has remained unprotected.

Acid rain is a damaging form of air pollution. Wind may cause acid rain to rise high in the air and travel many miles. A product of combustion, acid rain kills fish in lakes, destroys crops, corrodes pipes carrying lake water, and releases toxic metals from soil compounds into groundwater. The main sources

of contaminants in acid rain are combustion fumes from industry and automobile and truck exhausts. Environmentalists have warned of a “greenhouse effect”—that is, a trend toward global warming—resulting from the buildup of carbon monoxide and other gases in the atmosphere. These climatic changes are expected to melt glaciers and ice caps, causing sea levels to rise, flooding cities and coastal areas. The decline in rainfall could potentially cause mass starvation and the extinction of plant and animal life unable to adapt to changed conditions. Depletion of the earth’s ozone layer would permit potentially carcinogenic ultraviolet rays to escape into the atmosphere. Because of the worldwide deforesting of acres of trees, the earth’s ability to reabsorb carbon dioxide has been reduced.

A general increase in energy efficiency is the fastest and cheapest solution to the problem. Energy efficiency reduces fuel consumption, thereby reducing the output of gases into the atmosphere. The development of automobiles that run on clean-burning natural gas or methanol will reduce emissions into the atmosphere. Using solar power, tidal power, and geothermal energy (natural steam produced by heat within the earth itself) as alternative energy sources have also been proposed as solutions. The use of atomic energy has also been debated.

In 1993, U.S. president Bill Clinton signed an international biodiversity treaty designed to protect plants and animals, committing the nation to reduce emissions of greenhouse gases to their 1990 levels by the year 2000. Earth Day, celebrated on April 22 of each year since 1970, calls attention to environmental problems. Community groups have instituted recycling programs. Activist groups such as the Sierra Club and Greenpeace and organizations such as Earthwatch and the Worldwatch Institute have flourished, alerting policy makers and the general public to emerging trends and the availability and management of resources.

The Environmental Protection Agency (EPA) is the federal governmental agency with the responsibility to enforce compliance with environmental standards through monitoring programs and inspections. Those who knowingly violate environmental laws may be subject to criminal sanctions. Under the Clean Water Act of 1972, negligent acts can also be construed as criminal violations (felonies or misdemeanors punishable by fine, imprisonment, or both).

### BIOMEDICAL TECHNOLOGY

The use of new technological powers brings challenges to traditional notions of preserving human dignity, individual freedom, and bodily integrity. Scientific ability to prolong life through the use of respirators, pacemakers, and artificial organs; to conquer infertility and gestation through in vitro fertilization and fetal monitoring; and to practice birth control through abortion and techniques for reducing fertility make it possible to manipulate life. Genetic engineering and human genetic manipulation have unlimited potential. Overriding ethical considerations concerning problems of abuse and misuse of technological powers, must, however, be addressed.

### GENETIC ENGINEERING

Ethical and social questions about experimenting on the unborn and the possible misuse and abuse of power have been raised since genetic engineering (also known as gene splicing, genetic manipulation, gene cloning, and recombinant DNA research) sparked the revolution in biotechnology. The debate was especially intense during the mid-1970's, when fear about the wisdom of interfering with nature in a fundamental way was thought to outweigh the possible benefits in biological and medical research. It was feared that genetic accidents could occur when someone with expertise deliberately constructed an organism with the potential to threaten human health. There was also the fear that gene therapy might be used to alter human attributes such as intelligence or physical appearance. As scientists demonstrated evidence of precautions and federal government guidelines regulating genetic engineering research and banning certain types of experiments were drafted, a majority of biologists concluded that the risks were negligible.

The industry most affected by biotechnology is the pharmaceutical industry. In September, 1982, insulin from bacteria became the first of many genetically engineered materials licensed for human consumption. The potential is enormous as better and cheaper antibiotics are developed, improved methods for matching organs for transplantation are found, and techniques for correcting body chemistry emerge. Transferring genes from one organism to another would reduce the cost and increase the supply of materials used in medicine, agriculture, and industry. Far-reaching benefits from the bioindustrial revo-

lution include better health, more food, renewable sources of energy, more efficient industrial processes, and reduced pollution.

### GENETIC SCREENING AND THE HUMAN GENOME PROJECT

The genome, or combination of genes acquired from one's biological parents, is central to a person's development. The three-billion-dollar, fifteen-year Human Genome Project, initiated during the 1990's to map human DNA, aims to study the total genetic endowment in the chromosomes, identify new markers for traits and diseases believed to have a genetic basis, and develop diagnostic tests to screen for hereditary diseases. Advances in human gene therapy could lead to the prevention of hereditary diseases and the alteration of inherited characteristics. Prenatal screening through amniocentesis or chorionic villus sampling makes possible informed choices about childbearing and alleviates the anxiety of noncarriers of diseases such as sickle-cell anemia and Tay-Sachs disease. Ethical issues and public policy dilemmas in this area involve the right to experiment, accessibility to organ and fetal transplants, and the imposition of controls in genetic testing.

Marcia J. Weiss

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SEE ALSO: Biometrics; Biotechnology; Birth defects; Cloning; Eugenics; Euthanasia; Genetic engineering; Genetic testing; Global warming; Hippocrates; Human Genome Project; Stem cell research.

## Biofeedback

**DEFINITION:** Discipline that trains people to regulate physical functions of their bodies that are under involuntary control or are no longer under voluntary control

**DATE:** Established during the early 1960's

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Biofeedback provides an alternative to painful and more extreme treatments for health problems, but it poses ethical questions in areas of human and other animal research.

Biofeedback has been used to treat a variety of health problems and to help people perform well. Among the health problems treated with biofeedback are gastrointestinal cramping, fecal incontinence, frequency and severity of epileptic seizures, high blood pressure, migraine headaches, tics, insomnia, bronchial asthma, bruxism (clenching and grinding of the teeth), sexual dysfunction, masticatory pain and dysfunction (MPD), temporomandibular joint (TMJ) syndrome, and Raynaud's disease (a functional disorder of the cardiovascular system characterized by poor blood circulation to the hands, feet, and face).

Biofeedback has also been used to treat patients whose muscles are no longer under voluntary control because of a stroke or an injury. Among the uses of biofeedback to improve performance are controlling test anxiety, improving athletic performance, controlling motion sickness in Air Force pilots, and reducing space adaptation syndrome (SAS) for astronauts. Biofeedback has also been used to help people quit smoking and to help people lose weight.

Biofeedback trains people to regulate physical functions of their bodies. It provides continuous information about physiological responses so that individuals can learn to regulate these responses. Three types of biofeedback are integrated electromyographic feedback (EMG), electrodermal response (EDR), and electroencephalographic response (EEG). EMG, in which muscular activity is recorded, is used for treatment of muscles and migraine headache. EDR, which records perspiration responses on the palms, is more often used for weight control, managing stress, or improved athletic performance. EEG biofeedback helps individuals gain voluntary control of their alpha rhythms.

Biofeedback is based on operant, rather than clas-

sical, conditioning. (In operant conditioning, desired behavior is rewarded with a stimulus; in classical conditioning, a conditioned stimulus precedes an unconditioned stimulus—for example, Pavlov's class heard the sound of the bell and then were shown food—until the conditional stimulus alone can elicit the desired behavior.) During the process of biofeedback, machines record physiological functions such as muscle movement, alpha waves, heart rate, blood pressure, or body temperature. The machines feed this information back to the patient in the form of numbers, gauges on a meter, lights, or sounds. Through this process, the patient learns to focus attention on controlling physical responses. The result, in part, is training of alpha waves that results in the calming effects of meditation.

### RESEARCH AND EXPERIMENTATION

In the United States, experiments with operant conditioning of heart rate began in 1962. The first biofeedback studies of controlling blood pressure in humans were reported at Harvard in 1969. Such studies mark the early stages of biofeedback. Even though biofeedback, by historical standards, was first explored in the United States quite recently, Asian spiritual practitioners have, for centuries, been practicing conscious control of involuntary functions through meditation. Today, in clinics throughout the United States, biofeedback techniques are being taught to patients in as few as five to ten sessions.

According to Dr. Lilian Rosenbaum, in her 1989 book *Biofeedback Frontiers*, biofeedback research has moved into applications for diabetes, cancer, acquired immunodeficiency syndrome (AIDS), physical rehabilitation, education, vision disorders, improving performance in space, and developing superior athletes. Biofeedback is also being used to treat social disorders in criminals who voluntarily participate in the experiments. As researchers move into new areas, the machines that record the individuals' responses become more sophisticated. Among the most sophisticated of these machines is the computerized automated psychophysiological scan (Capscan), developed by Charles Stroebel and his colleagues. The Capscan "combines advances in computers, computerized electroencephalography (brain-wave measurements) and biofeedback, according to Rosenbaum.

Concerning the ethics of biofeedback, it is rele-

vant that much of the data on biofeedback comes from those who practice biofeedback and believe in its effectiveness. Several researchers, however, are exploring the ethical concerns in biofeedback research. Much of their concern focuses on the need for human subjects, since human consciousness is involved in the control of muscle responses that are usually regarded as involuntary. Testing the validity of biofeedback involves, in part, establishing control groups so that researchers can determine whether biofeedback or a placebo effect of psychotherapy is responsible for the results. Researcher Martin T. Orne observes that not only drugs but also treatment procedures themselves have "placebo components" that have "powerful effects on their own."

In summarizing the effects of biofeedback, Orne concludes that the effects of biofeedback are similar to the effects of relaxation therapy, self-hypnosis, or meditation. Nevertheless, he concludes, each of these techniques shows "considerable therapeutic effect" for various individuals, and such approaches "have been overlooked for many years, at least in this country."

Another ethical issue in biofeedback research involves the use of animal subjects. Research in biofeedback has often involved animal experimentation, especially with curarized animals—that is, animals in a state of drug-induced immobility. Some of the first studies with curarized animals involved rats that responded to stimulation of the pleasure center in the brain to slow down or speed up involuntary body functions. When the pleasure centers in the brain were stimulated, some of the rats responded by slowing down involuntary responses so much that death resulted. Other animal studies involved learning visceral and glandular (autonomic) responses. Additional animal studies have involved mice, golden hamsters, and baboons in Kenya.

Modern researchers have posed a number of complex ethical questions related to research in biofeedback, particularly questions involving the "justification for withholding therapy for research purposes." John P. Hatch, in his discussion of ethics, lists a number of concrete ethical questions related to placebo therapy, fees for service, random selection of subjects, acceptable control treatment, and effects of biofeedback research on patients. He concludes that the "central ethical question is whether current knowledge allows a preferred treatment to be chosen,

and whether the relative risk to a patient would be greater as a result of assigning treatments randomly versus basing treatment assignments on clinical judgment.”

Carol Franks

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SEE ALSO: American Medical Association; Bioethics; Biotechnology; Ethical Principles of Psychologists; Holistic medicine; Hypnosis; *Principles of Medical Ethics*.

## Biometrics

DEFINITION: Scientific techniques of measuring human biological data for purposes of identification

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: Identifying people through biometrics reduces the incidence of false identifica-

Image not available

*An arriving passenger at John F. Kennedy International Airport in New York uses an inkless fingerprint scanner, which instantly checks the print against a national database for evidence of criminal backgrounds or for names included on terrorist watch lists. Airport authorities began using the scanner and photographing travelers on Monday, January 3, 2003, as part of a new program initiated by the Department of Homeland Security. (AP/Wide World Photos)*

## Principles of the International Biometric Industry Association

Members of the International Biometric Industry Association (IBIA) pledge to observe a code of ethics based on these principles:

Public safeguards	Biometric technologies should be used solely for legal, ethical, and nondiscriminatory purposes and must be protected by the highest standards of systems integrity and database security.
Respect for competitive technologies	Competitors in the biometric industry should be treated with courtesy and civility in all discourse, including marketing and advertising.
Market accountability	Members' claims about their products must be accurate and lend themselves to independent verification by competent authorities.
Marketplace legitimacy	IBIA membership is open only to biometric developers, manufacturers, integrators, and end-users who have proven their biometric technologies and applications to be safe, accurate, and effective.
Free trade	Members are committed to the principles of free trade and open competition in the worldwide biometric marketplace.

tion but at the same time poses ethical questions about how to protect such data from error and irresponsible dissemination.

As modern society grows more ever more complex, new questions of identification loom, especially for organizations that, for security reasons, must control access to their facilities and databanks. However, using biological data for human identification is not a new idea. In the late seventeenth century, a British physician noted that each human being has fingerprints that are wholly unique. Fingerprinting was perhaps the earliest form of biometrics but was not widely used by law enforcement and other agencies until the mid-nineteenth century. By the early twentieth century, fingerprinting was well entrenched as a means of identifying people, particularly those who left incriminating marks behind at the scenes of their crimes. Eventually, police departments began routinely fingerprinting suspects and building files of their prints. By the 1920's, such agencies as the Federal Bureau of Investigation (FBI) had extensive fingerprint files. Local police departments could match prints they took from recently arrested prisoners against those collected in the huge FBI fingerprint archive.

### BIOMETRIC FUNDAMENTALS

The word "biometrics" is derived from two Greek roots, *bio-*, for life, and *metrein*, for "to measure." The science of biometrics rests on the supposition that no two living entities are wholly identical. Every living entity has physical and behavioral characteristics that distinguish it from every other living entity, including members of its own species. Underlying the implementation of biometrics to human beings is the presumption that every person, or at least the vast majority of people, share common characteristics, like fingers or eyes. Obviously, some people lack body parts for various reasons; however, because the vast majority of people have all the basic parts, reasonably accurate biological measurements involving these features have been devised.

Biometrics is ineffective unless elements of entities' features are unique to those entities, such as the whorls of individual fingerprints or specific characteristics of hands, eyes, or faces. These characteristics must be relatively constant. Characteristics that change over time often yield false readings if biometric measures are applied to them. Moreover, the physical features or behaviors being measured, such as handwriting or speech patterns, must be measurable by reliable devices.

### COMMON USES OF BIOMETRICS

Devices that can verify the identity of people have obvious practical uses. A device that can scan eyes, faces, or hands of people and identify them accurately in mere seconds, provides a more foolproof safeguard against identity theft and related problems than such measures as passwords, keys, and entry cards. As security has been increasingly necessary because of widespread international terrorism, those entrusted with protecting the national welfare have accelerated the use of biometrics to screen people in many contexts, most notably in airports and at border crossings.

Business corporations employ biometric devices to permit quick and easy entry of authorized personnel into restricted facilities. One simple practical application is employee time clocks that identify people by having them insert their hands into slots to have their identities confirmed. Employees who arrive late or leave their jobs early thus cannot have friends punch in or out for them, as was sometimes done in the past.

### ETHICAL CONCERNS

Because some biometric processes are conducted without the knowledge and consent of those being scrutinized, significant ethical questions arise. For example, a supermarket chain might gather information about its customers' shopping habits by identifying otherwise anonymous customers through eye scans—something it could do without its customers' knowledge. One might therefore justifiably ask how such information would be used and to whom and under what circumstances the information might be disseminated.

Similar concerns are voiced about medical records that may in time come to haunt a person whose eye scans reveal, as they surely might, some health conditions, such as diabetes or hypertension, that could keep them from getting jobs or insurance coverage. Questions regarding the individual privacy of people raise both ethical and constitutional concerns when biometric procedures make it possible for databases to be developed that might, if broadly available to employers or organizations, jeopardize individual rights to privacy.

As societies grow in complexity, trade-offs be-

tween individual rights and the protection of society often seem justifiable. When such trade-offs stay within bounds, many people accept them. The question arises, however, of whether some zealous officials might allow anticipated ends to justify the means of achieving them, perhaps for purely political reasons. In situations in which employers require employees to sign out by putting their hands into a scanner that will identify them, presumably unerringly, one can reasonably argue that employers have the right to verify that their employees are giving them the full measure of time for which they are being paid. Even if the use of scanners for this purpose appears to infringe on individual privacy, most people will realize the validity of such measures and will not strongly object to them.

### Mark Twain and Biometrics

Although Mark Twain never knew the word “biometrics,” he might fairly be credited with introducing that science to fiction in *Pudd'nhead Wilson* (1894)—the first novel to use fingerprint evidence as a plot device. The title character of the novel, David Wilson, mystifies and amuses the simple people of Dawson's Landing, Missouri, by collecting their fingerprints on glass slides. For years, the villagers dismiss him as a “puddingheaded” fool—until the final chapter, when he displays his legal brilliance in a murder trial. Wilson creates a sensation by using his slides to prove the innocence of the murder suspect he is defending. However, that revelation is minor compared to his second use of fingerprint evidence at the trial. Drawing on glass slides he has collected over more than two decades, he proves that the culprit in the murder case is a man who was born a slave and somehow got switched with the infant son of his master in infancy. The theme of switched identities that are sorted out by fingerprint evidence gives the novel a strong claim to be called the first application of biometrics in fiction.

However, if biometric devices gather and store data about individuals, the situation becomes more questionable. Even when safeguards are in place to protect the privacy of individuals, many people fear that such safeguards at some future point might be relaxed in ways that would compromise individual pri-



vacy rights. Those who use biometric devices for purposes of identification may vow that they will make no unethical uses of the information they gather, but a danger lurks in the minds of many people that public and private attitudes toward the inviolability of such information will eventually weaken, and that harmful information may become accessible to those who can justify their need for it in the name of assuring the national security or some vague greater good.

*R. Baird Shuman*

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SEE ALSO: Bioethics; Biotechnology; Business ethics; Drug testing; Employee safety and treatment; Hiring practices; Identity theft; Invasion of privacy; Privacy.

## **Biotechnology**

**DEFINITION:** Application of science to the biological realm; the term is often used synonymously with genetic engineering, the artificial modification of the genetic codes of living organisms

**DATE:** Concept first emerged during the 1960's

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Because of the great potential for changes that may have social, economic, political and environmental consequences, ethical principles must guide biotechnological choices.

A host of issues are subsumed under the rubric "biotechnology," including human and animal reproductive technologies such as cloning, the creation of genetically modified organisms and products, including food, xenotransplantation (the cross transplantation

of human and animal genes and organs), human genetic testing and therapies, and stem cell research. As with most novel and highly complex technologies, no consensus obtains regarding the relevant ethical principles.

#### **THE BASES FOR ETHICAL JUDGMENTS**

The utilitarian principle posits that when the potential exists for good and harm, the ratio of good to harm must be considered when developing, employing, and regulating technologies. Debates then may arise as to how benefits and risks should be prioritized. The "precautionary principle" would lead decision-makers to act with caution in advance of scientific proof of harm, to place the onus of proof on those who propose new technologies, and to promote intrinsic natural rights. Calculating potential benefits and harm is a formidable task given the novelty of these technologies, high levels of scientific uncertainty, the interconnected character of all natural phenomena, and the multiple economic, political, and social issues involved. Some fear that development of some biotechnologies increases moral hazard (or represents a "slippery slope") in that it increases the likelihood that humankind will cross fundamental thresholds with potential significant negative consequences for humankind.

The Human Genome Project well illustrates the potential benefits, risks, and moral hazards of biotechnology. This large research effort, funded by the United States and other governments, has now decoded the human deoxyribonucleic acid (DNA) sequence. This knowledge will ultimately allow scientists to understand diseases such as cystic fibrosis and conditions such as intelligence and aggression and to create drug therapies for specific genetic abnormalities. However, the success of the project raises the prospect of genetic profiling, which creates the possibility that employers may discriminate against applicants on the basis of their genetic profiles, or that corporations may adjust medical insurance rates to reflect policyholders' genetic predispositions. A potential moral hazard associated with this technology is that once an individual is classified by genotype, it is but a step to justify death for undesirable genetic traits.

#### **JUSTICE AND FREEDOM**

Universal principles of justice and autonomy may also serve as the bases for evaluating biotechnol-

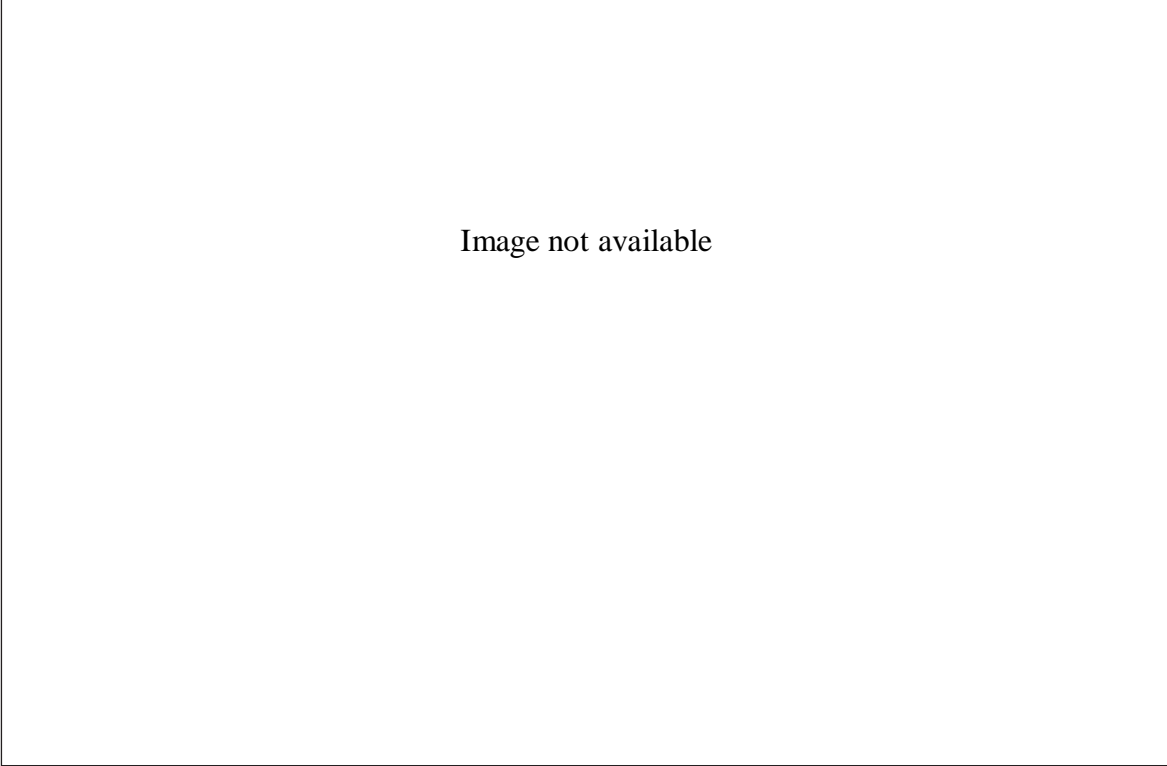


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*Reflecting a growing public uneasiness with modern biotechnology, protestors greeted scientists attending Bio 2004, the biotechnology industry's annual international conference, in San Francisco, in June, 2004. Of particular concern to protestors was the issue of genetically modified foods.* (AP/Wide World Photos)

ogies. When combined with utilitarian considerations, principles of distributive justice would dictate that the issue of potential benefit and harm be considered. It is important that the benefits of biotechnologies are distributed equitably: Potential risks should not fall disproportionately on those already burdened with various forms of discrimination, and powerful individuals, corporations, and states should not benefit disproportionately from development and use of these technologies. Moreover, the technologies' consequences for those without strong voices must be taken into account. Justice would also mandate careful consideration of who can legitimately make decisions about the development and regulation of biotechnologies. For example, what should be the role of the scientific community and profit-driven corporations relative to other stakeholders in deciding which technologies are developed?

The principle of autonomy recognizes that the right to self-determination and freedom from coer-

cion as an inalienable right. This logic would allow individuals to consent or decline, to participate in the biotechnology research, or to consume bioengineered products. Openness and honesty are required if people are to understand the implications of their choices and exercise their freedom, so it is incumbent on all actors involved in creating, marketing, and regulating biotechnologies to educate the public as to the potential consequences of various biotechnologies and to ensure that political decision making be transparent and democratic. Concerns about freedom and autonomy are complicated when the rights of embryos, the gravely ill, or future generations are taken into account.

#### **“HUMAN” THRESHOLDS**

Biotechnologies may raise philosophical concerns about what it means to be human in that they may change or breach thresholds associated with bisexual reproduction, social entities and roles such as the

family and child rearing, and taboos against homicide. While many boundaries serve vested interests and are not essential to human well-being, some thresholds may preserve the essence of “human-ness,” including the actualization of individual identity and beneficent communal interaction.

Physical attributes, such as genetic makeup and intelligence, and the assignment of dignity to life also distinguish human beings from other species. Xenotransplantation clearly blurs barriers between humans and other organisms. The medical advances achieved by the year 2100 are expected to allow physicians to transplant human heads. By the early twenty-first century, reproductive technologies were already allowing humans to select the genetic makeup of their offspring, create new organisms, and create embryos for reproduction and other medical and scientific research. Many people worry that the commonplace creation, manipulation, and destruction of life portend changes in what it means to be “human” and reduce respect for the dignity of humankind and life.

Ethical biotechnologies demand that individuals and groups most affected by their advances be invited to participate in the discourse and decision making about which biotechnologies are developed and how they will be regulated. Science and technology are not ethically neutral; human beings can reflect upon and assume responsibility for ethical choice among biotechnologies.

*M. Leann Brown*

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SEE ALSO: Bioethics; Biofeedback; Biometrics; Cloning; Genetic testing; Genetically modified foods; Human Genome Project; Medical research; Stem cell research; Technology.

## **Birth control**

**DEFINITION:** Methods of contraception by physical, surgical, or chemical means

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** The decision to use birth control is affected by one’s views of the moral status of sexuality and of potential human life and by one’s ethical obligations to society and to the human species.

Questions about birth control have faced humanity throughout history. In the modern world, overpopulation and Malthusian doctrine loom ever larger, making birth control a must. Consequently, equitable and ethical solutions to the problem are essential. Modern birth control consists of and combines physical methods, chemical methods, and surgical intervention that must be applied with good ethical judgment to provide results that prevent both overpopulation and the exploitation of individual population sectors.

#### **METHODOLOGY**

Among modern methods of birth control are coitus interruptus; the rhythm method; pessaries, condoms, diaphragms, and intrauterine devices (IUDs); chemical intervention via birth control pills; and surgical vasectomy or tubal ligation. Least satisfactory are coitus interruptus and rhythm methods, which involve male withdrawal prior to climax and intercourse during safe portions of the menstrual cycle. The difficulties here are adequate self-control and variation of the fertile period of the cycle. The problems associated with pessary, condom, diaphragm, and IUD use are mechanical faults and incomplete understanding of the proper usage of these devices. Birth control pills have the disadvantages of causing health problems in some users and of often being used incorrectly. Surgical interventions via tubal ligation and vasectomy are usually irreversible, which often makes them psychologically inappropriate.

#### **HISTORY**

Birth control techniques go back at least as far as the nineteenth century B.C.E. At that time, a wide range of methods—including incantations, crude chemical preparations (for example, animal dung, plant products, and crude spermicide salves), and pessaries—

were used with questionable results. Such methodologies flourished until the Hippocratic school of medicine realized that there were nonfertile times during the menstrual cycle that could be utilized for birth control.

During the following historical period, however, contraception was frowned upon by many people. Relatively flexible Judaic theological doctrine proposed that “no man or woman among you shall be childless” but allowed birth control. In the Greek and Roman milieus, birth control was practiced but was controversial because high population went hand in hand with political security. A powerful ethical judgement against its use was made by the Greek Stoics, who believed that sexual intercourse was intended solely for the purpose of procreation and that all forms of birth control were wrong.

With the rise of Christianity, birth control practices were denounced as sinful, and practitioners of birth control were classed with murderers. The view of Christian ethics was that even coitus interruptus was wrong and that marital intercourse had to be procreative. In time, Christianity was to become the strongest ethical movement against birth control. In contrast, Islamic culture did not actively condemn birth control. In fact, the eleventh century Arab physician Avicenna described many ways to prevent pregnancy in an encyclopedic medical work.

The dichotomy of attitudes toward birth control continued until the end of the eighteenth century, despite the development of Protestantism and the doctrine of rationalism. Religious movements condemned birth control thunderously from the pulpit as opposed to Christian ethical principles, and the rationalists did not advocate it as rational behavior. One useful development during this period was the invention of the condom.

The beginning of the advocacy of birth control can be traced to the development of the Malthusian doctrine by Thomas Malthus, who proposed that famine and war would come to the world unless population growth was curbed. Malthus favored postponement of marriage, not birth control via contraceptives. Others advocated the use of birth control methods, however, despite unrelenting opposition from Christian churches and most governments. For example, the America Comstock Act of 1873 made the importation of contraceptives illegal, and many state governments forbade their sale.

The climate had begun to change, however, and by the 1920's, many favored birth control. Particularly important was the American nurse Margaret Sanger, one of the strongest advocates of birth control. Furthermore, scientific and medical endeavors caused changes of opinion in the intellectual and biomedical community. This development was aided by the invention of diaphragms and birth control pills. Furthermore, the realization of pending overpopulation and possible apocalypse quickly led to the widely held view that it was unethical to oppose birth control measures.

By the 1970's, American laws fostered the development of family planning research, and the Population Council had brought the technology of birth control to the world. Europe concurred, and while the responses of various countries in the less-developed areas of the world varied, birth control was generally accepted. In addition, the world's major religions began to endorse birth control practices to various extents. In response to the change in the ethical climate, techniques of voluntary sterilization by vasectomy and tubal ligation developed further, new contraceptive preparations were discovered, and state-endorsed birth control programs developed in many countries. During the 1980's and 1990's, further progress along these lines occurred.

## CONCLUSIONS

The ethical issue that has long caused disharmony concerning birth control is whether it is ever appropriate to prevent the occurrence of a human life. In part, the idea that it is never appropriate to do so was based on the fact that in an underpopulated world, the more humans in a society or religion, the safer that sociopolitical entity would be. A radically changed ethical model now supports birth control procedures.

Other negative ethical issues, however, remain. These issues include the ethical choice of individuals who will practice birth control, especially in instances in which a nation implements policies that lead to inequities (for example, limitation of birth control to the less-advantaged classes). In addition, there is the question of the ethics of irreversible birth control and informed consent, the understanding of which governs individual freedom when a choice of sterilization is made under duress and may be regretted later. Finally, there is the ethical question of whether birth control will diminish family ties, causing future so-

cial and individual problems. Surely, answers to these ethical problems will come and new problems will arise when the paradigm changes again.

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SEE ALSO: Bioethics; Birth defects; Cesarean sections; Family; Future-oriented ethics; *Griswold v. Connecticut*; Parenting; Population control; Pro-choice movement; Sterilization of women.

## **Birth defects**

**DEFINITION:** Malformation of body structures present at birth

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Birth defects raise serious questions of prevention, responsibility, and treatment for the medical community and society as a whole.

Birth defects are the primary cause of death of children under one year of age. Estimates of occurrence vary depending on what is classed as a defect, ranging from 2 percent to 15 percent of live births. Many defects result in spontaneous abortion or stillbirth and therefore are not included in these statistics. In most cases, the causes of malformation are unknown. After the 1960's, however, enormous advances were made in the determination of factors that affect fetal growth. Of those cases in which etiology has been

discovered, the anomalies are the results of genetic causes, environmental causes, or a combination of the two.

Genetic causes include mutation and abnormality of chromosomal material as well as inherited traits. Environmental factors range from maternal nutrition or disease to exposure of the fetus to toxic substances. These factors include certain drugs, such as alcohol; chemicals, such as mercury and lead; radiation, such as radon and X rays; maternal illness, such as diabetes or rubella (German measles); intrauterine infection, such as cytomegalovirus; and parasites, as in toxoplasmosis. Some of these environmental factors act by causing genetic anomalies, resulting in multifactorial defects. Also included as birth defects are birth injuries and low birth weight.

#### **ETHICS OF PREVENTION**

The ethical issues involved in birth defects can be divided into three major areas: prevention, treatment, and responsibility.

In those cases in which the cause is known, there is a societal obligation to minimize the possibility of the occurrence of a particular defect. The question is, however: How far does this obligation extend? Does it supersede the rights of the mother, a competent autonomous adult? Consider this example: Hydantoin and phenobarbital are drugs commonly used to treat epileptic seizures. Hydantoin has been shown to cause mental deficiencies and abnormal body structures. Phenobarbital causes defects in laboratory animals, but it is not clear whether it does so in humans, although some studies have found a correlation. Ninety percent of women with epilepsy have as many or more seizures during pregnancy as they did before they became pregnant. Is it ethical to treat the mother with anticonvulsants that may endanger the fetus? Is it ethical to set the possibility of fetal problems above the actuality of maternal illness and not treat the disease?

Certain birth defects, such as Tay-Sachs disease and sickle-cell anemia, follow the strict laws of genetic inheritance. Genetic testing and counseling is generally available now for potential parents who carry the genes for these traits. These parents must make the decision to risk having an affected child or to not have children. What is an acceptable risk in these cases? Is it ethical to ask a couple not to have children when this violates their religious beliefs or personal aspirations?



Many abnormalities, including spina bifida and Down syndrome, can be detected as early as the fourth month of pregnancy. In these cases, the parents must decide whether to continue the pregnancy or to abort the fetus. If they choose to carry the fetus to term, who is financially responsible for treatment, the cost of which can go far beyond most individuals' abilities to pay?

**ETHICS OF RESPONSIBILITY**

Abnormalities caused by environmental factors raise the question of societal and maternal responsi-

bility. One of the earliest recognized causes of birth defects was exposure to lead. Does society have an obligation to eradicate the presence of lead where any pregnant woman might be exposed to it? Is it possible, physically and economically, to completely eliminate exposure to teratogenic agents (agents that cause birth defects)? Does this elimination of possible teratogenic exposure extend to the prohibition of pregnant women from jobs that might endanger the fetus? If so, is this ethical if a consequence is unemployment resulting in the woman being unable to obtain adequate prenatal care and nutrition? Should

**Human-Made Causes of Birth Defects**

<i>Year recognized</i>	<i>Defect or defects</i>	<i>Cause</i>
1952	Growth retardation, distinctive facial defects, shortened limbs, mental retardation	Aminopterin
1957	Intrauterine growth retardation, low birth weight	Cigarette smoking
1961	Severe physical malformations, especially of limbs	Thalidomide
1963	Mental retardation, microcephaly	Radiation, including X rays
1968	Fetal Alcohol Syndrome, which may include mental retardation, fine motor dysfunction, irritability or hyperactivity, malformed hearts and brains, and abnormal facial features	Alcohol
1968	Heart defects, microcephaly, growth and mental retardation, chromosomal abnormalities	Anticonvulsants
1968	Growth retardation, microcephaly, deafness, blindness	Mercury, often in fish
1970	Malformations, growth and mental retardation	Lead
1973	Addicted babies, growth impairment, respiratory disorders	Heroin
1977	Uterine lesions, increased susceptibility to immune disorders	Female sex hormones, especially diethylstilbestrol
1982	Vitamin A toxicity, which may cause various malformations, especially of the face, heart, central nervous system, and lungs	Overuse of vitamin A, especially in Accutane
1987	Growth retardation, defects of heart, skull, and central nervous system	Cocaine
1990	Reye's Syndrome	Aspirin
2002	Miscellaneous defects	Herbal supplements
2003	Toxoplasmosis, which may cause blindness, deafness, seizures, and mental retardation	Parasite found in cats feces and undercooked meat
2004	Anencephaly, spina bifida, and other potentially fatal defects	Fumonisin in corn tortillas

the prohibition extend to all women of childbearing age?

Maternal drug use is becoming more of a problem all the time. Fetal alcohol syndrome, low birth weight caused by cigarette smoking, and cocaine- and heroin-addicted babies are all common problems. What legal responsibilities does the mother have during pregnancy? What responsibilities does society have to the children of these mothers? Should custody be rescinded at birth? Should these women be detained during pregnancy and be forced to conform to certain specifications of acceptable maternal behavior? Should they be prosecuted for child abuse?

### ETHICS OF TREATMENT

When a baby is born with severe defects, issues arise regarding whether to treat the defect or to allow the child to die. Considerations include the quality and length of life the child will have if allowed to live and the ability and desire of the parents to care for the defective child. If nontreatment is chosen, the question of active euthanasia (infanticide, or withdrawal of all life support including feeding) versus passive euthanasia (nontreatment but continuation of feeding) arises. Furthermore, who makes these decisions is a question that is becoming more prominent. Should the parents have the final word? Should the physician, who has more medical knowledge? Should a "disinterested party," such as a hospital ethics committee, make such a decision?

The ethical dilemmas regarding birth defects are endless. As medicine advances in its ability to diagnose and treat these problems, more issues will arise. One of the few things upon which most people agree is that prevention is preferable to treatment, whenever possible.

*Margaret Hawthorne*

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SEE ALSO: Bioethics; Birth control; Cesarean sections; Euthanasia; Genetic counseling; Genetic engineering; Infanticide; Life and death; Toxic waste.

## Bodhidharma

IDENTIFICATION: Buddhist monk

BORN: Fifth century, southern India

DIED: Sixth century, place unknown

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Bodhidharma founded Chinese Chan Buddhism and taught that ethical living depends upon understanding and believing that there is no individual self.

The legendary founder of the Chan (Japanese: Zen) school of Buddhism in China, Bodhidharma brought Indian meditation practices to China. His life and teachings have been reworked and expanded by later Buddhists to the point that certainty about either is impossible. A saying attributed to him, though almost certainly from a latter period, may nevertheless capture one aspect of Bodhidharma's thinking:

A special tradition outside the scriptures;  
No dependence upon words and letters;  
Direct pointing at the soul of man;  
Seeing into one's own nature, and the attainment of  
Buddhahood.

This passage links Bodhidharma to the Zen Buddhist practice of meditation leading to enlightenment. He seems also to have treasured particular sutras, or scriptures, that emphasized the unity of all things. Furthermore, ethical thinking that probably goes back to him is found in a text called *Two Entrances and Four Acts*. In "Entrance by Conduct" into the path of enlightenment, he emphasized that

karma (consequences adhering to deeds) causes adversity, pain and pleasure are the result of previous actions, escape from karma is possible by avoiding attachment to anything, and that the mind of enlightenment is above such attachments.

*Paul L. Redditt*

SEE ALSO: Buddhist ethics; Dōgen; Karma; Zen.

## Bodhisattva ideal

**DEFINITION:** Postponement of personal enlightenment in favor of remaining in the world of suffering to work for the enlightenment of all beings

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The primacy of the bodhisattva ideal in Mahāyāna Buddhism serves to refute the commonly held misconception that Buddhism is a religion of withdrawal from the everyday world; there is no higher ideal in Buddhism than that of working for the enlightenment of all sentient beings.

The Sanskrit word *bodhisattva* means “enlightenment being.” The bodhisattva ideal is the highest ideal to which a Buddhist practitioner can aspire, the ultimate expression of the ethical tradition of Buddhism. The historical Buddha, Śākyamuni, or Siddhārtha Gautama, the founder of Buddhism, is the ultimate bodhisattva. After he realized his own enlightenment, he could have enjoyed the great bliss of the enlightened state and had nothing further to do with his fellow beings. Instead, however, he chose to remain in the world to teach what he had learned. He made the choice to teach others the tenets of the religion that came to be called Buddhism out of a tremendous sense of compassion for all beings, whose existence is characterized by suffering of various kinds.

When Buddhists say that all life involves suffering, they do not mean that there is no pleasure to be experienced in ordinary existence. It is emphasized, however, that all pleasure is fleeting. No joy or sorrow lasts forever. All happiness must end, and therefore it is a mistake to make the search for happiness one’s primary goal in life. All that is born must die, and everything that comes together must sooner or later

come apart. It is possible, however, to live in such a way that one sees and understands the processes that operate in life. When one lives in this way, one gives up the vain search for worldly happiness and begins to see more clearly the way things really are.

All major schools of Buddhism recognize the importance of the bodhisattva ideal, which involves the commitment to work to bring all sentient beings to enlightenment, thereby ending the suffering that they experience in the fruitless search for happiness. In the Theravāda tradition, a tradition that is much like the Buddhism of the earliest followers of the Buddha, it is believed that to aspire to be a bodhisattva is beyond the capabilities of men and women. It is thought that the Buddha is the only bodhisattva and that only by first aspiring to less lofty goals can Buddhist practitioners proceed on the Buddhist path toward ultimate enlightenment. Theravādins typically work toward the goal of individual liberation, of becoming *arhats*, who have conquered ignorance and desire and see reality as it truly is.

In the Mahāyāna Buddhist tradition, however, it is believed that to aspire to become an *arhat* is inherently selfish, not realistic, and ultimately harmful to the practitioner who has such an aspiration. Mahāyāna means “great vehicle,” and Mahāyānists use the term to differentiate themselves from the Theravādins, whom they call practitioners of the Hīnayāna, or “lesser vehicle.” It should be clearly understood, however, that this simple differentiation is ultimately unfair to the Theravāda tradition. The Mahāyāna approach was developed at least partly in response to the selfish approaches and practices of early Buddhist splinter groups whose members did not practice Buddhism in a way that sincere Theravādins would recognize as true Buddhist practice.

There are three main stages of the path of the bodhisattva. The first is *anuttara-pūjā*, or supreme worship, which consists of various devotional practices that are intended to break down the practitioner’s sense of self (Buddhism holds that no self truly exists) and prepare him or her for the later stages of the path. Supreme worship involves, among other things, obeisance before the image of the Buddha; the taking of refuge (the placing of one’s faith) in the Buddha, the dharma (the teachings of Buddhism), and the sangha (the community of Buddhist practitioners); the confession of one’s sins; and the act of rejoicing because of the spiritual attainments of others.

### The Six Pāramitās (Perfections)

	English	Sanskrit	Description
1.	Giving	Dāna	Physical and spiritual generosity
2.	Morality	Śīla	Refraining from doing harm to oneself or others
3.	Patience	Kṣānti	Accepting things as they are and having confidence in Buddhism
4.	Effort	Vīrya	Continuing one's spiritual practice without losing enthusiasm
5.	Meditation	Dhyāna	Seeing clearly and maintaining spiritual stability
6.	Understanding	Prajñā	Directly perceiving the truth of emptiness

The second stage of the bodhisattva path is *bodhicitta-utpāda*, the generation of the thought of enlightenment. It is during this stage that the practitioner truly becomes a bodhisattva, vowing to save all sentient beings. This stage does not entail a simple wish to become enlightened but represents the point at which the desire to realize enlightenment becomes so powerful that the practitioner is, psychologically, completely altered by it. The generation of *bodhicitta* necessarily involves an awareness of the suffering of all beings. Indeed, the bodhisattva feels that when any being suffers, he or she suffers as well. At this point, the bodhisattva has given up the illusion of self, the illusion that there is any such thing as an individual being. Although beings do not exist in any ultimate sense, however, beings do experience suffering, and it is the bodhisattva's aspiration to alleviate that suffering.

The third stage of the bodhisattva path involves the practice of the four *caryās*, or modes of conduct. These four are *bodhipakṣya-caryā*, or the practice of the constituents of enlightenment; *abhiññā-caryā*, the practice of the knowledges; *pāramitā-caryā*, the practice of the perfections; and *sattvapariṣkā-caryā*, the practice of teaching sentient beings. Of these four modes of conduct, the practice of the perfections is the most important.

In large part, the practice of the bodhisattva is the practice of the six *pāramitās*, or perfections.

The first perfection is *dāna*, or giving. Giving does not simply mean giving alms to the needy or clothing to the unclothed, although such actions are certainly aspects of the first perfection. It can also mean sheltering a person from fear, thereby giving that person a sense of security. It can also mean helping a person to develop spiritual awareness.

The second perfection is that of *śīla*, or morality. In essence, Buddhist morality involves refraining from doing harm to oneself or others. It also includes promoting goodness and being helpful to others.

The third perfection is *kṣānti*, or patience, which entails keeping one's mental balance in the face of difficulties, tolerating the way things are. It also involves having confidence in the Buddhist path.

The fourth perfection is *vīrya*, or effort, which means continuing one's spiritual practice without losing enthusiasm.

The fifth perfection is *dhyāna*, or meditation, the practice of which enables one to see more clearly and to gain spiritual stability, without which one's practice will degenerate.

The sixth perfection is *prajñā*, or understanding. In addition to ordinary understanding, the sixth perfection entails the direct perception of the truth of emptiness, the truth that nothing exists in an ultimate sense.

By practicing the six perfections and the other practices that are part of the bodhisattva's path, the Buddhist practitioner who has raised the thought of enlightenment and taken the vow to work for the enlightenment of all beings travels through ten *bhumis*, or levels, of development, ultimately realizing buddhahood, which is complete enlightenment.

Shawn Woodyard

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SEE ALSO: Buddha; Buddhist ethics; Five precepts of Buddhism; Four noble truths; Mādhyamaka; Nirvana.

## Boethius

IDENTIFICATION: Early Roman philosopher

BORN: c. 480, Rome (now in Italy)

DIED: 524, Pavia (now in Italy)

TYPE OF ETHICS: Classical history

SIGNIFICANCE: In *The Consolation of Philosophy* (*De consolatione philosophiae*, 523), Boethius combined classical philosophical traditions with Christian morality and theology.

A member of the Roman upper classes and a seminal Christian philosopher, Boethius served as a transition between the pagan classical world and the Christian one. An educated man, Boethius was among the first Western Christian writers to be well acquainted with classical Greek philosophical and ethical thought, including Aristotle's *Nicomachean Ethics*.

Boethius was also influenced by Platonic thought and by the ethical views of the Stoics. Boethius combined these views with Christian morality to create a practical guide for living a moral life. Knowledge, according to Boethius, is based upon self-evident axioms revealed by God; building upon these axioms, humans can discover additional truths that bring them, ultimately, to the greatest good of all, which is God.

*Michael Witkoski*

SEE ALSO: Aristotelian ethics; Aristotle; Christian ethics; *Nicomachean Ethics*.

## Bonhoeffer, Dietrich

IDENTIFICATION: German theologian

BORN: February 4, 1906, Breslau, Germany (now Wrocław, Poland)

DIED: April 9, 1945, Flossenburg concentration camp, Germany

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Bonhoeffer believed that ethical conduct is to be judged not by absolute principles nor by the demands of changing conditions and situations, but rather by their consequences for the future. His key works include *The Cost of Discipleship* (*Nachfolge*, 1937), *Ethics* (*Ethik*, 1949), and *Letters and Papers from Prison* (*Widerstand und Ergebung: Briefe und Aufzeichnungen aus der Haft*, 1951, revised, 1964, 1970).

Dietrich Bonhoeffer's ethical thought was forged in the furnace of Nazi Germany. As one of the founders of the Confessing Church, which refused to submit to Nazi ideology, and a member of the resistance movement inside Germany, Bonhoeffer was compelled by the conviction that Christian ethics consist not of trying to do good but of assuming responsibility for the future. His ethical theology is, therefore, "teleological" or "consequentialist." The focus is not upon motives (for example, adhering to some set of moral rules labeled "Christian") but upon living in light of the reality that in Jesus Christ, God has reconciled the world to himself. By rooting ethics in the person of Jesus Christ, the Christian is freed from the need to conform to the world's standards and is thus free to conform to Jesus Christ as Jesus Christ takes form in him or her. The individual, like the church, is then free to participate in the suffering of Christ in the life of the world.

In focusing on the resurrected Jesus Christ as the ultimate reality, Bonhoeffer is able to avoid legalism and moralism. If there is a moral or ethical code, a pattern of behavior, that can be labeled "Christian," then living a Christian life can be separated from Jesus Christ. It then becomes only a lifestyle, a universal moralism, which can be followed by anyone who is attracted to it, whether or not that person is conforming to Jesus Christ.

Bonhoeffer also avoids the dangers inherent in the traditional Lutheran doctrine of the two realms (or spheres). As originally formulated by the sixteenth



century reformer Martin Luther, the doctrine states that God rules in both realms, the holy (the church) and the profane (the state). What was meant by Luther to be a duality (God ruling in both realms) became instead a dualism or dichotomy in which the state became autonomous. What is in fact one reality, “the reality of God, which has become manifest in Christ in the reality of the world,” was split into two realities.

Once split off from the world, the church becomes merely a “religious society” having only spiritual authority, while individual Christians pursue lives of personal piety. Bonhoeffer saw this development as a reversal of God’s intent. Rightly understood, the church is the world redeemed by God through Jesus Christ. It exists to serve the world by witnessing to Jesus Christ. When the two spheres (church and state) become autonomous, as happened in Germany, the church abdicates its responsibility for the fallen world, while the state is free to become idolatrous.

Bonhoeffer saw a similar danger in the traditional Protestant orders of creation concept. In Protestant writings on ethics, the orders of creation serve a role similar to that of natural law in Roman Catholicism. Whatever the particular version of the concept, the orders always include church, state, and family. The danger latent in the orders concept became all too clear in its exploitation by the pro-Nazi “German Christian” movement. Referring to Romans 13:1, “the powers that be are ordained by God,” the German Christians argued that Christians were obliged to support the Third Reich.

In their “Guiding Principles” of June 6, 1932, the German Christians declared that “race, folk, and nation” were “orders of existence granted and entrusted to us by God,” which Christians were obligated by God’s law to preserve. The danger in their argument, as Bonhoeffer saw it, was that almost any existing order could be defended by it, even a positively demonic one such as the Third Reich.

Bonhoeffer argued that the fallen nature of creation precludes the concept of orders from being used to discern the will of God for today. The central fact of the fall means that “each human order is an order of the fallen world, and not an order of creation.” As an alternative to the orders of creation, Bonhoeffer developed his concept of the “divine mandates” in *Ethics*, which was written between 1940 and 1943. These divine mandates are social relationships, or

structures, by means of which God brings order out of the chaos of the fallen world. The mandates include the church, family, labor, and government.

#### ULTIMATE REALITY OF JESUS CHRIST

In the social relationships of the divine mandates, the individual Christian lives as a member of a community. There in the real world where God meets fallen humanity in the person of Jesus Christ, the individual is conformed to the image of Jesus Christ. By living responsibly as a Christian upon whose heart is written the law of God, the individual Christian becomes the means by which “the reality of Christ with us and in our world” is manifested. In focusing on the ultimate reality of Jesus Christ, the individual Christian finds both freedom and responsibility. He or she becomes free to live in obedience to God’s commands, even though that may bring him or her into conflict with human laws. The individual must seek and do the will of God in the historic, space-time world, while living as a responsible member of the community though the divine mandates.

The Christian is free to live as a disciple of Christ in the world, but that discipleship can be costly. Sharing Christ’s suffering for the lost always places the Christian on the side of justice. Like Jesus Christ, his Lord, the Christian becomes the advocate of the weak. By choice, he or she takes up the cross and follows Christ, even when, as in the case of Bonhoeffer, it leads to a martyr’s death in a concentration camp.

*Paul R. Waibel*

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## Book banning

**DEFINITION:** Suppression of literary works deemed to be politically or socially unacceptable or otherwise threatening

**TYPE OF ETHICS:** Arts and censorship

**SIGNIFICANCE:** Books are generally banned when their contents are judged to be immoral; however, to many people, book banning itself is immoral. As a result, it is an inherently controversial practice.

Book banning is an ancient activity practiced throughout history and the world. The first recorded book banning occurred in Western civilization in 387 B.C.E., when Plato recommended that Homer be expurgated for immature readers. Four hundred years later, the Roman emperor Caligula tried to ban Homer's *Odyssey* (c. 800 B.C.E.) because he feared that the book's strong theme of freedom and liberty would arouse the citizenry against his autocratic rule. In 1559, Pope Paul IV issued a list of prohibited books, the *Index librorum prohibitorum*.

### BOOK BANNING IN THE UNITED STATES

In the United States, the First Amendment to the Constitution seems unequivocally and absolutely to guarantee freedom of speech, no matter how that speech is expressed, without interference by the government. The First Amendment states in part that

“Congress shall make no law . . . abridging the freedom of speech.” In fact, however, this freedom is by no means absolute or unfettered. Donna E. Demac correctly points out that the history of freedom of expression in the United States is a complex mixture of a commitment to personal rights and intolerance of ideas deemed subversive, dissident, or obscene.

Certain books, by the very nature of their subject matter or writing style, will offend the values and attitudes of certain individuals or groups. As Kenneth Donelsen has observed: “Any book or idea or teaching method is potentially censorable by someone, somewhere, sometime, for some reason.” A book's ideas may be disliked, the book may be perceived to ridicule certain individuals or to ignore others; or the book may be judged to be dangerous or offensive. If these parties believe the book has transgressed the bounds of acceptability, they may take action to have the book banned.

Book banning is in fact a common and everyday occurrence in the United States. More than a thousand incidents are recorded each year, and no doubt many other incidents go unrecorded or unrecognized. William Noble called book banning “a pervasive ethic” and noted that banning incidents arise throughout the country and in many forums—school board meetings, public libraries, legislative hearings, ad hoc parental complaints, governmental committees, private groups assessments, open court and even commercial publishing decisions. “Book banning is as much a part of our lives as the morning newspaper or . . . television; its cultural influence is strong enough to affect the way we think and the way we communicate.”

### Four Primary Reasons Behind Banning a Book

1. The book is deemed to be obscene.
2. The book promotes secular humanism or is anti-religious.
3. Self-censorship in the publishing business or government.
4. Subordination of individuals belonging to a particular racial or sexual group.

## OBSCENITY

The first antiobscenity law passed in the United States was in 1712 by the colony of Massachusetts. The “composing, writing, printing, or publishing of any filthy, obscene, or profane song, pamphlet, libel or mock sermon” was prohibited. The first obscenity case in America occurred in 1821 in Massachusetts, when Peter Holmes was found guilty for publishing and circulating a “lewd and obscene” book, John Cleland’s *Memoirs of a Woman of Pleasure*. The federal government effected its first antiobscenity statute in 1842, and in 1865 Congress passed a law prohibiting the sending of obscene materials by mail.

The modern era of book censorship and book banning commenced after the U.S. Civil War, a period of urban upheaval, rootlessness, loosening of moral controls, and widespread circulation of graphic erotica. The most notable milestones of this era were the passage of the Comstock Act by Congress in 1873 and the passage of antiobscenity legislation by most states by 1900. The Comstock Act prohibited using the U.S. mails to send any “obscene, lewd, or lascivious, indecent, filthy or vile book” through the mails and was responsible for the seizure and destruction of thousands of tons of books and court prosecutions.

The 1920’s marked the end of an era for the book banners. The liberalizing influences of 1920’s American culture resulted in a change in attitudes and values among the population and judiciary toward what had been formerly considered obscene. Three landmark court decisions occurred between 1933 and 1973. In 1933, James Joyce’s *Ulysses* (1922) was declared to be a work of art that was not written for the purpose of exploiting obscenity. Also, in determining whether a book was obscene, the entire book now had to be considered, whereas previously obscenity charges could be based on a single page or paragraph. In 1957 in *Roth v. United States*, the Supreme Court specifically defined what constituted obscenity: “Obscenity is utterly without redeeming social importance.” This definition was further refined in 1973 when the Supreme Court established three criteria to be used to determine if material is obscene:

- (1) [The] average person, applying modern community standards would find that the work, taken as a whole, appeals to the prurient interest; (2) whether the work depicts or describes, in a patently

offensive way, sexual conduct specifically defined by the applicable state law; and (3) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.

These rulings had the effect of making it much more difficult to prove a work was obscene. Old bans were overturned (*Lady Chatterley’s Lover* in 1959, *Memoirs of a Woman of Pleasure* in 1966), and although attempts at censorship and book banning continued to occur with frequent regularity, the early twenty-first century era is characterized by greater tolerance and openness in artistic and personal expression. To an extent, this greater tolerance and openness fostered by the judicial process can be circumvented by the political process. For example, a bill that prohibited the use of federal money for any work of art deemed obscene was passed by Congress and signed into law by President Ronald Reagan.

## SECULAR HUMANISM AND ANTI-RELIGIONISM

Secular humanism has been characterized by an attorney as “a godless religion which rejects any notion of the supernatural or a divine purpose for the world” and which also “rejects any objective or absolute moral standards and embraces a subjective ‘anything goes’ approach to morals based on personal needs and desires.” According to plaintiffs, secular humanism has been advocated in public school textbooks. Since secular humanism is a religion, it violates the constitutionally mandated separation of church and state, and therefore the books should be banned. Plaintiffs were upheld in a court case in 1987, but this decision was reversed by the Court of Appeals.

A much broader and more widespread attack on school textbooks has been instituted by various watchdog groups that believe that a number of textbooks are antireligious. For example, Beverly LaHay of Concerned Women for America expressed the necessity “to preserve, protect, and promote traditional and Judeo-Christian values through education, legal defense. . . . The sad fact is that educational systems in most American schools has already removed any reference to God or teaching of Judeo-Christian values that is the most important information a child can learn.” In a famous case, LaHay’s group supported seven families in Hawkins County, Tennessee, who were attempting to ban a series of textbooks. Purport-

edly, the books contained passages about witchcraft, astrology, pacifism, feminism, and evolution, while ignoring religion and creationism.

The trial judge agreed that the textbooks interfered with the parents' free exercise of religion, that the children were exposed to offensive religious beliefs that interfered with practice of their own religion and that put Tennessee in the position of favoring one religion over another. Ten months later, however, the court of appeals reversed this decision, stating that the Constitution was not violated and that exposure to offensive religious beliefs is not identical to requiring them to be accepted.

#### **SELF-CENSORSHIP BY PUBLISHERS AND GOVERNMENT**

William Noble has observed that the absorption of many independent publishing houses into conglomerates has produced more reluctance to stir up controversy or to offend, resulting in self-censorship of what is published. Unlike the previously discussed situations, the publisher may be the only one who knows what has happened. Self-censorship takes several forms. Probably the mildest form occurs when an author is asked (not ordered) to change or eliminate some text. For example, Judy Blume removed text at her publisher's request in her young-adult book *Tiger Eyes*: "There was just one line in the book [about masturbation], but my publishers said it would make the book controversial and limit the book's audience. I took it out but I wish I hadn't."

Similar to Judy Blume's encounter with self-censorship is bowdlerism, named for Thomas Bowdler, a nineteenth century British physician who excised text from William Shakespeare's plays. These "bowdlerized" versions can still be found in schools, and in 1980 Harcourt Brace Jovanovich published an edition of William Shakespeare's *Romeo and Juliet* minus about 10 percent of the text. About two-thirds of the omitted passages had sexual connotations.

A more severe form of self-censorship is to fail to publish a book or to withdraw it from publication under pressure once it has been published. Deborah Davis's unflattering 1980 biography of Katharine Graham, owner of the *Washington Post*, was pulled from circulation after Graham and the *Post*'s executive director, Ben Bradlee, protested in private to the publisher. When the Ayatollah Khomeini of Iran issued a

death warrant on Salman Rushdie for his authorship of his "blasphemous" *The Satanic Verses* in 1989, worldwide book bannings and burnings occurred. In the United States, three of the largest book chains—Waldenbooks, B. Dalton, and Barnes and Noble—removed all copies of *The Satanic Verses* from open display (the book could still be bought by request). This action was justified in terms of protecting the safety and welfare of employees and patrons.

Frank W. Snepp, a former Central Intelligence Agency (CIA) agent, wrote a critical book (*Decent Interval*) about the CIA's involvement in the Vietnam War. The book was published in 1977 without prior CIA approval, to which Snepp had previously agreed in writing. In federal district court, Snepp's attorney argued that since no classified information was revealed in the book, the government was violating Snepp's rights under the First Amendment. The CIA argued that finding Snepp innocent would create a dangerous precedent and that the CIA would lose control and be unable to enforce the guarantee. Snepp was found guilty, but the decision was reversed in appeals court on the grounds that since no classified information was revealed, Snepp was protected by the First Amendment. The Supreme Court upheld the district court decision, however, stating that Snepp's book had "irreparably harmed the United States government," and Snepp was ordered to hand over more than \$200,000 in royalties to the Department of Justice.

#### **RACIAL AND SEXUAL SUBORDINATION**

Mark Twain's *Adventures of Huckleberry Finn* (1884) was considered to be racist by the National Association for the Advancement of Colored People, which sought to have it banned from New York City Schools in 1957. The book was said to demean African Americans but not whites, resulting in a loss of respect by the reader for African Americans. The book continued to be attacked. In 1984, an African American alderman in Illinois succeeded in having it removed from a high school reading list for its use of offensive language. Similarly, the British novelist William Golding's *Lord of the Flies* (1954) was branded as racist by the Toronto School Board for using the term "nigger" and for demeaning African Americans and was banned from schools.

Radical feminist writer Andrea Dworkin and lawyer Catharine MacKinnon attempted to regulate por-

### Notable Book Bannings

<i>Year</i>	<i>Book (Author)</i>	<i>Censor</i>	<i>Stated reason</i>
387 B.C.E.	<i>The Odyssey</i> (Homer)	Plato	Harmfulness to immature readers
35 C.E.	<i>The Odyssey</i> (Homer)	Caligula	Anti-autocratic content
1525-1526	New Testament	Church of England	Irreligious content
1922	<i>Ulysses</i> (James Joyce)	U.S. Post Office	Obscenity
1927	<i>Elmer Gantry</i> (Sinclair Lewis)	Boston local officials	Obscene depiction of religious hero
1929	<i>Lady Chatterley's Lover</i> (D. H. Lawrence)	U.S. Customs	Obscenity
1931	<i>The Merchant of Venice</i> (William Shakespeare)	New York Jewish organizations	Fostering of intolerance
1934	<i>Tropic of Cancer</i> (Henry Miller)	U.S. Customs	Obscenity
1939	<i>The Grapes of Wrath</i> (John Steinbeck)	St. Louis public library	Vulgarity
1941	<i>Tobacco Road</i> (Erskine Caldwell)	U.S. Post Office	Obscenity
1948	<i>Sanctuary</i> (William Faulkner)	Philadelphia vice squad	Obscenity
1955	<i>From Here to Eternity</i> (James Jones)	U.S. Post Office	Obscenity
1955-	<i>The Catcher in the Rye</i> (J. D. Salinger)	Various schools	Obscenity
1957	<i>Ten North Frederick</i> (John O'Hara)	Detroit police commissioner	Obscenity
1960	<i>The Sun Also Rises</i> (Ernest Hemingway)	San Jose and Riverside, Calif., public libraries	Obscenity
1965	<i>The Naked Lunch</i> (William Burroughs)	Boston Superior Court	Obscenity
1972	<i>Catch 22</i> (Joseph Heller)	Strongsville, Ohio, schools	Obscenity
1989	<i>The Satanic Verses</i> (Salman Rushdie)	Iran's Ayatollah Khomeini	Offensiveness to Muslims

nographic literature on the grounds that it discriminated against women and therefore was under the jurisdiction of civil rights laws. According to Dworkin, pornography produced "bigotry and hostility and aggression toward all women," and promoted the idea that "the hurting of women is . . . basic to the sexual pleasure of men." Legislation intended to allow a woman who perceived herself to be hurt by

pornography to sue the bookstore owner for civil damage and have the materials banned was proposed in three cities but was never put into law. In Indianapolis, the case was appealed to the Supreme Court, which upheld a lower court's ruling that "to deny free speech in order to engineer social change in the name of accomplishing a greater good for one sector of our society erodes the freedoms of all and, as such,



threatens tyranny and injustice for those subjected to the rule of such laws.”

### THE CASE AGAINST BOOK BANNING

Some Americans have interpreted the First Amendment literally to mean that book banning or censorship is not justifiable or permissible under any circumstances. The Supreme Court justices William O. Douglas and Hugo L. Black and the American Civil Liberties Union (ACLU) stated that the First Amendment protected all publications, without qualification, against either civil or criminal regulation at any level of government. Douglas tolerated “no exceptions . . . not even for obscenity.” To Douglas, the First Amendment can have meaning and significance only if it allows protests even against the moral code that is the standard in the community. The ACLU declared that all published material is protected by the First Amendment unless it creates a “clear and present danger” of causing antisocial behavior.

George Elliot stated the case for removing all censorship for pornography: (1) No law can be stated clearly enough to guide unequivocally those who decide censorship cases. The ACLU has called such laws “vague and unworkable.” The Supreme Court has for years grappled with defining obscenity and pornography with considerable disagreement among justices and changes in definition over the years. (2) There is no clear and unequivocal evidence that in fact pornography does severely injure many people, even adolescents. (3) The less power government has the better. As Justice Hugo L. Black wrote in 1966: “Criminal punishment by government, although universally recognized, is an exercise of one of government’s most awesome and dangerous powers. Consequently, wise and good governments make all possible efforts to hedge this dangerous power by restricting it within easily identifiable boundaries.”

The essence of the belief that reading materials should not be banned under any circumstance rests on the assumption that the citizenry has free will and is intelligent. Therefore, each citizen is free and able to reject material that he or she finds personally offensive, but no person has the right to define what is personally offensive for anyone else or to limit anyone else’s access to that material. To do so is, to paraphrase the words of federal judge Sarah Backer, to erode freedom for the entire citizenry and threaten

tyranny and injustice for those at whom the laws are directed.

### THE CASE FOR BOOK BANNING

An editorial in the April 2, 1966, issue of *The New Republic* commented on Justice William O. Douglas’s position: “It would be nice if we could have a society in which nothing that others sold or displayed made anyone fear for the future of his children. But we are not that society, and it is hard to protect Mishkin’s [a convicted pornographer] freedom to make a profit any way he likes, when his particular way is a stench in the nostrils of his community, even though the community would perhaps be better advised to ignore him.” The editorial advocated permitting Mishkin to cater to those who seek his product but not allowing him to display it in public.

That editorial represented the stance of most of the pro-censorship articles that have been published, as well as the position of the courts. It is a middle-of-the-road position. Censorship itself and the power vested in agencies to enforce it should be approached warily. Pornography does exist; however, many consider it to be a social evil that needs to be controlled. When material is perceived to destroy or subvert social and moral laws, undermine community standards, or offend decency without aesthetic justification, it may be banned.

The two situations of most concern are materials available to or directed at minors and material that is publicly displayed and available that is indecent and offensive to community standards. If such material is made unavailable to minors and kept from public view, it may be permissible to offer it to those who desire it. A more extreme and minority position is that the ban on pornography should be total, and the material should not be made available to anybody.

Most of the debate about censorship and the banning of books has focused on pornography and obscenity. The other areas of book banning (self-censorship, religion, and sexual and racial subordination), however, would no doubt find adherents to each of the above positions. Probably the only area of censorship that comes close to finding a consensus is the revelation of classified material that would endanger lives or national security. Most people support the censorship and banning of such material.

Defining what kinds of books and other reading materials should be banned and the subject of ban-

ning itself are slippery issues. The reason is, as George Elliott noted, that these issues are not amenable to scientific analysis. They cannot be numerically defined or objectively measured. They are ambiguous matters of personal preference and consensus opinion. Censorship and book banning are psychological, aesthetic, and political phenomena.

Laurence Miller

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SEE ALSO: Academic freedom; Art; Art and public policy; Censorship; First Amendment; Freedom of expression; *Index librorum prohibitorum*; Library Bill of Rights; Song lyrics.

## Bosnia

IDENTIFICATION: Balkan nation whose separation from Yugoslavia during the early 1990's quickly led to the first major post-World War II ethnonationalist conflict in Europe

DATE: Became independent in 1992

TYPE OF ETHICS: Human rights

SIGNIFICANCE: The conflict in Bosnia represented a major challenge to the world, to address issues of nationalism, separatism and human rights in Europe, raising issues of ethnic cleansing and the ethics underlying the role of United Nations peacekeeping forces there.

When the Soviet Union fell in 1990, its repercussions were felt all over the world, but particularly in the former Soviet satellite states of Eastern Europe. As one state after another unraveled, the world watched the creation of new sovereign states arise, often along ethnic and nationalist lines. Bosnia, a former republic of Yugoslavia, was one such nation that declared its independence. A civil war ensued between the Bosnian Muslims and the Serbs that was eventually settled through the intervention of the United Nations and the signing of peace accords through U.S. mediation.

#### THE FORMER YUGOSLAVIA

The Balkan nation of Yugoslavia was formed after World War I, assembled by the great European powers. It was made up of six republics: Serbia, Croatia, Bosnia-Herzegovina, Slovenia, Macedonia, and Montenegro. While many ethnic groups coexisted in these republics, Serbia was primarily dominated by its Orthodox Christian Serbian majority, Slovenia and Croatia were primarily Roman Catholic, and Bosnia-Herzegovina had a Muslim majority and a sizable Serb minority.

Historical grievances had long plagued relations among Yugoslavia's diverse peoples. For instance, the Croats had turned against the Serbs during Ger-

many's wartime occupation of Yugoslavia. After World War II, however, Yugoslavia appeared to be on the way to solving its historical nationalist problems. Josip Broz Tito, the country's dominant postwar leader, was a powerful, charismatic figure who held the country together and touted a special Yugoslav brand of socialism as the path to prosperity. Along with India's Jawaharlal Nehru and Egypt's Gamal Abdel Nasser, Tito spearheaded the Non-Aligned Movement, bringing international respect to Yugoslavia.

### BLOODSHED IN BOSNIA

After Tito's death in early 1980, old ethnic hatreds and nationalistic fervor came to the fore. The morality of his strategy—papering over ethnic differences in an effort to hold together the state—came into question. Serbs who had felt diminished under Tito asserted their identity and came under the influence of Slobodan Milošević, a hard-line Serb nationalist. In 1990, the Serb army crushed Kosovo, which had been a partly autonomous unit within Tito's Yugoslavia, as it pressed for independence and fought

against Slovenia's declaration of independence before finally being forced to accept it.

When Bosnia-Herzegovina voted for independence in 1992 and was recognized by the United States and members of the European Community, the Serbs refused to accept the change. The Serbian army was accused of committing grave atrocities against the Bosnian Muslims and of trying to force them from large areas in order to form a solid Serbian belt in Bosnia. Images of Bosnian Muslim men being rounded up, held, and exterminated in camps recalled the concentration camps of the World War II Holocaust. At the end of the Bosnian war, the number dead was estimated to be around 100,000, with some reports citing higher or lower figures. In addition, around 20,000 people remained missing.

### SETTLEMENT IN BOSNIA

The international community intervened with U.N. peacekeeping forces; however, these forces were accused of standing by while the Serbs continued their campaign against the Bosnians. U.N. peacekeepers traditionally serve as neutral reminders to conflicting

parties to resolve their conflict in nonviolent ways. Peacekeepers do not use force except in self-defence. In traditional conflicts, this neutrality has served the forces well. However, in the case of Bosnia, they were often reduced to standing by as Serbian forces rounded up Bosnian Muslim men to forcibly take them to concentration camps. In other cases, they failed to intervene as brutal killings took place during their watch.

The ethical and moral questions raised by U.N. peacekeepers maintaining neutrality in the face of Serb aggression was still being debated a decade later. In 1995, after much bloodshed, the Dayton Peace Agreement was signed in Dayton, Ohio, by representatives of the Republic of Bosnia and Herzegovina, the Republic of Croatia, and the Federal Republic of Yugoslavia. Un-



der this framework agreement, all sides agreed to work toward a peaceful settlement. By 2004, progress had been made toward the various ethnic communities living harmoniously side by side, although tensions and unresolved issues remained.

*Tinaz Pavri*

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SEE ALSO: Concentration camps; Ethnic cleansing; Islamic ethics; Kosovo; North Atlantic Treaty Organization; Peacekeeping missions; Rwanda genocide; United Nations.

## **Boycotts**

**DEFINITION:** Organized attempts to achieve certain goals by convincing consumers not to buy specific products or not to buy products from specific stores

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Boycotts are attempts to realize certain consumer or civil rights or to correct perceived imbalances of political or economic power among individuals and organizations.

Boycotts—which take their name from Charles Boycott, a notoriously unfair Irish landlord—have been a recognized form of protest at least since the Boston Tea Party, which signaled the beginning of the American Revolutionary War. However, boycotts did not become common until the late 1960's. Since that time, more and more groups have used boycotts to achieve increasingly diverse goals. By the 1990's,

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*A Bosnian man walks past a poster in Sarajevo showing the candidates of a Muslim party running in the nation's October, 2002, general elections. (AP/Wide World Photos)*

more than one hundred local or national consumer protests were in progress throughout the United States at any given time.

Some boycotts are organized by groups for their own benefit; for example, customers stop shopping at certain stores that they believe are charging unfair prices. Other boycotts are aimed at gaining benefits for third parties; for example, consumers in the United States refused to buy Nestlé products until that company changed its infant formula marketing practices in developing countries. Still other boycotts have been called against one company to put economic or social pressure on a different company, as when the United Farm Workers and their supporters boycotted stores that sold table grapes until the growers recognized the union. Organizations now use boycotts to achieve such wide-ranging political goals as animal rights, environmental protection, and the rights of women and minority groups. Nor are boycotts the exclusive province of progressive groups and agendas. In 1997, the Southern Baptist Conven-

tion organized a boycott of the Walt Disney Corporation, largely in response to Disney's willingness to host gay and lesbian groups at its theme parks.

*D. Kirk Davidson*  
*Updated by the editors*

SEE ALSO: Business ethics; Civil disobedience; Civil Rights movement; Coercion; Consumerism; Economics; Jackson, Jesse; Marketing.

## Bradley, F. H.

IDENTIFICATION: English philosopher

BORN: January 30, 1846, Clapham, Surrey, England

DIED: September 18, 1924, Oxford, England

TYPE OF ETHICS: Modern history

SIGNIFICANCE: F. H. Bradley stressed the significance of ideas, especially spiritual ideas, as the fundamental reality, and he criticized the utilitarian concept that happiness is the goal of ethical behavior. His works include *The Presuppositions of Critical History* (1874), *Ethical Studies* (1876), *Principles of Logic* (1883), and *Appearance and Reality: A Metaphysical Essay* (1893).

Francis Herbert Bradley was a nineteenth century British philosopher whose career spanned more than five decades at Oxford University, where he was first elected to a fellowship in 1870. His writing eventually earned him Britain's Order of Merit.

Bradley's keen critical analysis of the dialectic between the importance of spirituality and that of reality stood in opposition to utilitarian thought, whose advocates, such as John Stuart Mill, wrote that the goal of humankind should be to do that which would bring the greatest good to the greatest number of individuals.

Bradley's own work was based on the ideals of Georg Wilhelm Friedrich Hegel, which stressed the social nature of morality and held that one's ethics was determined by one's place in society. Since Bradley focused on the place of the individual within society, some of his critics have suggested that his ideas led to moral relativism. Bradley's most famous work, *Appearance and Reality: A Metaphysical Essay*, appeared in 1893. Although this book spoke of

the spiritual nature of reality, Bradley recognized that the existence of that spiritual nature was impossible to prove intellectually because of the limitations of the human intellect.

*James A. Baer*

SEE ALSO: Bentham, Jeremy; Hegel, Georg Wilhelm Friedrich; Idealist ethics; Mill, John Stuart; Utilitarianism.

## Brain death

DEFINITION: Cessation of the organic functions of the human brain

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: New definitions of what constitutes human death are integrally tied to ethical decisions relating to decisions about efforts to sustain life and the possibility of organ transplantation.

Throughout most of history, human death was defined in terms of cessation of the heart and lungs. Human beings were considered to be dead only after their hearts and lungs permanently ceased functioning. Those criteria sufficed until modern advances in medical technology required reconsideration of how death should be defined. The invention of the iron lung and artificial stimulation of hearts has made continued respiration and circulation possible long after hearts and lungs lose their normal functional capacities. Death has consequently come to be understood in terms of functional activity associated with the organs, not the organs themselves.

A greater challenge to the traditional definition of death came to the fore during the 1960's. New medical technology made it possible for the first time to maintain the cardiopulmonary functions of patients whose entire brains—or at least large portions of them—were effectively dead. Since that time, brain-dead patients have never been able to regain consciousness, but their bodies have been maintained for long periods of time, sometimes years or even decades, in an unconscious state. Another important advance during the 1960's was the beginning of successful transplants of complex organs, including the heart.



## DEVELOPMENT

Maintaining patients in a permanent vegetative state is expensive and a drain on human personnel and medical resources. In addition, because of continued respiration and blood flow, the organs of such patients do not necessarily degrade if blood pressure and essential plasma and blood gas components are properly regulated. Medically speaking, the organs of such patients frequently are prime candidates for successful transplantation. The high costs of keeping comatose patients alive and the growing need for organs for transplants place a new urgency on the need to reconsider traditional definitions of death.

Over the course of about ten years, many ethical, legal, and medical authorities explicitly rejected a definition based on cessation of the lungs and heart and embraced a brain-oriented definition of death. During the first years of the twenty-first century, the prevailing view was a brain-death definition: A human being is dead when and only when the brain has permanently ceased functioning.

Despite the popularity of the new brain-oriented definition, two opposing schools of thought have arisen. One group advocates a whole-brain definition. This view holds that a human being is dead when and only when the entire brain, including the cerebrum (the outer shell of which is the cortex), the cerebellum, and the brain stem (which includes the mid-brain, the pons, and the medulla oblongata), permanently stops functioning.

The other group advocates a higher-brain definition. According to their view, a human being is dead when and only when the cerebrum (or cortex) permanently stops functioning. The latter view is the more radical of the two. The difference between the two views is important: A patient considered dead on a higher-brain definition might still be considered alive on a whole-brain definition. In some cases, brain stem function, for example, can continue in the absence of cortical activity. A patient with such a condition might even exhibit spontaneous respiration and heartbeat.

## CONTROVERSY

Although brain death definitions have largely superseded the heart-lung definition, controversy still surrounds them. Advocates of a heart-lung definition

argue that brain-death definitions represent no new or deeper insights into the nature of human death. They further charge that those definitions are motivated by attempts to redefine costly and inconvenient patients out of existence, coupled with medical opportunism on the part of transplant surgeons and potential organ recipients.

Even within the brain death camp there are disagreements. Advocates of the whole-brain definition have argued that the higher-brain view confuses the idea of a human being ceasing to be a person—permanent loss of consciousness, associated with permanent loss of cerebral function—with the idea of a human being ceasing to be alive—permanent loss of governing organic function, associated with permanent loss of all brain functions. On the other hand, advocates of a higher-brain definition have argued that once the heart-lung definition has been abandoned, there is tacit recognition that what human death really concerns is the loss of what is essentially significant to human existence—consciousness—and not mere organic function. Thus, brain stem function, as not intrinsically associated with consciousness, is no more relevant to the determination of human death than kidney function.

*Michael J. Wreen*

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SEE ALSO: Bioethics; Life and death; Medical bills of rights; Medical ethics; "Playing god" in medical decision making; Right to die; Sentience; Stem cell research.

## Brandeis, Louis D.

**IDENTIFICATION:** U.S. Supreme Court justice

**BORN:** November 13, 1856, Louisville, Kentucky

**DIED:** October 5, 1941, Washington, D.C.

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** One of the leading progressives of the early twentieth century, Brandeis sat on the U.S. Supreme Court from 1916 to 1939 and was an important leader of the American Zionist movement. He espoused an environmental view of law known as sociological jurisprudence whereby law is guided by reason.

From 1916 until his retirement in 1939, Louis D. Brandeis served as an associate Supreme Court Justice. His progressivism on the Court was manifested by his use of the power of government to protect the interests of all Americans. Brandeis translated controversies in court into universal moral terms and incorporated those moral values into the framework of law. His leadership in the World Zionist Organization, as on the Supreme Court, demonstrated his consuming passion to create a just democracy for all individuals and to use every avenue of government to perfect and preserve a genuine equality.

Brandeis wrote that democracy “demands continuous sacrifice by the individual and more exigent obedience to the moral law than any other form of government . . .” Deciding each case on the basis of moral rectitude within a democracy, he wrote opinions that were detailed, were intended to instruct, and reflected his beliefs in the maintenance of the federal system of government. He was willing to attempt social experimentation within the structure of the government to achieve a democratic equality and preserve the liberties of speech, press, and assembly—all of which are requisites for the maintenance of a free society.

*Stephen D. Livesay*

**SEE ALSO:** Jurisprudence; Progressivism; Supreme Court, U.S.; Supreme Court Justice selection; Zionism.

## Bribery

**DEFINITION:** Illegally or improperly obtaining favors in exchange for money or other items of value

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The concept of bribery focuses attention upon the relationship of special duties to general moral obligations.

Bribery involves paying somebody else in money or other things of value, whether objects or favors, to violate a special obligation or duty. Payments to violate general ethical duties, such as to refrain from murder or robbery, would not ordinarily be classified as bribery. Very often, however, general ethical duties and special obligations may be linked. For example, a prosecutor who through bribery is induced falsely to prosecute the briber’s political opponent is violating both general and special obligations.

It might be tempting to analyze bribery in terms of extrinsic morality, in which a morally neutral act is made wrong (or obligatory) by some just authority for the common good. Modern industrial societies have found bribery to be inconsistent with efficiency and have, therefore, outlawed bribery. Most ethicists, however, see true bribery as a violation of intrinsic morality—a wrong in itself—because it aims at luring persons to neglect or to trespass the obligations they have taken upon themselves by acceptance of public or private office with inherent duties.

The moral impermissibility of bribery arises out of two primary considerations: First, the bribers induce the bribees to violate their special duties, and second, evil consequences may flow from the actions undertaken for the bribes. Consider the employment manager of a corporation who accepts a bribe to hire a particular candidate for a job. Even if the candidate is fully qualified, if the bribe causes the choice of a less-than-best candidate, that manager makes his company slightly less competitive in the free market, potentially costing jobs, profits, and even the future existence of the enterprise. In the case of a scrupulous bribee, who will accept a bribe only from the candidate he considers best qualified for the position, the evil of the bribe rests on the violation of the duty alone, or that violation plus a kind of fraud against the briber (although the latter is problematical).

Problems still arise, however, for the right to re-

### When Taking Bribes May Be Honorable

The ethics of bribery become more complicated when one considers the actions of officials of illegal or immoral organizations. During World War II, would an SS officer who took bribes from Jews to help them escape from Nazi persecution and extermination have acted unethically? Certainly, that officer would have been in technical violation of his official duties, both to his specific organization and to his national government, Adolf Hitler's Nazi government. However, there can be no morally binding special obligation to a thoroughly immoral organization, for one cannot morally bind oneself to do that which is ethically wrong.

quire payments for doing a good act remains uncertain. If the good deed is morally obligatory, it would seem that demanding payment for it would not be right unless the payment were actually necessary to carry on the good work. If, on the contrary, the good act were supererogatory, then perhaps a requirement of payment might be justifiable.

#### BRIBERY VS. EXTORTION

Another area of concern in regard to bribery involves payments made in response to demands by persons in authority (or otherwise influential) to prevent the conduct of business or to inflict other harms. Moral philosophers have established a useful distinction between bribery and extortion. Demands of payment to prevent harm are, properly speaking, extortion, and the theoretical considerations involved in such payments are extremely complex. Clearly, refusing to pay extortion must usually be regarded as praiseworthy, but under many circumstances such a principled approach must be judged to be supererogatory.

The customs of many regions and nations support the making of moderate payments to public officials to perform their ordinary tasks. Persons seeking permits, licenses, visas, passage through customs, and so forth, may be required to pay small "bribes" to the appropriate officials, but where sanctioned by longstanding custom (even though technically illegal),

such payments are more akin to tips than to bribes. In much of the world, furthermore, such practices may be accepted on account of the unrealistically low salaries of officials, which necessitate the supplementation of pay. In addition, gift giving to public officials has the beneficial effect of giving an incentive for the performance of duty when civic virtue does not suffice.

The offering of bribes, whether accepted or not, may be assumed to be morally reprehensible in circumstances in which the taking of bribes would be blameworthy. In a situation in which taking a bribe would be morally blameless, such as making nominal payments to public servants where custom sanctions it, the offering of such bribes must be held innocent.

In Plato's *Crito*, Socrates refused to allow his friends to bribe his guards in order that he escape into exile, avoiding his execution. Socrates had numerous reasons for his principled stance, and among these was that bribery would cause the guards to fail in the duties they owed by virtue of their office. Simply stated, the moral maxim would be that nobody ought to induce (or attempt to induce) another to do wrong—that is, to violate his or her special obligations and duties.

The federal Foreign Corrupt Practices Act of 1977 was enacted by Congress to restrict both the payment of bribes and extortion by U.S. corporations operating overseas. Some ethicists praise the act as holding American corporations to the highest ethical standards, but others see it as an unrealistic imposition upon American businesses, damaging their competitiveness.

Patrick O'Neil

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SEE ALSO: Business ethics; Cheating; Duty; Hiring practices; Inside information; Lobbying; Politics; Professional ethics; Sales ethics.

## ***Brown v. Board of Education***

THE EVENT: U.S. Supreme Court decision that overturned the principle of separate-but-equal segregation in public schools

DATE: Ruling made on May 17, 1954

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: The Court found in *Brown* that segregated public schools were not “equal,” could not be made “equal,” and had a psychologically detrimental effect on African American children.

Racially segregated public schools dominated education for African Americans until 1954, when the U.S. Supreme Court decision *Brown v. Board of Education*, rejected its earlier *Plessy v. Ferguson* (1896) decision, which had established the segregation principle of “separate but equal.” *Brown v. Board of Education* inspired several years of struggle by African Americans, the courts, and supporters of equal rights to force its implementation. In the years preceding *Brown*, education throughout the South had constituted an effective means of discrimination.

### **HISTORY**

Until the 1950’s, *Plessy v. Ferguson* continued to justify all segregation, including school segregation. In *Plessy*, the Supreme Court upheld a Louisiana law requiring equal but separate accommodations for “white” and “colored” railroad passengers. The Court assumed that legislation was powerless to eradicate racial dispositions or abolish distinctions based upon physical differences, and that any attempts to do so could only complicate the issue. Laws requiring the separation of African Americans and whites in areas of potential interaction did not imply the inferiority of either race, according to the Court.

Besides the fact that racism was inherent in *Plessy*, it was clear by the 1950’s that the separate schools,

transportation, and public facilities that were provided for African Americans were not equal to those provided for whites. Oliver Brown, whose daughter Linda was denied entrance to a white school three blocks from their home and ended up at an African American school twenty-one blocks away, questioned the constitutionality of the Topeka board of education’s policies. Authorities, citing state laws permitting racial segregation, denied Linda Brown admission to the white school.

In *Brown*, a district court found segregation to have a detrimental effect on African American children; however, African American and white schools were found to be substantially equal. The plaintiff took the case to the U.S. Supreme Court, arguing that segregated public schools were not equal and that they constituted denial of equal protection of the laws. The Fourteenth Amendment (1868) grants equal protection, stating, “no state shall deprive any person of life, liberty, or property, without due process of the law; nor deny to any person within its jurisdiction the equal protection of the laws.”

In the first cases following the adoption of the Fourteenth Amendment, the Supreme Court interpreted it as proscribing all state-imposed discriminations against African Americans. The Court, led by Chief Justice Earl Warren, chose this perspective in handling the *Brown* case. In deliberations, the Court focused on the effect of segregation, not on whether the schools were considered equal.

### **ETHICAL PRINCIPLES AND ISSUES**

The Supreme Court detailed the importance of education and posited education as the foundation of good citizenship. Thurgood Marshall (who later became a U.S. Supreme Court justice himself), the National Association for the Advancement of Colored People’s chief counsel for *Brown*, argued on the basis of the inequalities of segregation, noting the findings of social scientists on segregation’s negative effects. Chief Justice Warren’s majority opinion expressed doubt that any child could reasonably be expected to succeed in life when denied educational opportunity, and further, that such an opportunity, where the state has undertaken to provide it, is a right that must be made available to all on equal terms. The Court found that the doctrine of “separate but equal” has no place in the field of public education.

The Court’s decision to take a substantive look at

the *Brown* case, along with the procedural approach, led to a 9-0 decision in favor of Brown. Arguments alluding to the negative psychological impact of segregation on African American children keyed the decision. A public school system that was erected for the betterment of all citizens but denied certain segments of the citizenry access to the system's best public education was held to be unethical. The *Brown* decision, (which says, in effect, that no matter how equal the physical qualities of separate schools or any other public facilities may be, their segregated nature has negative effects on the psyche of African American children, hindering their ability to learn and consequently to become productive citizens), provided the Court with a precedent on which to build and ensured that public education would be conducted on an ethical basis at least in theory.

#### **AFTER BROWN V. BOARD OF EDUCATION**

Implementing and enforcing the *Brown* decision proved to be infinitely more difficult than arriving

at the decision itself had been. Public officials, especially in the South, openly, aggressively, and consistently defied the Court. This reaction did not, however, prevent the Court from ruling on a desegregation order. Thus, on May 31, 1955, the Court, in *Brown v. Board of Education II*, ruled that school authorities have the primary responsibility for dismantling segregationist policies. Courts were given the responsibility of considering whether the actions of school authorities constituted good-faith implementation of the governing constitutional principles. The Court required that desegregation be carried out "with all deliberate speed."

The intention of "deliberate speed" was to assist school authorities in making smooth transitions from segregation to integration; however, school officials throughout the South interpreted it to mean little or no action. Several southern school districts closed down public schools rather than integrate, while others, such as the Little Rock, Arkansas, district, were forced to deploy armed soldiers to ensure success-

Image not available

*President George W. Bush with members of a Birmingham, Alabama, choir, after speaking in Topeka, Kansas, on May 17, 2004—the fiftieth anniversary of the Brown v. Board of Education decision. (AP/Wide World Photos)*



ful integration. By the late 1960's, most southern schools settled into a pattern of integration. After the *Brown* cases, the Supreme Court dealt little with desegregation, allowing the lower courts to handle such cases.

The *Brown v. Board of Education* decision had an influence that reached well beyond the desegregation of public schools. It inspired court cases involving the segregation of public transportation, hotel accommodations, restaurants, and other public facilities. Although the *Brown* decision did not explicitly outlaw racial discrimination in areas other than education, the decision influenced the rulings of lower court judges in other discrimination cases. The impact of *Brown v. Board of Education* on the lives of African Americans, and all Americans, cannot be overemphasized.

Gregory Freeland

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SEE ALSO: Bigotry; Civil Rights movement; Evers, Medgar; King, Martin Luther, Jr.; *Plessy v. Ferguson*; Racial prejudice; Racism; Segregation; Supreme Court, U.S.

## Buber, Martin

IDENTIFICATION: Austrian philosopher

BORN: February 8, 1878, Vienna, Austro-Hungarian Empire (now in Austria)

DIED: June 13, 1965, Jerusalem, Israel

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: In *I and Thou (Ich und Du, 1923)*, Buber interpreted the foundation of ethics and morality as the personal "I-Thou" (as opposed to the impersonal "I-It") relationship of people to one another, to existence, and to God.

For Martin Buber, the two primary ways in which people relate to their world are characterized by the words "I-It" and "I-Thou (or You)." The "I-It" way of seeing life is one in which people objectify the reality they see and deal with as *things*—mere objects to be used, understood, manipulated, and controlled. In such a way of relating to life, perhaps characterized best by the business or scientific approach to existence, there is little opportunity for a true personal connection between the individual and the rest of reality. Instead, life is spent trying to attain goals, analyze and control others, and organize reality into something that can be used or consumed.

While the "I-It" approach to reality might be necessary to conduct the everyday affairs of life or create intellectual circumstances for technological advancement, Buber believed that its aggressive domination of modern culture had created a painful and pitiful climate that fostered human isolation. As a result, people had become alienated from their fellow human beings, their world at large, and their God. To

Buber, such a life was not authentic, not genuine, and not fully human.

The “I-Thou” attitude is characterized in terms of an honest and open “dialogue” between the “I” and the “Thou.” A mutual and dynamic, though intimately personal, connection ensues in the “I-Thou” mode, in which there is a marrying of the subjective “I” and the objective other, which is now no longer a dominated “It” but instead a responsive partner in a profoundly communicative and respectful meeting of the two: “I-It” becomes “I-Thou.”

In Buber’s “I-Thou” relationship, people are relieved of their isolation and alienation from those around them and the world at large because they no longer relate to what is not themselves as merely means to purposes or goals (“Its”), but instead as respected and appreciated ends in and of themselves (“Thous”). People no longer live life as detached and solitary but are connected and “whole” with everything in the realm of their “I-Thou” encounter.

The most basic example of the “I-Thou” relationship for Buber is that between two people in honest, dialogic communication in which both encounter the essential integrity and *being* of the other. Yet Buber also believes that this relationship can exist between humans and nature. A tree, for example, is no longer a commodity to be made into lumber for a house; it is, in the “I-Thou” relationship, a significant object with which, perhaps as a thing of beauty or simply as a “being” itself, one can have an intimate connection. In the same way, an artist can have such a relationship with those things that become objects in the artist’s works.

### SOCIAL IMPLICATIONS

Buber’s perspective also has social implications. If a community of people is to succeed, it must be based on an “I-Thou” dialogue that nurtures a humanizing, unselfish climate of respect for individuals and the common good. In this regard, Buber was an advocate of utopian social models such as the Israeli *kibbutz*, which promoted mutual cooperation among all members of the community at every level of life.

Finally, there are the religious dimensions of Buber’s thought. For him, every “I-Thou” relationship brings individuals in touch with the eternal “Thou,” or God. In fact, Buber asserts that it is impossible to relate to God in a manipulative “I-It” mode. He believed that it was only through the direct,

dialogic encounter with the otherness of objective existence in the respectful “I-Thou” mode that the qualities and presence of God became actual in the world. It is only in such personal, and finally mysterious, circumstances (so alien to traditional theologies that seek to make God an “It” by explaining and dogmatizing) that the living God can be discovered.

### ETHICAL IMPLICATIONS

Buber’s philosophy demands that people take the risk of opening themselves up to “I-Thou” relationships, no matter how fleeting they may be. It is only in the experience of such profoundly personal relationships with their fellow human beings, the world at large, and God that humans, even momentarily, become able to escape the propensity to transform everything into an object of “I-It” use and scrutiny. It is only through the “I-Thou” dialogue that human beings can move out of a life of lonely impersonality and into a mode of existence that keeps them personally involved with the uniqueness of their fellow human beings, communities, and God. Without such an “I-Thou” foundation, there is no possibility for a moral life of meaning and purpose.

*Richard M. Leeson*

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SEE ALSO: Existentialism; Hasidism; *I and Thou*; Jewish ethics; Tillich, Paul.

## Buddha

IDENTIFICATION: Indian religious leader

BORN: Siddhārtha Gautama, c. 566 B.C.E., Lumbinī, (now Rummīndei, Nepal)

DIED: c. 486 B.C.E., Kuśinagara, India

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The Buddha founded one of the world's major religious and ethical systems. Buddhism provides a comprehensive moral discipline designed to liberate humankind from an existence characterized by impermanence, suffering, and delusion.

The son of a chief of the warrior clan of the śākyas, Siddhārtha Gautama was born in approximately 566 B.C.E. at the edge of the Himalayas, in what is now Nepal. His father, Śuddhodana, although not the king he was once thought to be, nevertheless provided Gautama with all of the elements necessary for a comfortable, luxurious existence. Legend and myth cloud much of the surviving information regarding Gautama's early years, but at approximately the age of nineteen, he was married to his cousin Yaśodharā, by whom he had one child, Rāhula.

At the age of twenty-nine, according to some accounts, he was exposed to the basic realities of existence. While being driven around his father's estate in his chariot, he saw four things that would ultimately change his life: a man suffering from disease, a man weakened and reduced by age, a corpse, and a wandering ascetic. Questioning his charioteer about these sights, he learned that although no one can escape disease, age, and death, asceticism might at least offer some sort of alternative.

Having realized the fate of all living things, Gau-

tama resolved to leave the luxurious life of his youth in order to seek the cause of the horrors of human existence and, if possible, to discover a solution. In this homeless, wandering existence, Gautama sought instruction from adepts in the art of meditation, but finding little of real value there, he began to practice the most extreme forms of asceticism for the next six years, almost starving himself to death in the process. At last, seeing the inadequacy of this approach, he decided to abandon asceticism and, by the pure force of will, achieve his goal.

At Bodh Gayā, Gautama sat down at the foot of a tree, resolving not to leave until he had achieved enlightenment. Passing beyond all previously attained meditative states and conquering manifold temptations in the process, he at last attained complete liberation and found the answers that he had sought. He was thirty-five years old.

Having resolved to proclaim his message of enlightenment to the world, Gautama, now the Buddha, or Enlightened One, spent the next forty-five years teaching his doctrine up and down the Ganges and establishing his monastic order, or *saṅgha*, of Buddhist monks and nuns. At the age of eighty, the Buddha died at Kuśinārā, India, in approximately 486 B.C.E.

After his enlightenment at the age of thirty-five, the Buddha proposed both a diagnosis of the human condition and a response to it. The human condition is characterized by impermanence, suffering, and false consciousness. Throughout his career, the Buddha claimed to teach but two things: suffering and the end of suffering.

### THE NATURE OF EXISTENCE

With systematic, scientific rigor, the Buddha began his analysis of existence by citing three of its basic characteristics: impermanence (*anitya*), suffering (*duḥkha*), and the lack of an abiding self (*anātman*). Why is existence bound up with suffering and impermanence? The Buddha saw life in terms of a "chain of dependent origination" (*praṭītya-samutpāda*). This chain begins with ignorance (*avidyā*), which leads to choices both negative and positive (*saṃskāra*), which in turn result in a will to live. This will takes the form of consciousness (*viññāna*), and consciousness is followed by a material mind and body (*nāmarūpa*). Mind and body connect with the external world through the sense organs (*ṣaḍāyatana*), the most prominent of which is touch (*sparśa*).



Fifth century C.E. statue of the Buddha in Saranath, India. (Library of Congress)

Once the consciousness is active, feelings (*vedanā*) that are associated with sensations follow, giving the impression of pleasure, pain, or neutrality. The combination of these feelings produces desire (*trṣṇā*) and attachment (*upādāna*), finally resulting in becoming (*bhava*). Becoming, in turn, inevitably results in birth (*jāti*) and decay (*jāra*).

The Buddha employed the Hindu concept of karma, the law of cause and effect following both thought and action, to explain the cycle of life. Through many lifetimes and many rebirths, positive and negative thoughts and actions have karmic reverberations, either shortening or prolonging the round of rebirths (*saṃsāra*). The practical aim of moving beyond karma is to free oneself from the round of *saṃsāra* and all of its suffering. Once this liberation is achieved, nirvana (Sanskrit, *nirvāṇa*), the cessation of desire, of karmic residue, and of a sense of self ensues. Although it is not extinction, nirvana is clearly a transcendental, unconditioned, and ineffable state—the final goal of Buddhism.

### THE MORAL LIFE

With this analysis of existence, the Buddha developed a comprehensive moral code intended to bring about happiness and liberation. He began his moral superstructure with the four noble truths: (1) all is suffering (*duḥkha*); (2) suffering has a cause, which is desire, or craving (*trṣṇā*); (3) suffering has an end (*duḥkha-nirodha*); (4) the end of suffering is achieved by means of the noble eightfold path (*ārya-aṣṭāṅga-mārga*).

The noble eightfold path consists of (1) right understanding (*samyag-drṣṭi*), (2) right aspiration (*samyak-samkalpa*), (3) right speech (*samyag-vācā*), (4) right action (*samyak-karmanta*), (5) right livelihood (*samyag-ājīva*), (6) right effort (*samyag-vyāyāma*), (7) right mindfulness (*samyak-smṛti*), and (8) right concentration (*samyak-samādhi*).

The Buddha's emphasis on systematic, cause-and-effect analysis makes practical morality the core of Buddhist doctrine. In order to follow the advice given in the Dhammapada—"Cease to do evil,/ Learn to do good,/ Purify your mind"—one must begin with a series of freely adopted precepts to address the grosser physical defilements of life. The five precepts (*pañca-śīla*), once internalized, set the stage for more advanced levels of endeavor. They exhort one to:

1. Refrain from taking life
2. Refrain from taking what is not given
3. Refrain from engaging in sexual misconduct
4. Refrain from telling lies
5. Refrain from taking intoxicants

The five precepts apply to all who consider themselves to be Buddhists. The list of precepts is expanded and applied more rigorously to Buddhist monks and nuns.

In Buddhism, a virtuous or proper ethical action is simultaneously a rational action. Rationality, or wisdom, is directly connected to morality, and the one generates the other.

According to Maurice Walshe's translation of the *Digha Nikāya*,

For wisdom is purified by morality, and morality is purified by wisdom; where one is, the other is, the moral man has wisdom and the wise man has morality, and the combination of morality and wisdom is called the highest thing in the world. Just as one



hand washes the other, or one foot the other, so wisdom is purified by morality and this is the highest thing in the world.

Once the negative dimensions of life have been addressed in an honest attempt to cease to do evil, a positive reconstruction can begin and one can learn to do good. This positive reconstruction will take such forms as generosity (*dāna*), loving kindness (*maitrī*), compassion (*karuṇā*), sympathetic joy (*muditā*), and equanimity (*upeksā*).

### Theravāda and Mahāyāna

In time, Buddhist ethics developed the different ideals of the *arhat*, the accomplished individual of the older Theravāda tradition, and the *bodhisattva*, the heroic world-savior of the later Mahāyāna tradition. For the *arhat*, individual salvation culminating in nirvana is primary; for the *bodhisattva*, the salvation of all beings is foremost. With its wider focus (all of suffering existence), the Mahāyāna tradition has tended to be less strictly concerned with specific precepts, occasionally permitting the transgression of certain rules to attain the final goal. The *bodhisattva* ideal represents the most extreme extension of Buddhist compassion, integrating all existence into its perspective.

In those countries in which Buddhism is a living social and religious tradition, a practical ethics has developed over time in which sincere practitioners may, through careful attention to the four noble truths, the eightfold path, and the five precepts, attain a morally pure and productive state in this life with at least the hope of ultimate liberation.

Daniel W. O'Bryan

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## Buddhist ethics

**DEFINITION:** Diverse sets of beliefs or opinions about behavior that have grown out of the teachings of Siddhārtha Gautama, the Buddha

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** As one of the world's major religions, Buddhism provides one of the most widely accepted frameworks for ethical thought and behavior.

Moral teachings of Buddhists can be understood as extensions of the insights of Siddhārtha Gautama, the Buddha (d. c. 486 B.C.E.). The heart of his teachings as handed down by Buddhist tradition includes the four noble truths: (1) Life is suffering; (2) Suffering has a cause; (3) That cause is self-seeking desire; (4) There is a way of escape, the eightfold path (the path of escape), and the five (or ten) precepts. Buddhists have developed these teachings in terms of proper behavior for both the laity and the monks, basic virtues, and social ethics.

### Rules for Proper Behavior

The first two steps on the eightfold path involve right knowledge and right aspiration; that is, recognition of the four noble truths and the will to relinquish anything that interferes with gaining liberation. The third step requires right speech—saying the correct things in accordance with the other steps. The fourth step, right behavior, includes the basic ethical teachings for the laity known as the five precepts. (1) Abstain from taking life. This precept goes beyond a



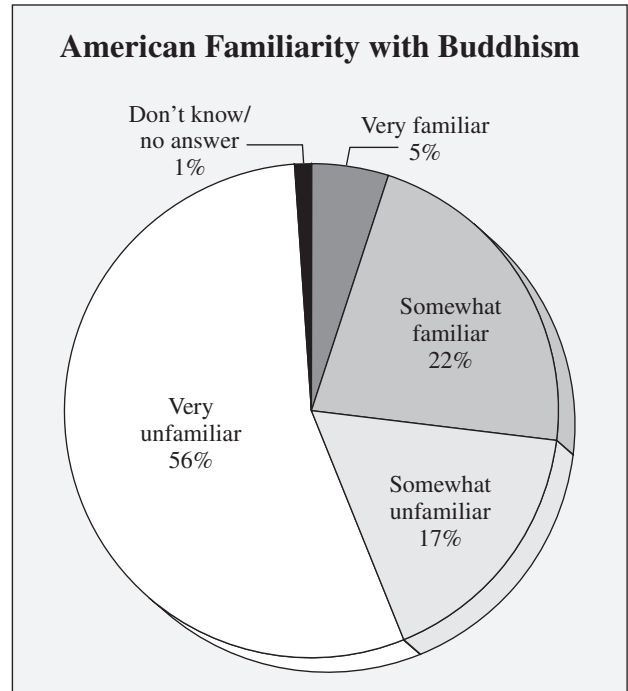
prohibition against killing fellow humans to include taking the life of any sentient being. As a result, most Buddhists are vegetarians. (2) Abstain from taking what is not given, and practice charity instead. (3) Do not engage in sexual misconduct but practice self-control. (4) Practice right speech (step 3 on the eightfold path) by refraining not only from lying but also from gossip and back-biting. (5) Abstain from intoxicating drinks and drugs. The fifth step on the eightfold path is right livelihood. For the layperson, this meant following no occupation precluded by these precepts.

A monk would be held to an even stricter application of these rules. In connection with the second precept, for example, he would own nothing but the robes, toilet articles, and begging bowl given him at ordination. In addition, the monk would agree to as many as five more precepts: to eat moderately and not at all after noon, to refrain from attending dramatic performances, to refrain from self-decoration, to refrain from luxurious living, and to refrain from handling money. The rules derived from these precepts, along with the rules for monasteries, eventually numbered 227. The normative collection of these rules is called, in Pali, the *Patimokkha*.

Buddhists analyzed behavior carefully to determine when the precepts were violated. In connection with the injunction against taking life, for example, the following five conditions had to be present: (1) the thing destroyed must have actually been alive; (2) the Buddhist must have known that the thing was alive; (3) the person must have intended to kill the thing; (4) the person must have acted to carry out that intention; and (5) death must have resulted from the act. Hence, Buddhism was concerned both about the facts of the deed and the motives behind it.

### BASIC VIRTUES

Theravāda Buddhism emphasized four “cardinal” virtues: love, compassion, joy, and equanimity (defined as the absence of greed, hatred, and envy). All these virtues derived from the basic Buddhist insight that there is no underlying self, so self-seeking is inevitably futile. Later, Mahāyāna Buddhism enjoined several basic virtues, including generosity, righteousness, patience, and wisdom. The Mahā-



Source: Roper Center for Public Opinion Research. Religion & Ethics Newsweekly, U.S. News & World Report survey. March 26–April 4, 2002. Figures based on responses of 2,002 adults throughout the United States.

yānist virtue par excellence, however, is compassion, which is embodied in the bodhisattva, the enlightened being who postpones entrance into the bliss of nirvana in order to help other beings reach salvation.

### SOCIAL OBLIGATIONS

Wherever one finds Buddhism, one finds monks. Even in Shin Buddhism, which allows monks to marry, the distinctions between monks and laypeople are only minimized, not eliminated. For many Buddhist laypeople, therefore, the first social obligation is to feed and otherwise support the monks. A layperson can also build a pagoda or perform other meritorious acts that benefit the larger Buddhist community. At the same time, the monks have the responsibility to share with the laity the results of their study and meditation through teaching and to officiate at various public ceremonies.

Over the years, Buddhism has addressed other areas of social responsibility. Two examples must suffice. First, one of the early figures to address social

responsibility was King Aśoka, who became king of Magadha, which dominated the Indian subcontinent. Penitent over suffering caused by his wars, he looked to Buddhism for help in ruling. His inscriptions advocated living peacefully, and he sent Buddhist missionaries to a number of other countries.

The second example comes from 1946, when the Buddhist monks of Sri Lanka joined ongoing efforts to free their country from British rule, thus injecting themselves into political dispute, if not revolt. The monks distributed seeds and vegetables, settled disputes that would otherwise have gone to court, gave out medicines, supported the arts, and helped fuel Sinhalese nationalism. Although not all Buddhists (even in Sri Lanka) have agreed that such behavior is appropriate for monks, it shows how seriously they take social ethics.

#### ETHICS AND ENLIGHTENMENT

The ultimate goal of Buddhist teachings is to lead people to enlightenment, not to define ethical behavior. Both Theravāda and Mahāyāna Buddhism portray the enlightened person as one beyond the categories of right and wrong, moral and immoral. This is so because such persons have achieved a level of equanimity and insight at which calculations such as those discussed above are left behind. The person who sees that there is no abiding self and who sees the suffering that will result from selfish behavior will naturally feel no inclination to act in such a destructive fashion. Those who have not yet achieved such a state, however, benefit from ethical rules.

*Paul L. Redditt*

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## al-Būkhārī

IDENTIFICATION: Islamic scholar

BORN: July 19, 810, Bukhara, Central Asia (now in Uzbekistan)

DIED: August 3, 870, Khartank, near Samarkand (now in Uzbekistan)

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Al-Būkhārī compiled *al-Jāmi' al-Ṣaḥīḥ* (the authentic collection), the second most revered book in Islam. It is a compendium of sayings and traditions, or *Ḥadīth*, from the life of Muḥammad.

From an early age, al-Būkhārī took an interest in the study of oral and written traditions harking back to the days of the first Muslims. By his late teens, he had traveled extensively in the Near East and had made a pilgrimage, or *hajj*, to Mecca and Medina. Because of the pressing need in contemporary Muslim society for explicit ethical and legal precepts that could be said to derive from Muḥammad's teachings and actions, it was vital that the historicity and accuracy of popular *Ḥadīth* be determined. It is to al-Būkhārī's credit as a painstaking scholar and devoted traveler that he is said to have examined more than 600,000 *Ḥadīth* during his lifetime. Of these, he designed 2,602 as authentic (*ṣaḥīḥ*). *Al-Jāmi' al-Ṣaḥīḥ* was intended to provide future generations of Muslims with verified historical, legal, and ethical material from which their societies could draw in times of need. This work still stands as the most respected collection of *Ḥadīth* in the Islamic world.

*Craig L. Hanson*

SEE ALSO: *Ḥadīth*; Islamic ethics; Muḥammad; Qur'ān.

## Burke, Edmund

IDENTIFICATION: English journalist and politician

BORN: January 12, 1729, Dublin, Ireland

DIED: July 9, 1797, Beaconsfield,  
Buckinghamshire, England

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: The author of *Reflections on the Revolution in France* (1790), Burke put forward a pragmatic organic model for the development of citizen's rights that became a pillar of modern conservatism.

Edmund Burke's career, which began in 1759, was devoted to politics and journalism. He rose to prominence as a member of the marquis of Rockingham's political faction, but his real fame was the result of his becoming the spokesman for the new Whig Party view of the constitution. Burke drew from England's Glorious Revolution of 1688 a conception of the rights of citizens that was based on a combination of tradition and evolution. The natural order, set by



Edmund Burke. (Library of Congress)

God, would inevitably have inequalities, but the need to unify the nation led to rules that evolved into rights and privileges. Those with better situations were obligated by their privileges to act in the public interest, with respect for traditional rights.

Burke's seemingly contradictory support for the rights of the Americans and the Irish and his savage denunciation of the French Revolution become quite consistent in view of his ideas of rights. The Crown, the power of which Burke was always eager to reduce, was infringing on traditional rights in America and Ireland, whereas the revolutionaries in France were attempting to create a wholly new society based on a utopian rationalistic model that, like all such models, could never exist in practice. In such a case, the existing good would be destroyed in pursuit of a pipe dream. It should be allowed to evolve over time in the natural order. Burke's *Reflections on the Revolution in France* was read all over Europe, provoking opposition to the Revolution and giving his ideas a wide audience.

*Fred R. van Hartesveldt*

SEE ALSO: Conservatism; Human rights; Revolution.

## Bushido

DEFINITION: Japanese military code meaning "way of the warrior" that incorporates strict ethical responsibilities with a code of physical sacrifice

DATE: Developed in the seventeenth century

TYPE OF ETHICS: Military ethics

SIGNIFICANCE: Bushido requires systematic training of mind and body, emphasizing absolute loyalty, spontaneity, collective responsibility, and personal sacrifice; this training has been adapted to business and religious practices.

Bushido, or the Japanese way of the warrior, derives from three early sources. First, the ancient animistic belief of the Japanese, known as Shintōism (the Way of the Gods) emphasized naturalness, sincerity, and the spirituality of all things Japanese. This tradition suffused bushido with the sense of a sacred link to one's peers, the soil, and the mission of Japan.

Second, during the twelfth century, a warrior class (*bushi*) emerged near present-day Tokyo. The

*bushi* usurped power from the aristocratic elite in the capital of Kyoto, and conquered new territory in eastern Japan. Some of these bands gave allegiance to their lords through total self-renunciation and personal loyalty; others constantly shifted their allegiance for materialistic gain. Gradually, a code of ethics developed that stressed the samurai's unconditional willingness to die for his master. By the mid-seventeenth century, this code supported an attitude toward death that idealized and romanticized the warrior who was honor-bound to die for his lord, or even to commit ritualistic suicide (*seppuku*).

Third, the major religious influence on the warrior class was Zen Buddhism, which teaches that the goal of life is personal enlightenment through ascetic selflessness, rigorous discipline, and repetitive effort. Religious discipline must not, however, become lost in the drudgery of the rituals. Enlightenment is achieved through spontaneous, intuitive revelations, or single acts of self-awareness that can erupt from toilsome tasks. Enlightenment is not a consequence of rational judgment, but of sudden personal discovery.

### PRINCIPLES OF BUSHIDO

Yamaga Soko synthesized the thinking of the various religious and military schools to describe what became known as the way of the warrior. Yamaga related the traditional values of sincerity, loyalty, self-discipline, and self-sacrifice to the Chinese values of a sage. To be a real warrior, one needs to be cultivated in humanistic arts—that is, poetry, painting, calligraphy, and music—while in service to the master. The true sage combines the virtues of “wisdom, humanity, and valor” to perform his service to his lord's government.

During Japan's peaceful Tokugawa era (1602-1868), the ethics of bushido prevented the military from becoming a warlike and oppressive elite. Rather, the samurai became administrators, accountants, artists, scholars, and entrepreneurs. Miyamoto Musashi combined the roles of warrior, artist, and intellectual. In 1643, he wrote a classic work on military strategy, *A Book of Five Rings*. As an artist, he became noted for the intensity of his extraordinary monochromatic ink paintings. Other samurai such as Uragami Gyokudo renounced or neglected their military role and concentrated on the humanistic arts of music, painting, and literature. The Mitsui Company,

one of Japan's largest business enterprises, was one of many Tokugawa businesses operated by a samurai family. These contributions to civil society helped Japan to develop economically and intellectually into the twentieth century.

There was also a non-Chinese or indigenous influence. The samurai classic *Hagakure* (1716), by Yamamoto Tsunetomo, provided the famous aphorism “bushido is a way of dying.” Contrary to Yamaga's emphasis on public service or the balance between the military and civic role of the samurai, Yamamoto idealized and spiritualized the role of death. The loyal and self-abnegating samurai is expected to give his life spontaneously and unquestioningly for his master. A life that ends in death on the battlefield with unswerving hard work and dedication, or in ritualistic suicide, is glorious.

Yamaga and Yamamoto agreed that only through action could one pursue truth and self-enlightenment. The way of the warrior emphasized human performance, intuition, and spontaneity. Training in the martial arts (*bujutsu*) was an important technique to promote group cohesiveness and self-awareness. Through *bujutsu* the samurai discovers and overcomes his spiritual and physical weaknesses, thereby deepening his self-awareness and ultimately preparing himself for a life of service and a readiness to sacrifice.

The abolition of feudalism and the samurai class in 1872 did not also end the appeal of bushido. The rise of militant nationalism and Imperial Shintōism created a militaristic bushido. The publication of *Fundamentals of Our National Polity* by Japan's ministry of education in 1937 declared in unequivocal terms that bushido was the “outstanding characteristic of our national morality.” The new bushido “shed itself of an outdated feudalism . . . [and] became the Way of loyalty and patriotism, and has evolved before us as the spirit of the imperial forces.” The Japanese soldier was called upon to sacrifice his life for the emperor. A strong central government and a fascist military system forcefully made the new bushido a significant part of Japan's imperialist expansion.

### LEGACIES

After World War II, bushido ceased to be a military force in Japan. The vainglorious attempt by the writer Yukio Mishima to revive the martial spirit of



Japan ended in his brutal and meaningless act of *seppuku*. Bushido's ethical foundations are, however, still part of Japanese culture and society. Bushido's stress on loyalty to the head of a group is still evident in the strong sense of loyalty workers have to their employers, students to their teachers, and apprentices to their masters. Corporate groups imitate the samurai system by dovetailing the personal values of their members with common group and public goals. Ethical training camps (a direct legacy of Zen martial arts training) for workers are weeklong intensive seminars combining physical exertion with a type of group therapy. These consciousness-raising exercises are designed to create a loyal, harmonious, and ethical workforce.

The term *bushido* invokes images of Japanese soldiers dashing off into suicidal missions against the enemy and committing atrocities of every kind. Since World War II, cartoons have depicted Japanese businessmen as samurai warriors in business suits. The relationship of bushido with the military nationalism of World War II and its alleged association with Japan's postwar economic expansion have obscured its ethical contributions of loyalty, frugality, and dedication to Japanese society and culture.

*Richard C. Kagan*

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SEE ALSO: Honor; Military ethics; Wang Yangming; Zen; Zhuangzi.

## **Business ethics**

**DEFINITION:** Moral behavior of individuals and organizations in the performance of their business activities

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Because the conduct of business has become such a pervasive part of human existence and because business organizations have grown so large and powerful, a study of ethical behavior in this dimension of the social fabric has become increasingly important.

The study of business ethics has a long history. Questions regarding the need for honest dealings between buyers and sellers, for example, have stirred ethical deliberation for every generation in all cultures. The Old Testament, from the fifteenth century B.C.E., states that when buying from or selling to one another, "ye shall not oppress one another" (Leviticus 25:14) and that one must use "a perfect and just [weight] and measure," in one's business dealings (Deuteronomy 25:13-15).

As civilizations have evolved from pastoral and agrarian to highly industrialized societies and as humans have become increasingly interdependent, concerns about the proper way in which to conduct business have become more pressing. Especially since the Industrial Revolution, as business units have become huge corporate entities and as rapid changes in technology have led to extremely complex products and processes for producing them, imbalances in power between buyers and sellers, between employees and employers, and between businesses and the communities in which they operate have focused increased attention on business ethics.

During the late 1960's and early 1970's, American society began increasingly to question established institutions' business ethics. At the same time, the concept of corporate social responsibility started assuming ever-greater importance by business critics. Discussion of these subjects became more common in business school curricula and inside corporate boardrooms. As consumerism, feminism, environmentalism, and the Civil Rights movement gained strength, it was only natural that society would examine the extent to which members of the business community had been exacerbating the problems of consumer deception and harm, unequal treatment of



women in the workplace, environmental degradation, and racial discrimination. More pressure began to be applied to encourage businesses to become a part of the solution to these social problems.

### FRAMEWORKS OF ANALYSIS

Ethicists have generally used a number of different concepts—such as utility, rights, justice, virtue—to analyze and judge the morality of business behavior. Utilitarianism focuses on the results or consequences of any business decision. It requires managers first to identify all the costs and benefits to all of society of a given set of alternative business actions and then to choose the alternative that will result in the greatest net benefit to society. An important aspect of this framework is that it requires business managers to consider not only the consequences for their businesses, that is, the effects on company profits, but also the consequences to the greater society. An advantage of the utilitarian approach is that it corresponds closely with cost-benefit analyses so common to business decision making. There are, however, some decided disadvantages. It is difficult for managers to identify all costs and benefits to society. Moreover, it is difficult to measure certain social benefits such as improvements in the general level of health, aesthetic improvements, or greater enjoyment of life. Finally, utilitarianism ignores questions of rights, duties, fairness, and justice.

Using rights as the framework for analyzing business decisions requires that managers identify what stakeholders—that is, affected individuals or groups—will be involved in a particular decision, and then ask what rights those individuals or groups may have and what obligations the business may have to those stakeholders. As the late eighteenth century German philosopher Immanuel Kant stressed, people must be considered as ends in themselves and not merely as means toward some other end. This is especially problematic for business managers who have traditionally thought of their employees as a “means of production” and of their customers as the ultimate source of their profits. Furthermore, this deontological framework of ethical analysis creates difficulties when managers must attempt to weigh and prioritize the rights of various competing stakeholder groups: for example, employees who feel they have a right to more generous health care plans versus their companies’ owners and shareholders, who

would like to see those funds distributed in the form of dividends.

A third framework for assessing the appropriateness or morality of business decisions involves focusing on justice or fairness. Justice requires an equitable distribution of life’s benefits and burdens. The twentieth century American philosopher John Rawls was a leading proponent of this school. Using this approach, managers would be required to ask which of their alternative courses of action would be the most fair to all affected parties. The advantage here is that justice and fairness are widely accepted as desirable goals. The disadvantage is that there is little agreement on how to define them. A free, democratic, capitalistic system that prizes individualism, free choice, and the sanctity of private property allows its individual citizens—and its corporate citizens—to pursue their economic goals, that is, acquire wealth, according to their individual and differing abilities. This necessarily leads to unequal distribution of income and assets, and therefore, of benefits and burdens. There are no commonly accepted standards regarding what degree of inequality can still pass the justice and fairness test.

The issue of executive compensation vis-à-vis the average worker’s pay is an interesting and contentious example of the concerns raised by this framework. Some business critics—and even a few socially conscious firms—have held that chief executive officers’ compensation should be no more than seven times that of the average “shop floor” worker. Before the 1990’s, the average chief executive officer of a U.S. firm was likely to earn forty times the salary of an average employee. However, by the beginning of the twenty-first century, that ratio had grown to a factor of four hundred times. There are partial explanations, such as the deferred compensation through stock options and the necessity of a major corporation to pay what the market demands for top-flight leaders. Nevertheless, this enormous differential in pay, especially when combined with poor corporate performance and layoffs of thousands of workers, strikes many as patently unfair and, therefore, unethical.

Another approach to analyzing ethical dilemmas—the virtue ethics framework—entails identifying certain principles or virtues that are universally accepted as worthy behavior. Among those usually accepted are honesty, loyalty, integrity, making good on com-

mitments, steadfastness, and the like. Viewed through this perspective, managers are called upon to act—to choose those alternatives—which reinforce and are in harmony with these virtues, regardless of the consequences.

There is no agreement among business ethicists or business managers that any one of these frameworks is superior to the others. Each has its merits; each has its advantages and disadvantages. Managers need to be familiar with all these approaches and may need to analyze a given ethical dilemma through all these different lenses to arrive at the “best” decision.

### LEVELS OF ANALYSIS

Scholars and managers can analyze business ethics problems on four different levels. First, at the individual level, unethical acts are seen as the results of individuals who make unethical decisions. If this is the case, corporations need only rid itself of its “bad apples” and do a better job of training and supervis-

ing its managers and employees. The second level is the corporation or organization, which allows for the possibility that a firm—such as Enron—may develop a culture that condones or perhaps even encourages unethical behavior. The third level is the industry. Some would argue that certain industries are, by the very nature of the products they produce, unethical. Examples might include the tobacco industry, the munitions industry, and perhaps even the fast-food industry—which has come under increasing criticism for fostering poor eating habits and contributing to obesity and associated health problems. Finally, there is the systemic level, which holds that there are fundamental flaws in the entire capitalistic, free-enterprise system that inevitably lead to unethical behavior of one form or another.

### RELEVANT ISSUES

The field of business ethics is often organized around specific issues, and these issues may be grouped according to the stakeholders that are most affected: employees, customers, shareholders, the environment, communities, and so forth. Managers faced with making decisions regarding one of these issues must ask themselves what the nature is of the relationship between the organization and a particular stakeholder group. What responsibilities does the organization have? What rights do these stakeholders enjoy? How best can competing claims or rights be resolved?

Due to changes in the social, technological, or political environments, new issues may appear and old issues may disappear. For example, because of the rapid growth of use of the Internet, the subject of intellectual property and the rights of musicians, film producers, and computer software creators became an important issue in the early years of the twenty-first century.

A company’s employees constitute one of the company’s most important stakeholder groups, and many ethical issues involve employees. For example, discrimination in all of its many forms is one of the most common. Since the pas-

### How Businesses Can Avoid Ethics Problems

In the wake of highly publicized corporate scandals in 2002, the Better Business Bureau offered these broad recommendations to companies wishing to avoid having ethics problems of their own.

- Lead by example by demonstrating high ethical standards of behavior toward customers, suppliers, shareholders, employees, and communities in which you do business. Be honest in all dealings.
- Create an ethics policy that starts at the top level so that management sets an example for all employees.
- Set up a system that encourages employees to express concerns directly to top management if they suspect wrongdoing or are uncomfortable with company practices.
- Treat all employees with respect and fairness.
- Reward employees for their ethical decisions and actions.
- Cultivate the highest possible standards of reporting and accounting.
- Monitor what is going on in your company; communicate with employees directly; get a feel for what they are doing and be accessible and interested.

Source: Better Business Bureau (<http://www.bbb.org/bizethics/tips.asp>)

sage of the federal Civil Rights Act of 1964, along with subsequent related legislation, American employers have been forbidden by law from discriminating on the basis of sex, race, national origin, age, religion, or disability in their employment policies: hiring, pay, promotion, benefits, or termination. Decisions in these matters must be made on each individual's ability to perform on the job, with only a minimum number of exceptions, such as seniority. From an ethical perspective, this is seen as necessary to satisfy society's view of fairness and to protect each individual's right to equal opportunity. The issue is complicated, however, by affirmative action programs that may lead to reverse discrimination against majority groups. The growing number of different minority groups as well as the growth of the overall minority population in the United States, the so-called glass ceiling that prevents women from achieving top management positions in numbers equivalent to their prevalence in the workforce, and discrimination against workers on the basis of sexual preference all continue to be important ethical issues for employers to address in the twenty-first century.

Employer-employee issues also include employees' right to privacy; relationships and responsibilities to union organizations; whistle-blowing; advance notice of large-scale layoffs or plant closings; the question of whether employers have the obligation to provide a minimum level of health insurance, child care, pension plans, and other benefits; and the question of whether workers have some right to participate in management decisions that affect their jobs. In all these issues, managers face questions about how far beyond minimum legal requirements they must go to satisfy prevailing social expectations.

### **CUSTOMER RELATIONSHIPS**

Customers represent another vital stakeholder group for any organization, and the organization's relationship with them has its own set of complex ethical issues. One of the most enduring issues is the question of product liability: To what extent should manufacturers be held responsible for harm caused by their products or services? *Caveat emptor* (let the buyer beware) is no longer the guiding principle in transactions between buyers and sellers or between manufacturers and their customers. The courts and some state laws have moved steadily in the direction

of placing on the manufacturer more and more of the liability for harm done by its products. Under the concept of strict liability, it is no longer necessary to prove that a manufacturer has been negligent in the production or the design of a product. Courts routinely expect manufacturers to anticipate any potential problems and have increasingly held producers responsible even though state-of-the-art scientific knowledge at the time of production could not have predicted the ensuing problems.

The asbestos industry has, in effect, ceased to exist in the United States. Virtually all the major asbestos producers have disappeared, often into bankruptcy, because of massive class-action lawsuits against them. During the 1990's, the tobacco industry came under severe legal and social pressure from a broad coalition of state governments, health associations, and advocacy groups. Cigarette manufacturers have been accused of conspiring to hide from their customers and from the public what they have known about the addictiveness and other harmful—often deadly—effects of smoking. While cigarettes have continued to be legal products, the tobacco companies have agreed to pay massive sums to the states in reimbursement for costs to the state health care systems. They have also agreed to serious restrictions in the way they market their products. Alleged ethical violations cover a wide range of subjects including the falsifying of information regarding the effects of smoking on health and inappropriately targeting children with cigarette advertising, especially in the use of icons such as “Joe Camel” and the Marlboro Man. Once deemed invulnerable, the tobacco industry was being forced to accept responsibility for the harm caused by its products during the first years of the twenty-first century.

Emboldened by developments in the tobacco industry, other advocacy groups have moved against the firearms industry in an attempt to hold gun manufacturers, especially handgun makers, responsible for deaths and accidents resulting from the use of their products. By the year 2004, moves against the firearms industry have had little success in the courts, but the ethical questions continued to be debated.

Other advocacy groups have started claiming that the fast-food industry bears some of the responsibility for the growing problem of obesity in the United States. They have urged McDonald's and the rest of

the industry to acknowledge and accept their ethical responsibilities by offering wider selections of healthy menu items and by providing more information to the public about the fat content of their hamburgers and french fries.

### ADVERTISING

Another major category of ethical problems associated with the buyer-seller relationship stems from the advertising and other promotional tactics that sellers employ. Advertisers are often tempted to make claims about their products and services that are either blatantly fraudulent or that can be easily misconstrued by the public. Such claims are unethical because they do not respect the rights of customers to be fully and properly informed, and they do not measure up to societal expectations that business dealings be conducted in an honest (virtuous) manner. Various governmental agencies, such as the Food and Drug Administration and the Federal Trade Commission, have the statutory responsibility for protecting against dishonest advertising, while nongovernmental groups such as Better Business Bureaus and the American Association of Advertising Agencies provide a modest level of self-policing.

As the persuasive power of advertising messages has become more subtle, some businesses have been accused of exploiting certain “vulnerable” groups. Targeting children, especially for products such as breakfast cereals and violent video games, has been criticized frequently. The argument is made that children lack the experience and the maturity to evaluate advertising messages, especially when manufacturers blur the lines between commercials and entertainment programs. Cigarette, alcoholic beverage, and handgun advertisers have also been sharply criticized, notably when they have targeted women and racial minorities.

Image not available

*Heavily criticized for promoting its cigarettes with a cartoon character highly appealing to children, the RJ Reynolds Tobacco Company announced in 1997 that it was abandoning its “Joe Camel” advertising campaign. (AP/Wide World Photos)*

### OTHER ISSUES

Another major category of business ethics problems is related to environmental concerns. By the early twenty-first century, it was widely reported and understood that business, in its normal functions of manufacturing and transporting products, contributes to environmental problems around the world: air pollution, water pollution, solid and toxic wastes, and so on. A number of ethical questions are then posed: What responsibilities must business assume for the clean-up of polluted water and dump sites?

What responsibilities does the business community have to redesign its products and processes to reduce waste and consume fewer natural resources? To what extent must business protect endangered species and respect the rights of animals, for example, in testing the safety of pharmaceuticals and personal care products?

In the early years of the twenty-first century, the United States was rocked with a series of highly publicized business ethics scandals involving such corporations as Enron, Arthur Anderson, WorldCom, and Tyco. These situations tended to fall into the subject of accounting issues or into the subject of governance, which involves the role of the board of directors and its relationship to management. In the former category, ethical issues were raised when information was either withheld or falsified by internal or external auditors to the point that shareholders and the investing public could not use the accounting information available to them to make sound judgments about the company. In the latter category, it was becoming apparent that the boards of directors in a large number of publicly held companies were not exercising independent judgment in monitoring and evaluating the work of management.

### TRANSNATIONAL PROBLEMS

As the globalization of business has continued to grow in importance, so too have the business ethics issues related specifically to doing business in and with other countries. One set of ethical problems derives from the old maxim, "When in Rome, do as the Romans do." This may be fine advice under most circumstances for business managers venturing out into other countries and other cultures, but does it, or should it apply, to ethical matters?

Bribery—under all its different names and different forms—has been the most often debated issue. Since the passage of the Foreign Corrupt Practices Act in 1977, it has been illegal under United States law to offer bribes to foreign officials in return for business contracts or other favors. However, the law specifically condones "facilitating payments," and so managers are called on to distinguish such payments from outright bribes. At the heart of this debate, however, is this question: If an act is deemed to be wrong—that is, absolutely immoral—in this country, why should it be considered acceptable to perform the same act in a different country or culture?

A quite different set of questions is raised when companies from developed countries do business in developing nations. Do such firms have special obligations and responsibilities? Nestlé was widely criticized during the late 1970's for the tactics it used to market its infant formula in developing countries. A variation of this issue regards the responsibility of manufacturers and retailers for the working conditions and wages in the factories of its suppliers. Nike and Wal-Mart are examples of large international firms that have been criticized for using developing world suppliers who employ child labor, pay wages so low that they cannot provide even the bare essentials of food and shelter, and where the working conditions and treatment by supervisors is inhumane. Under these circumstances manufacturers and retailers are called upon to be responsible not only for their own employees but for the employees of their suppliers and contractors as well.

The early twenty-first century also witnessed a growing world debate over the responsibility of pharmaceutical companies to make their patented drugs for acquired immunodeficiency syndrome (AIDS) and other life-threatening diseases available to poor African and Asian nations at greatly reduced prices.

### ATTENTION TO ETHICAL ISSUES

Interest in business ethics in the academic community began increasing during the mid-1980's. Since then, colleges and universities have incorporated growing numbers of ethics courses and modules into their graduate and undergraduate business curricula. A number of professional academic societies such as the Society for Business Ethics, the International Association for Business and Society, the Social Issues in Management division of the Academy of Management, and the Marketing in Society division of the American Marketing Association hold annual meetings and encourage the writing and publication of scholarly papers. The Center for Business Ethics at Bentley College has sponsored a series of national conferences on the subject.

Within the business community itself, there has also been a marked increase in the recognition of ethical problems. A number of companies have created the new position of "ethics officer." Most large companies have adopted "codes of conduct," programs that are designed to clarify their policies regarding ethical behavior, and systematically inculcate their



managers and employees at all levels with these policies. Johnson & Johnson credits the company-wide understanding of and respect for its Credo with helping the organization through its Tylenol crisis in 1982, still regarded as one of the great exemplars of ethical corporate behavior.

Throughout the economic history of the United States there have been periods of corporate misconduct followed by periods of heightened concern for business ethics and government regulation. There is no reason to think that this wavelike pattern of scandal and ethical reform will not continue.

*D. Kirk Davidson*

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A very good collection of business case studies and articles from business periodicals on all aspects of marketing ethics: advertising, pricing, product policy, research, and so forth.

Velasquez, Manuel G. *Business Ethics: Concepts and Cases*. 5th ed. Englewood Cliffs, N.J.: Prentice Hall, 2002. An excellent all-purpose text on the subject. Explains in readable, straightforward language the various frameworks for analyzing business behavior and uses those frameworks to analyze the most important ethical issues such as honesty in advertising and insider trading.

SEE ALSO: Advertising; Antitrust legislation; Corporate compensation; Corporate responsibility; Corporate scandal; Downsizing; Ethical codes of organizations; Marketing; Multinational corporations; Sales ethics; Wage discrimination; Whistleblowing.

## Butler, Joseph

IDENTIFICATION: English cleric

BORN: May 18, 1692, Wantage, Berkshire, England

DIED: June 16, 1752, Bath, Somerset, England

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: A pastor and bishop in the Church of England, Butler stressed the complexity of human nature and moral life and the importance of the conscience in decision making, most notably in his *Fifteen Sermons Preached at the Rolls Chapel* (1726).

In his Anglican sermons, Joseph Butler focused on various topics, including human nature and the love of one's neighbor. Humans and animals both have instincts, but humans also have a conscience, a inner sense of direction that holds authority over all other principles. Indeed, human government is possible only because people have this moral nature. One's conscience will direct one toward behavior that is most appropriate in the long run. It is possible, Butler conceded, to violate one's conscience in favor of some passion, but such behavior that gratifies the appetites at the expense of the conscience is unnatural. Conversely, acting in one's long-term self-interest is both rational and natural.

Likewise, Butler contended, the conscience urges one to act benevolently toward other people, since such behavior is also in one's long-term best interest. Thus, love of one's neighbors is as natural as love of oneself. Virtues such as temperance and sobriety are traceable to the exercise of benevolence, and vices to ignoring it. Butler disagreed with Francis Hutcheson, however, that benevolence is the sum of virtue in human beings, though he thought it to be so in God. In humans, conscience dictates that one should never approve on the grounds of benevolence such acts as falsehood, violence, and injustice.

*Paul L. Redditt*

SEE ALSO: Altruism; Christian ethics; Compassion; Conscience; Moral-sense theories; Self-love.

## Bystanders

**DEFINITION:** Individuals who fail to take action to stop or relieve wrongdoing that they witness

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The inaction of bystanders makes it easier for wrongdoers to harm their victims and raises questions about the ethics of those who remain passive in times of crisis.

Everyday life is filled with incidents in which bystanders watch events unfold without getting involved themselves. In most situations, such inaction is benign. However, ethical questions arise when bystanders passively observe wrongdoing or fail to act in emergency situations in which they might provide help to victims of crime or accidents. A particularly famous case of bystander inaction involved the murder of a young New York woman named Kitty Genovese. While walking home from work one evening in 1964, she was attacked and repeatedly stabbed by a stranger over a period of thirty-five min-

utes. At least thirty-eight neighbors witnessed her killing, but not one came to her assistance or even called the police to report the crime.

Such incidents raise questions as to why individuals fail to take action when another human being is in distress. Research has demonstrated two primary reasons for inaction. First, individuals in emergency situations tend to look to others for clues as to what they should do themselves. If they see no one else seemingly concerned, they assume that no action is needed. Additionally, when many bystanders are involved, a diffusion of responsibility develops. Each person tends to assume that taking action is someone else's responsibility. Once individuals choose not to become involved in a situation, the possibility of taking action later grows more difficult. To move from inaction to action requires individuals to confront the moral and ethic choices for passivity they make initially. Initial inaction also leads individuals to accept a "just world" position. In other words, to rationalize their lack of involvement, they may decide that victims somehow deserve their misfortunes.

Bystanders include not only individual human beings but also groups and nations. During the late nineteenth and early twentieth centuries, for example, many law enforcement agencies turned a blind eye to the lynching of African Americans in the American South. During World War II and the period leading up to it, much of the world stood by passively in the face of the Holocaust. Such inaction, particularly by groups, creates an atmosphere of impunity that may embolden perpetrators. Thus, passive bystanders can essentially serve to fuel wrongdoing and atrocity.

*Linda M. Woolf*

SEE ALSO: Duty; "Everyone does it"; Genocide and democide; Guilt and shame; Holocaust; Lynching; Nussbaum, Martha; Police brutality.

# C

## Calvin, John

IDENTIFICATION: Swiss theologian

BORN: July 10, 1509, Noyon, Picardy, France

DIED: May 27, 1564, Geneva, Switzerland

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Calvin led the Swiss Reformed branch of the Protestant Reformation. His doctrine of the “elect” emphasized the sovereignty of God, seeing the ultimate fate of all humans as determined in advance.

John Calvin studied theology, law, and classics, and he wrote his *Commentary on Lucius Anneas Seneca's Two Books on Clemency* (1532) by the age of twenty-three. His sympathies with emerging Protestant thinking caused him to flee Paris in 1534. He wrote the first edition of his *Institutes of the Christian Religion* in 1536 in Basel, Switzerland. That same year, he settled in Geneva, where he acted as both its civil and its religious leader. His own conversion experience gave him a sense of God's direct dealings with people.

Calvin emphasized the sovereignty of God. He believed that knowledge of God came only through revealed scriptures, not through unaided human reason. Humans were created morally upright, but through Adam's sin human nature became “totally depraved”; that is, all human faculties have been corrupted, and as a result humans are incapable of any act that God would deem good. Salvation is thus necessary but is wholly the act of God. Jesus died to effect the salvation of those God elects, and even the faith to accept salvation is God's irresistible gift. God alone chooses who will and who will not receive the faith to accept forgiveness. Further, those whom God saves, God preserves. The responsibility of the Christian is to lead a moral, temperate life.

The German sociologist Max Weber (*The Protestant Ethic and the Rise of Capitalism*, 1904-1905)

has argued that Calvinism has given rise to a work ethic and capitalism, although that conclusion is debated.

*Paul L. Redditt*

SEE ALSO: Christian ethics; Determinism and freedom; Edwards, Jonathan; Fatalism; God; Work.

## Campaign finance reform

DEFINITION: Efforts to improve the procedures through which political candidates collect and spend money in their efforts to win elections

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Advocates of campaign finance reform argue that increased regulation of campaign finance would lead to greater political fairness and decreased corruption in politics; opponents argue that new regulation would unduly limit the freedom that individuals should have when participating in elections.

Campaign finance reform became a hotly contested issue in American politics during the last several decades of the twentieth century. Proponents of reform have argued that allowing large campaign contributions undermines equality in a liberal democracy by giving undue influence to small groups who can demand favors from the candidates who receive their contributions. Reform advocates also argue that limitations on campaign spending for candidates, individuals, and groups makes it possible to have a more level playing field for those seeking public office.

Critics of campaign finance reform counter that limitations on making and receiving contributions limits freedom of citizens who desire to participate in the political process. They also argue that limiting contributions would lead to less-informed voters.

### EARLY FEDERAL CAMPAIGN FINANCE LAW

From the founding of the American Republic until 1971, there were relatively few restrictions on the financing of political campaigns. The Civil Service Reform Act of 1883 prohibited candidates for federal offices from collecting contributions on federal property. This regulation was primarily aimed at protecting federal employees, rather than at protecting or restoring the integrity of federal elections.

Because persons holding positions in the federal government had previously contributed large portions of the money spent on early federal campaigns, candidates and parties looked to other sources after passage of the reform act. Powerful corporations associated with manufacturing, railroads, and natural resources provided significant contributions to both major political parties during the final years of the nineteenth century. The criticism of the economic power of large corporations not only led to antitrust legislation, but also led to the Tillman Act of 1907 that prohibited corporations from making direct contributions to candidates for federal office.

In 1910 the Federal Corrupt Practices Act passed. It required disclosure of donors and for a short time established limitations on campaign spending. Neither that act nor its revisions established an independent enforcement agency, a fact that made the law's provisions largely ineffectual. The argument for disclosure was that the public should be able to know the identities of people attempting to influence political candidates. The law assumed that voters would be able to determine when office seekers were considering the interests of their district or the interests of their donors.

### MODERN CAMPAIGN FINANCE REFORM

Significant campaign finance reform began in 1971. The modern reforms have been driven, in large part, by concerns about political fairness and the integrity of political campaigns. In 1971 the Federal Election Campaign Act (FECA) established a comprehensive reform of campaign finance. The act required regular disclosure of campaign contributions and expenditures. It established limits on the amounts of money that candidates and their own families could contribute to their campaigns and set restrictions on advertising expenditures. A related act passed that same year provided limited tax deductions and credits for small contributions to political campaigns.

The purpose of that law was to encourage more individuals to participate in political campaigns.

In the wake of very large contributions made to President Richard M. Nixon's campaign for reelection in 1972 and increasing concern about corruption in government, Congress amended FECA in 1974. The changes that year included spending limits for presidential and congressional elections, a one-thousand-dollar contribution limit for individuals, a five-thousand-dollar limit for political action committees (PACs), and additional restrictions on how much individuals could spend on campaigns. The revision created the Federal Election Commission as an agency for enforcing the new regulations. The act also established a system of matching funds for candidates in presidential elections. Partial public funding of presidential campaigns was initiated as a means to provide fairness for candidates seeking the presidency and to limit candidates' reliance on private contributors.

In its *Buckley v. Valeo* (1976) decision, the U.S. Supreme Court struck down the spending limits for campaigns, limits on what individuals could spend on their own campaigns, and limits on what independent groups could spend to influence elections as violations of the First Amendment. The court did uphold disclosure requirements and limits on contributions.

In 2002 a major addition to campaign finance regulation was the Bipartisan Campaign Finance Reform Act. That act changed the system of campaign finance in many ways, but most significantly it prohibited political parties from raising and spending so-called "soft money"—large contributions given to parties and originally intended support general party activities. These large contributions were often used to influence particular elections. The act also prohibited independent organizations from broadcasting "electioneering communications" to defeat or elect candidates in close proximity to elections. Defenders of the bill saw it as removing the corrosive effects of large contributions. Critics asserted that the bill restricted the free speech of candidates.

### VALUES AND CAMPAIGN FINANCE REFORM

One side in the debate over campaign finance reform argues that the right of free speech should be the preeminent political value. It is an argument made by both conservative Republicans and the American Civil Liberties Union. Those who favor increased

regulation and greater public funding of campaigns assert that money greatly contributes to the corruption of both candidates and the democratic system and that increased regulation would lead to greater fairness. John Gardner, founder of Common Cause, summarized this sentiment stating that “there is nothing in our political system that creates more mischief, more alienation, and distrust on the part of the public than does our system of financing elections.” In *Political Liberalism* (1996), political philosopher John Rawls sided with proponents of reform. He argued that “political speech may be regulated in order to preserve the fair value of the political [system].”

Michael L. Coulter

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SEE ALSO: Democracy; Ethics in Government Act; League of Women Voters; Liberalism; Politics; Suffrage; Voting fraud.

## Camus, Albert

IDENTIFICATION: French Algerian journalist and author

BORN: November 7, 1913, Mondovi, Algeria

DIED: January 4, 1960, near Villeblevin, France

TYPE OF ETHICS: Modern history

Image not available

Albert Camus (center) on his arrival with his wife (left) in Sweden to accept his Nobel Prize in literature in 1957. (AP/Wide World Photos)

SIGNIFICANCE: One of the most important voices of existentialism, Camus was an opponent of totalitarianism in any form and a proponent of the individual. His many works include *The Stranger* (*L'Étranger*, 1942), *The Myth of Sisyphus* (*Le Mythe de Sisyphe*, 1942), *The Plague* (*La Peste*, 1947), *The Rebel* (*L'Homme révolté*, 1951), and *The Fall* (*La Chute*, 1956).

After growing up in Algeria, Albert Camus went to Paris in 1940 to work as a journalist. In 1943, he became a reader for the publishing firm Gallimard. He worked there until the end of his life to subsidize his writing. His writings may be divided into three periods: first, the period of the absurd or the antihero; second, the period of man in revolt, or the hero; and finally, the period of man on the earth.

During the period of the absurd, which is best exemplified by the novel *The Stranger*, man kills and is killed in turn by the state in a relatively senseless existence. During the second period, characters who are larger than life defy the world's absurdity and find meaning in life. In both *The Plague* and *The Rebel*, heroic men fight to overcome the evils of totalitarianism. The struggle reveals possibilities of goodness and principled existence hitherto not present in



Camus's work. During the final period, Camus often portrays characters who are wounded by their existence in the world. Yet these characters are often able to find some measure of human happiness and redemption in everyday life.

Camus received the Nobel Prize in Literature in 1957. He died in an automobile accident in 1960.

*Jennifer Eastman*

SEE ALSO: Absurd, the; Atheism; Common good; Existentialism; Human rights; Life, meaning of; Moral realism; Moral responsibility; Other, the.

## Cannibalism

**DEFINITION:** Consumption of human flesh by human beings

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** The morality of the practice of cannibalism is a matter of some controversy, especially because of the broad range of diverse circumstances in which it might occur.

When considering the morality of cannibalism, it is important to keep in mind several crucial distinctions. First and most important, there is the distinction between lethal cannibalism, which involves killing the person whose flesh is eaten by the cannibal, and nonlethal cannibalism, which does not involve killing a person whose flesh is eaten by the cannibal. Clearly enough, since it involves killing a person, lethal cannibalism is nearly always morally wrong. (Cases of morally permissible lethal cannibalism would be cases involving some special circumstance that justified killing another person; although this is very controversial, there may be cases in which lethal cannibalism is justified as a form of self-defense.)

Whereas it seems clear that lethal cannibalism is nearly always morally wrong, the moral status of nonlethal cannibalism is less clear. How might nonlethal cannibalism occur? One kind of case involves people who are stuck in places without food and are forced to consume the flesh of other people, with or without permission.

### Cannibalism in the Twenty-first Century

In January, 2004, a German court sentenced a forty-two-year-old man to eight and one-half years in prison for killing, dismembering, and eating another man. The cannibal's victim had allegedly submitted to being killed voluntarily, after replying to an Internet advertisement seeking a man for "slaughter and consumption." Outraged by the comparative leniency of the court's sentence, prosecutors planned to appeal the verdict, calling the murderer a "human butcher" who wanted to "satisfy a sexual impulse." However, the judge in the case stated that he did not believe the man had acted with cruel intent when he killed his victim, suggesting that his motive was a wish to "make another man part of himself"—a goal he achieved by eating his victim.

Thinking about this possibility (or about cannibalism in general) probably causes disgust or revulsion in many people. It is important, however, to recognize the distinction between what people find disgusting or repulsive and what people sense to be morally wrong. Many things are disgusting although they are not morally wrong (for example, the consumption of human waste). One must be careful not to infer that nonlethal cannibalism is morally wrong merely because one finds it disgusting or repulsive.

What should one say about the morality of nonlethal cannibalism? Perhaps what one should say here depends in part upon one's view of the relationship between human beings and their bodies. For example, if people are really nonphysical souls that are "attached" to physical bodies until the moment of death (when souls "leave" their bodies), then nonlethal cannibalism might seem to be morally permissible after death. After the soul has left the body, in this view, the dead person's body is very similar to the dead body of an animal, and it seems morally permissible to many people to consume dead animals.

However, that argument could be reversed. If one believed that it was morally impermissible to consume dead animals, then one could draw the same conclusion about dead persons. There are interesting similarities between arguments concerning nonlethal cannibalism and arguments concerning the consumption of animals; it is important in both cases to observe the lethal/nonlethal distinction.

A similar argument is suggested by the very different view that persons are physical creatures without nonphysical souls. In this view, death involves the cessation of bodily function. While a person is alive, she is identical to her body; once she has died, however, she ceases to exist and her body becomes a physical object much like the body of a dead animal. As previously mentioned above, if it is morally permissible to consume the flesh of a dead animal, then it might seem morally permissible to consume the flesh of a dead person.

Another consideration that suggests this conclusion is the fact that, typically, the bodies of dead persons naturally decompose and become changed into other organic substances. Sometimes these same bits of matter eventually become parts of new plants or animals, which are consumed by human persons in morally permissible ways. At what point in this transition does it become morally permissible to consume the matter in question? It seems hard to offer a nonarbitrary answer, which suggests that it is morally permissible to ingest the matter in question at any stage in the process, even when it is still recognizable as part of a dead person's body.

That argument, too, could be reversed: One might conclude instead that it is morally impermissible to ingest the matter in question at any stage in the process.

There are other considerations, however, that must be weighed against these arguments on behalf of the moral permissibility of nonlethal cannibalism. For example, it might be suggested that unless the lives of other people are at stake, respect for dead people requires that their bodies not be ingested by others. It also might be argued that religious prescriptions concerning the treatment of dead persons' bodies make nonlethal cannibalism morally impermissible. Finally, it might be unwise to permit nonlethal cannibalism because such a policy might encourage lethal cannibalism, which is almost always morally wrong.

Because of the arguments on both sides and the controversial issues that surround them, it is very difficult to settle the dispute over the morality of nonlethal cannibalism in a brief article such as this one. Hence, people should consider carefully the arguments on both sides in order to arrive at a well-informed opinion.

*Scott A. Davison*

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SEE ALSO: Animal rights; Death and dying; Dominion over nature, human; Homicide; Immortality; Life and death; Moral status of animals; Morality; Permissible acts; Taboos.

## Capital punishment

**DEFINITION:** Punishment that takes away the life of a convicted wrongdoer; also known as the death penalty

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Capital punishment is an ethical and legal life-and-death issue that may be seen in the contexts of justice, deterrence, and the progress of society.

Laws calling for capital punishment can be found in the earliest criminal codes, and the death penalty is probably as old as civilization itself. During the eighteenth century B.C.E., Hammurabi's code provided for capital punishment in Babylon for a number of offenses, including murder, putting death spells on people, lying in capital trials, and adultery. During the Industrial Revolution, Great Britain applied death penalties to more than two hundred offenses, including certain cases of cutting down trees and picking pockets. Throughout history, capital punishment has been applied most readily to the lowest economic and social classes.

The history of capital punishment raises ques-

tions about cruel and unusual punishment. Executions of human beings have been carried out by such savage methods as boiling, burning, choking, dismembering, impaling, disemboweling, crucifixion, hanging, stoning, and burying alive. Modern gas chambers, electric chairs, and lethal injections are seen by many as humane advances; others respond that the guillotine—used to chop off heads efficiently—was also once seen as humane.

Because of constitutional challenges carried to the U.S. Supreme Court, no executions took place in the United States between 1967 and 1977. In 1972, the Court ruled, in *Furman v. Georgia*, that capital punishment violated the Eighth Amendment's prohibition against cruel and unusual punishment because the penalty was often administered in an "arbitrary and capricious manner." After that Court ruling, many states began to redraft their statutes on capital punishment. Four years later, in *Gregg v. Georgia*, the Supreme Court ruled that capital punishment was not unconstitutional, so long as the punishment was administered within systems designed to prevent ju-

ries from imposing the death penalties in an arbitrary or capricious manner.

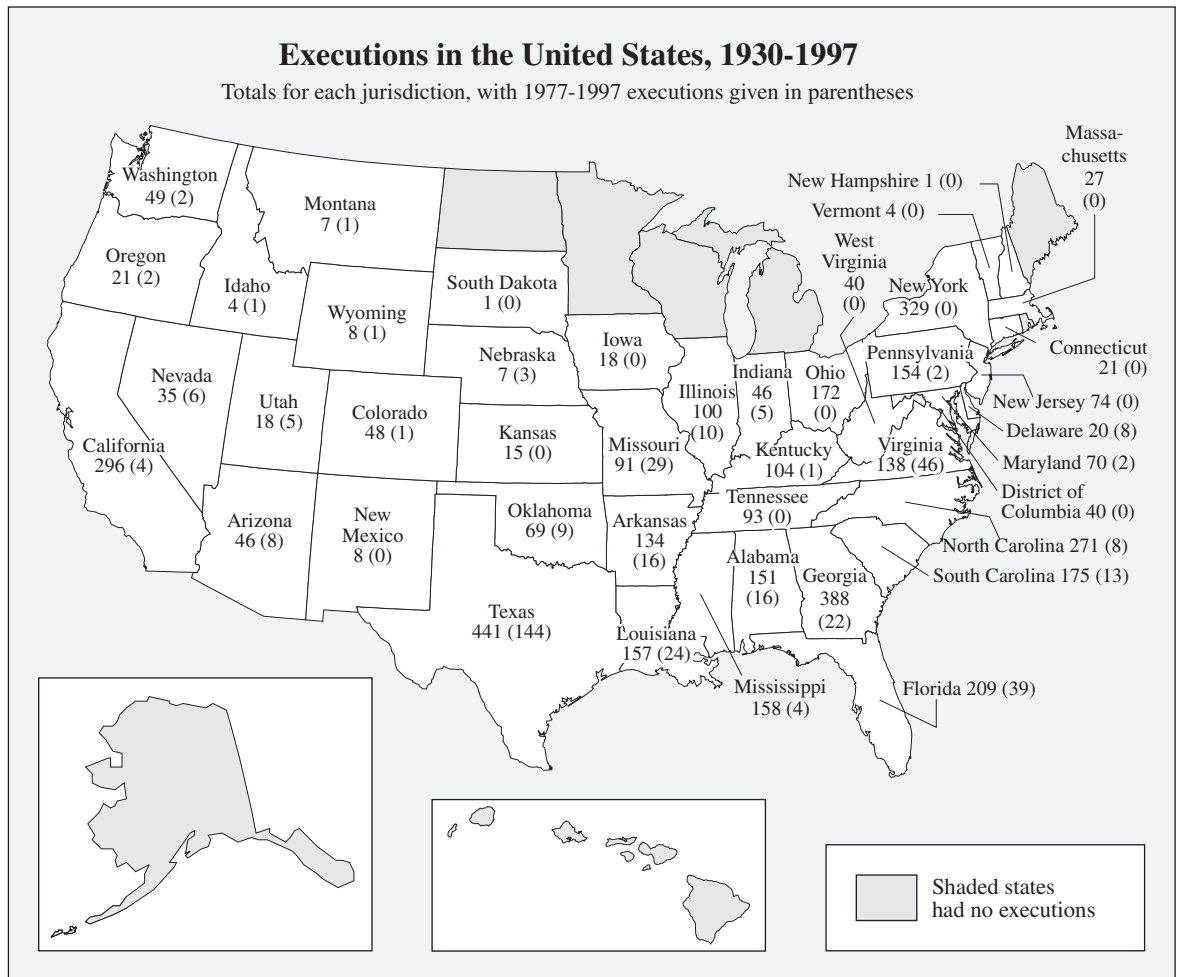
After executions were resumed in the United States in 1977, convicts who were executed were those found guilty of either murder or of committing acts that led to the deaths of other persons. Some state statutes also allowed capital punishment for treason, aircraft piracy, and train-wrecking.

### RETRIBUTIVE JUSTICE

One argument for capital punishment appeals to the desire for retribution to fit the offense, as expressed by the saying "an eye for an eye, and a tooth for a tooth." The argument was articulated most eloquently by Immanuel Kant during the eighteenth century. He argued that the only fitting repayment for murder is the life of the murderer, for to inflict any lesser punishment would be to devalue the unconditional worth of human life. Kant took the unusual tack of arguing that it also would be an offense to murderers themselves not to take their lives, for not to do so would imply that the murderers were not re-

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*Technicians check for vital signs in the body of a confessed mass-murderer—the first person executed by lethal injection in Guatemala, in 1998. All previous executions in the Central American nation had been by firing squad. By the early twenty-first century, lethal injection was the preferred form of execution in virtually every U.S. state and in many other nations. (AP/Wide World Photos)*



*Note:* There were 4,291 total executions, 1930-1997, including 33 prisoners executed in the federal system. The total for 1977-1997 of 432 prisoners executed includes no federal executions.  
*Source:* U.S. Department of Justice, Bureau of Justice Statistics, *Capital Punishment 1997* (December, 1998).

responsible for their actions and were therefore not human beings.

Several objections can be made to the retributive justice arguments. First, it may be argued that on Kant's own grounds of the unconditional worth and dignity of the individual, execution should not take place, for surely the concept of unconditional worth applies even to a murderer. Second, many social scientists would argue that two centuries of empirical investigation since Kant's time have shown that murderers often are not responsible for their own actions. Third, it is clear that by Kant's insistence that murderers not be maltreated in their deaths, he is saying that justice requires not an identical act as retribution,

but one of likeness or proportion. Therefore, would not a life sentence without the possibility of parole be proportionate, and in addition allow for the reversal of erroneous verdicts?

**DETERRENCE**

Reform movements of the eighteenth and nineteenth centuries, led intellectually in Great Britain by the utilitarians Jeremy Bentham and John Stuart Mill, questioned the logic behind the widely varying punishments set forth in the legal codes. The utilitarians questioned the authority of religion and tradition, pointing to the often inhumane results of such reasoning by authority. Instead of basing legal penalties

on retribution, the utilitarian agenda of maximizing the pleasure and minimizing the pain of a society called for penalties based on deterrence: Penalties should be only as harsh as necessary to prevent undesirable acts from occurring again, and no harsher. This utilitarian argument has been used to make cases both for and against capital punishment.

Some argue that capital punishment is necessary as a deterrent against further murders. Surely, they reason, having one's life taken is the greatest fear that a person should have, and a swift and just application of the death penalty would prevent many future murders from occurring. Execution would obviously deter convicted murderers from committing later offenses, and would also deter potential murderers who would fear the consequences.

Numerous objections have been raised to the deterrence argument. First, while deterrence seems to be a modern, progressive view that is far more reasonable than an "eye for an eye," opponents point out that society is still engaging in the barbaric practice of taking human life. In addition, the argument from progress can well be used against capital punishment, as the United States was the only major Western country that still practiced capital punishment at the beginning of the twenty-first century. South Africa also had capital punishment until 1995, when its supreme court unanimously ruled the death penalty unconstitutional. Progressivists also point out that in 2001 only three nations executed more people than did the United States: China, Iran, and Saudi Arabia.

Another argument against the principle of deterrence is that it is not intuitively clear that a would-be murderer would fear a relatively painless death, as by lethal injection, more than the prospect of unending days in prison. Also, there is great question about the empirical claim that the death penalty actually does deter potential murderers. Opponents argue that of the many studies done, none has ever showed convincing evidence that the death penalty is an effective deterrent. Many murders are crimes of passion in which the murderers do not rationally assess the penalties they may face if they are caught.

Others argue that the death penalty continues to be cruel and unusual punishment because it is imposed disproportionately on members of minority groups and poor people. Several studies have concluded that a prime factor in determining whether the death penalty will be imposed in a murder case is the

race of the victim. Regardless of the race of the defendant, the death penalty is imposed far more often if the victim is white. Between 1977 and 2002, African Americans constituted 46 percent of the victims of homicides in the United States, but only 14 percent of executions were in cases in which victims were African Americans. On the other hand, during that same period, white Americans constituted 51 percent of the victims of homicides, but 81 percent of executions were in cases where whites were victims.

Another type of disproportion is regional. Fifteen southern states accounted for more than 80 percent of the executions in the United States after 1977. Moreover, within any given state, different counties may have widely differing execution rates.

The disproportions by race and economic class, along with cases of exonerations of dozens of persons on death row, have led a number of organizations to call for a moratorium on the death penalty until justice can be more certainly established. In 1997, the American Bar Association began calling on each state that practiced capital punishment to enact a moratorium until it could show that its policies were fair and impartial and minimize the risk of executing innocent persons. However, by 2003, Illinois was the only state that had imposed such a moratorium, which it adopted in 2000.

Despite the arguments about the injustice of the death penalty, support for the death penalty in public opinion polls actually grew substantially through the quarter-century following the restoration of executions in 1977. However, as is always the case in public opinion polls, the ways in which questions are asked may influence the responses. For example, when respondents to polls are given the option of choosing life in prison without the possibility of parole for offenders, their support for capital punishment tends to lessen substantially.

Norris Frederick

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SEE ALSO: American Civil Liberties Union; Amnesty International; Criminal punishment; Deterrence; Erroneous convictions; Hammurabi's code; Homicide; Punishment; Supreme Court, U.S.; War crimes trials.

## Capitalism

**DEFINITION:** Economic system based on the private ownership of capital and the distribution of commodities through a free market

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** On an economic level, capitalism creates the opportunity for each individual to improve his or her standard of living, while simultaneously ensuring that a minority of the citizens will always control a majority of the wealth. On the level of ethics, capitalism encourages the development of personal freedom rather than social justice, and of individual rights rather than interpersonal responsibilities.

An economic system is a set of arrangements by means of which people living in a relatively large group, generally a country, make decisions about how they will produce, distribute, and consume goods and services. Broadly speaking, those decisions can be made by means of either central planning by the government or consumer choices in a free market.

The existence of the capitalist economic system that prevails in the United States is made possible by the political system, which is based on the idea of the highest possible level of individual freedom and re-

sponsibility. Capitalism emphasizes three principles: the private ownership of property, including the means of production; the dominance of the consumer, who is free to buy or not, as he or she pleases; and individual rewards for those producers whose products please the consumer.

### A FRAME OF REFERENCE

In every field of human activity, ethics involves determining what types of human behavior are right, good, and to be encouraged, and what types are wrong, bad, and to be avoided. In order to make such determinations, there must be standards against which to judge specific actions and sets of rules that are used to guide the personal decision-making process.

The most appropriate ethical system by which to judge capitalism is, as it happens, also the ethical system that has exerted the most influence over the past several hundred years: utilitarianism. Developed during the nineteenth century by John Stuart Mill, utilitarianism has as its *summum bonum*, its highest good, the principle of the greatest good for the greatest number, which, Mill said, "holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness." (Each ethical system has its own *summum bonum*. What has been described here applies specifically to Mill's utilitarianism.)

Matters of human happiness and well-being generally bring to mind conditions that are measured by degrees of political liberty and freedom from oppression. If people in a society are enjoying political freedom and democratic government, if they are not living under a military dictatorship or in a police state, and if they have elections that are fair and honest, the spectrum of activities in which day-to-day freedom is a major factor would seem to be covered. Yet that may not be the case. In a democracy, it is true that the majority rules, and that would appear to be consistent with the principle of the greatest happiness for the greatest number.

A closer look at capitalism gives rise to a question: How is the minority represented? Consider, for example, that, even with the greatest degree of political freedom, an individual voter generally is faced with only two choices. An issue passes or fails. A candidate wins or loses. It is a fact that, although the supporters of an unsuccessful issue or candidate may not be completely ignored, they are not represented

in the same way that the majority is. To say this is, to be sure, not to disparage democratic freedoms or personal liberties or free elections. It is simply to state that, by their very nature, political (government-developed) responses to human needs usually have one great limitation: They provide a single or a very limited selection. That limitation applies also to government-developed responses to economic questions involving the production, distribution, and consumption of goods and services, to the arrangements for the actual day-to-day business of providing for oneself. It affects the standard of living and the quality of life.

### CONSUMER HAPPINESS

Capitalism, however, once established as an economic system within a free political system, can offer the individual consumer, who is voting with dollars at the cash register with each purchase, a huge number of choices. Free entry into markets brings out multiple producers, all of whom offer their wares and are able to satisfy, together, virtually all consumers by satisfying separately a large number of very small markets, producing in the end the greatest happiness for the greatest number and achieving the *summum bonum* of Mill's utilitarianism.

The incentive for producers to enter any market in a capitalist system is to try to satisfy as many people as possible in order to make a profit, which comes to a producer as the result of sufficient voluntary patronage by free consumers. That tangible reward for producers induces them to put forth their best efforts, to produce the best product, and to attempt to capture the largest share of their market. The principal beneficiary of profit, therefore, is not the producer but the consumer. Building a better mousetrap will certainly make the producer prosperous, but the real payoff for society at large is that the better mousetrap will catch everyone's mice, and in that way everyone will be better off. In other words, the *summum bonum*, the greatest happiness, is achieved.

Nevertheless, it is still often said that capitalism, with its emphasis on the profit incentive, has no ethics or principles. That view misunderstands, however, the real and fundamental nature of profit as it relates to the consumer. Profit is a means of communication from consumer to producer. It is the consumer's voice and the producer's ears. Because it is communication that cannot be ignored by the pro-

ducer, who wants to stay in business, it is a device that enables the control of the producer by the consumer. Profit exists only when a sufficiently large segment of a producer's market has chosen to buy the product being offered for sale. If customers are not happy, they do not buy, and there is no profit. Profit is a real-time indicator of the degree to which a producer is serving the greatest-happiness principle.

### THE REAL TEST

The true test of any economic system, however, asks but one question: How well are those who are using it able to provide for themselves and their families? Even a cursory glance around the world will reveal at once that capitalism has proved itself best able to improve the human condition. When the question of the unequal distribution of wealth in a capitalist society is raised, it should be noted that people in noncapitalist states are working very hard indeed to establish capitalism. Capitalism is the economic system of choice when people are free to choose their own economic system.

John Shaw

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SEE ALSO: Choice; Communism; Distributive justice; Economics; Free enterprise; Individualism; Marketing; Marxism; Profit economy; Smith, Adam; Socialism.

## Caste system, Hindu

**DEFINITION:** Social order indigenous to India in which society is divided into hierarchically ranked, occupationally specialized, endogamous groups  
**DATE:** First millennium B.C.E. to present  
**TYPE OF ETHICS:** Beliefs and practices  
**SIGNIFICANCE:** The caste system was founded on the principle that ethics are not universal but are relative to one's niche in society.

The Hindu caste system is one of the oldest recorded forms of social organization in the world. It is based on the conception of society as an organic whole in which each group serves a particular function. The social order of caste emphasized hierarchy and interdependence rather than equality and independence. Although the idea of caste is most fully elaborated and justified in the Hindu religious tradition, elements of caste organization have permeated South Asian society generally. The caste system is being eroded by urbanization, industrialization, and the increasing influence of Western ideas.

### CHARACTERISTICS OF CASTE

From a sociological viewpoint, the caste system can be defined as a form of social stratification based on hierarchically ranked, occupationally specialized, endogamous (in-marrying) groups. Caste is an ascribed rather than an achieved status, meaning that an individual is born into the caste niche that he or she will occupy throughout life.

There are four basic caste levels, or *varṇa* in the Hindu system. The highest ranked level is that of the *Brāhmin*, traditionally associated with the priesthood. The second level is that of the *Kṣatriya*, warriors and rulers, and the third is that of the *Vaiśya* or merchants. The bottom level is that of the *Śūdra*, the

commoners. Beneath the four major *varṇa* of the system are the outcastes, or untouchables.

Within the *varṇa* categories of Hindu society are numerous smaller groupings called *jāti*. (The English word "caste" is used, somewhat confusingly, to refer to both *varṇa* and *jāti*.) Like the *varṇa* themselves, *jāti* are also ranked strictly in terms of social prestige. Intricate rules govern the interactions of the *jāti* in daily life; for example, some groups may not accept food from other groups, some groups have access to sacred scriptures and some do not, and some groups must indicate humility and subservience before other groups. In addition to rules that divide and separate people, however, there is another principle that unites them: *jajmani*, or the exchange of services. Through a *jajmani* relationship, a *jāti* of shoemakers might exchange services with a *jāti* of potters, for example, however separate they may be in other areas of social life.

### HISTORY OF CASTE

Although some scholars search for the roots of India's caste system in the ancient civilization of the subcontinent, the Indus Valley or Harappan civilization, the earliest clear evidence for caste is found in the texts of Indo-European groups who migrated into the area in several waves beginning about 1500 B.C.E. These texts, collectively called the Vedas, or books of knowledge, which became the sacred texts of the Hindu religion, describe three classes of society roughly corresponding to the top three *varṇa* of the later system. Although archaeological and historical evidence for this ancient period is scanty, most people believe that the fourth, or *Śūdra varṇa* was added to the three Indo-European classes as these immigrants moved into the subcontinent, encountering indigenous people who were pushed to the lowest position in the social hierarchy. Supporting this scenario is the fact that the top three *varṇa* are called *ārya*, or "pure" (from "Aryan," another name for the Indo-Europeans), while the *Śūdra varṇa* is *anārya*, "impure" (un-Aryan). The untouchable stratum, with its particularly despised status, would have been added to the system as the migration southward forced the Indo-Europeans into contact with even more remote indigenous peoples.

Buddhism and Jainism, which arose during the fifth century B.C.E., were in part rebellions against Vedic society with its unequal social divisions. Both

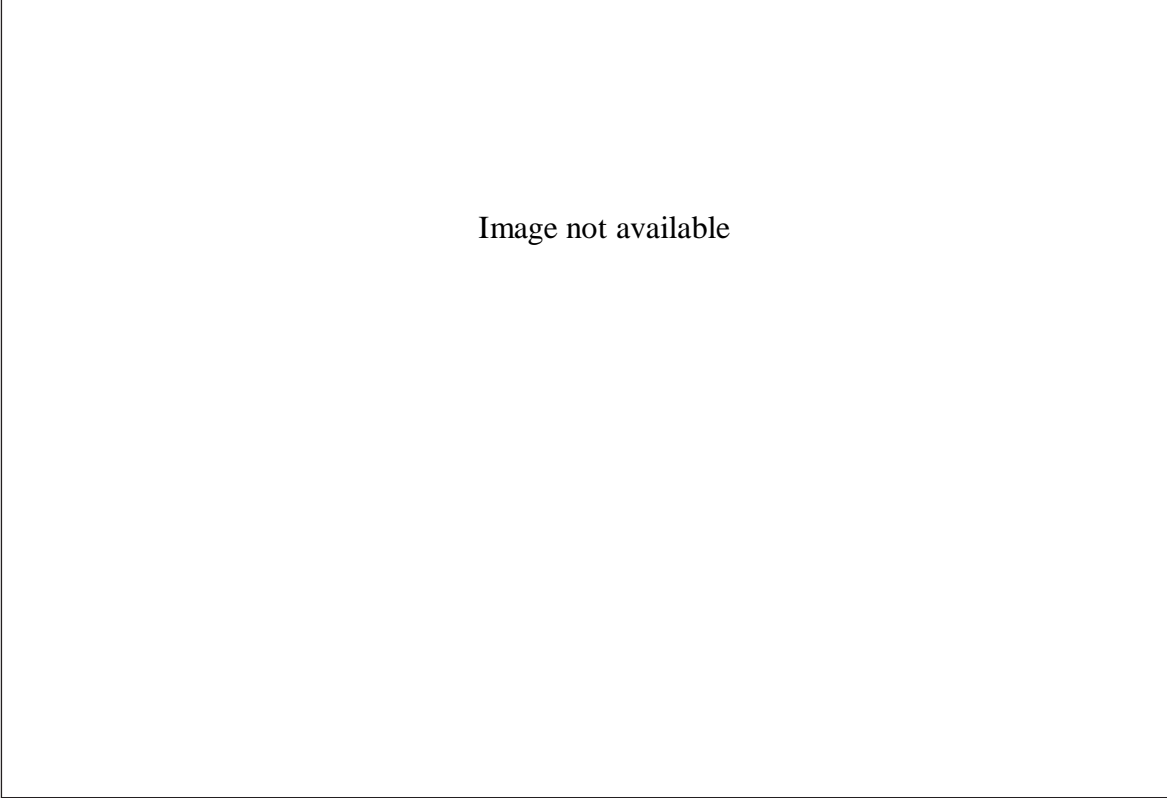


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*Members of India's lower castes light candles in a peaceful plea for equal rights and nondiscrimination during the World Social Forum held in Bombay, India, in January, 2004. Delegates to the convention also called for non-discrimination against other oppressed minorities throughout the world. (AP/Wide World Photos)*

religions renounced the institution of caste, and Buddhism became particularly popular in India by about the third century B.C.E. Afterward, however, there was a revival of Vedic tradition with its attendant social order, which became codified in legal treatises such as the Code of Manu. While it is unclear whether the rules prescribed for caste behavior in such texts were enforced, certainly the conception of what caste meant and how a caste system should function was solidified by the middle of the first millennium C.E. The religious tradition of Hinduism, which arose out of a synthesis of Vedicism, Buddhism, Jainism, and other strands of thought and culture, developed an intricate philosophical justification for caste that remains valid for many Hindus today.

#### **RELIGIOUS JUSTIFICATION FOR CASTE**

The Hindu understanding of caste is tied to the notion of reincarnation, an eschatology that sees

souls as being reborn after death in an endless cycle. Dependent on the karma that people accumulate during their lifetimes, they might be reborn at higher or lower levels than during their previous lives. One implication of this vision is that the respect that one owes to high-caste individuals has been earned by them in previous lifetimes, and that the scorn heaped upon those of low birth is deserved because of similar past deeds.

Linked to this understanding of karma is the notion of dharma, or duty, meaning in the Hindu sense duty to one's caste niche. "One's own duty imperfectly performed is better than another's duty perfectly performed," is the wisdom offered by the *Bhagavadgītā*, a text holy to many Hindus. In one scene in this text, a *Kṣatriya* prince named Arjuna hesitates on the eve of battle out of an ethical concern for killing, and is advised by his charioteer Kṛṣṇa that since he is of *Kṣatriya*, or warrior, status, his dharma

is to kill. The highest ethic for him is to do what he was born to do (that is, to fight), which will then accrue positive rather than negative karma. Another's dharma, and hence his or her karma, would be different. This is the particularism of Hinduism's ethical tradition, which leads to an unwillingness to generalize about rights and wrongs of human action in the universalist way familiar to most Westerners.

Another component of Hinduism's conceptualization of caste involves the traditional cosmogony in which the various levels of society were created out of the primordial cosmic being, the *Brāhmin* arising from his mouth, the *Kṣatriya* from his arms, the *Vaiśya* from his thighs, and the *Śūdra* from his feet. This vision of the divine spirit being equivalent to the social order itself leads to a sense of division and difference as themselves holy. Combined with the notion of a moral duty to accept one's caste position as discussed above, this image contributes to a deep resistance to change in the caste system.

Although caste has been legally abolished in modern India, it continues to function on many levels of social life. In recent years, there has been some attempt on the part of the government of India to uplift those of lower-caste backgrounds through preferential admissions and hiring policies, but caste conflict remains a potent force in Indian politics.

#### INTERPRETATIONS OF CASTE

Among many perspectives on the caste system, two general trends can be discerned. Some prefer to emphasize the consensus that is implicit in the conceptualization of society as an organic whole, contrasting this with the individualist and competitive character of social relations in Western societies. Others focus on the degree of conflict that is inherent in the caste model, which privileges some groups and subordinates others. The first of these is most common in the Indian Hindu community and is favored by many Indian and Western social scientists, while the second is expressed most vociferously by non-Hindu minorities and by Marxist scholars.

Western interpretations of caste are tied into the notion of cultural relativism—the idea that other cultures have to be understood in their own terms and not in those imposed by the West. While this concept leads many to respect caste as an indigenous form of social organization, others believe that it needs to be circumscribed by a cross-cultural commitment to hu-

man rights and basic equality. The caste system of India therefore provides an entry point to some of the key issues facing those who are interested in the study of other cultures.

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SEE ALSO: *Bhagavadgītā*; Discrimination; Hindu ethics; Inequality; Karma; Laozi; Poona Pact; Segregation; Sikh ethics.

## Casuistry

**DEFINITION:** Method of resolving ethical dilemmas through the analysis and comparison of individual cases of decision making

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** For millennia, casuistry was an influential method in Judaic and Christian ethics; it reemerged during the 1970's as a dominant approach in professional ethics and especially in bioethics.



Casuistry focuses on cases of decision making in which agreed-upon moral principles do not provide obvious answers about what would be the right action. The method involves comparing a difficult case with settled cases and using these comparisons, along with agreed-upon principles, to debate what should be done in the difficult case.

Casuistry is a natural method that is employed by nearly every human culture. It was self-consciously developed and taught in Greco-Roman rhetoric and in Judaism, and it was dominant in Christianity from 1200 to 1650. Casuistry decreased in influence thereafter, partly as a result of its abuse by some medieval authors to justify whatever decision they preferred, and partly as a result of the rise of systematic moral theory. Since a consensus on moral theory did not develop, however, and modernity brought new moral problems, casuistry continued to be employed. It has been especially prominent since the 1970's in professional ethics.

SEE ALSO: Applied ethics; Conscience; Dilemmas, moral; Intuitionist ethics; Medical ethics; Pascal, Blaise; Situational ethics.

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*A driver entering the New Jersey Turnpike in early 2004 talks on his cell phone on the first day that a New Jersey law outlawed the use of hand-held cell phones by people driving vehicles. Some studies have shown that the rates of accidents involving drivers using cell phones are similar to those of accidents involving drunk drivers. (AP/Wide World Photos)*

## Cell-phone etiquette

**DEFINITION:** Proper and improper use of cell phones in public places

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The rapid growth of cell phones that began in the late 1980's has led to public debate on the ethics of using such in public.

Almost since the time that the first cell phones were introduced to the public in 1977, questions have been raised concerning the proper way to conduct cell-phone conversations in public places. By the middle to late 1980's, the cell-phone industry and the number of cell-phone customers was growing rapidly, and the early years of the twenty-first century users in North America numbered more than sixty million. The widespread use of cell phones has led to what many people consider misuse of cell phones. Some of the main grievances concerning inappropriate use of this relatively new industry include people talking on their phones in restaurants, theaters, checkout lines in stores, and their cars. In addition, interruptions due to cell-phone calls often disrupt classrooms and business meetings.

A 2003 survey conducted by the web site LetsTalk.com found that only 57 percent of cell-phone users turn off their ringers while in movie theaters and even fewer—43 percent—turn off their phones while in restaurants. This behavior is considered by many people to be unacceptable and has raised the issue of the need to curb cell-phone use in public places. In 2004, many American cities and states were considering legislation to ban cell phones from public places such as restaurants, theaters, and public transportation.

A more important consideration in cell-phone use is public safety. Using cell phones while driving vehicles is believed by many people to be more than simply ethically wrong; it is also seen as a safety issue. In response to this concern, New York became, in June 2001, the first state to require motorists to use hands-free devices to talk on cell phones while driving. Mean-

### An Embarrassing Moment

Actor Brian Dennehy has developed a dislike of cell phones because of the disruptions they have caused in theaters in which he has performed. He had a particularly bad moment while starring in the Arthur Miller play *Death of a Salesman*, when a cell phone went off in the audience during the second act.

As he later recalled, the incident happened during a “very beautiful scene, heartbreaking scene, and this thing went off, and it went off, and it went off, and it went off.” He finally simply said, “‘All-right, let’s stop. We’ll wait while you find your phone and turn it off, have your conversation, whatever it is, but we’ll just wait.’ Well of course the guy was mortified and ran out of the theater.”

while, as the cell-phone industry continues its rapid expansion, so too, does the debate over the need for legislation concerning the ethical uses of cell phones.

*Kimberley M. Holloway*

SEE ALSO: Computer technology; Confidentiality; Electronic mail; Electronic surveillance; Etiquette; Gossip; Invasion of privacy; Privacy.

## Censorship

**DEFINITION:** Official scrutiny and consequent suppression or alteration of publications, performances, or art forms that fail to meet institutional standards

**TYPE OF ETHICS:** Arts and censorship

**SIGNIFICANCE:** Justification of censorship in virtually all cultures is founded upon policies concerning public welfare and morals; arguments against censorship center on the moral values of free expression and the open exchange of ideas. The strength of ethical convictions on both sides of the issue continues to fuel controversy.

Since classical times, proponents of censorship have invoked religion or government to promote the repression of material that purportedly threatened pub-

lic morals or controlling institutions. In this context, artistic expression has been targeted as potentially harmful by ancient philosophers, religious organizations, special-interest groups, and governmental bodies. Throughout the ages, the basic arguments for and against freedom of expression have remained remarkably consistent.

### HISTORY

Plato was among the earliest proponents of censorship of the arts. His *Laws* (360 B.C.E.) argued for strict censorship of the literary and visual arts, particularly poetic metaphor, which he claimed interfered with achieving pure, conceptual truth.

Early Christianity took a similar position concerning mythology and art. The Roman Catholic Church eventually utilized censorship to control philosophical, artistic, and religious belief generally. In 1521, Holy Roman emperor Charles V issued the Edict of Worms, which prohibited the printing, dissemination, or reading of Martin Luther’s work. The *Index librorum prohibitorum* (1564), which was published by the Vatican, condemned specific books. The *Index* eventually included such works as Galileo Galilei’s *Dialogue Concerning the Two Chief World Systems* (1632); Galileo was subsequently prosecuted for heresy during the Inquisition.

The scope of governmental censorship in Europe changed with the separation of powers between the church and state. When church courts were abolished and religious beliefs and morals were no longer subject to government control, censorship laws focused on political speech and writing. Works criticizing government practices ran the risk of prosecution for seditious libel in England; in France, Napoleon censored newspapers, publications, theatrical productions, and even private correspondence at will.

Politically motivated censorship became common in countries with totalitarian governments, from communism to fascism. *The Communist Manifesto* (1848) of Karl Marx and Friedrich Engels was banned throughout Europe, yet subsequently communist leaders from V. I. Lenin to Mao Zedong to Fidel Castro routinely practiced political censorship. In the Soviet Union, political censorship targeted the arts when it imposed the doctrine of Socialist Realism in 1932. The following year in Germany, Adolf Hitler organized nationwide book burnings in the name of the National Socialist government.

Soviet-bloc writers, artists, and scientists have been imprisoned, exiled, and have had their work confiscated, when it has been deemed ideologically impure. Aleksandr Solzhenitsyn was arrested in 1945 for a pejorative remark about Joseph Stalin, spent eleven years in prison, and was finally exiled in 1974. In Muslim fundamentalist countries, religious censorship is the norm. For example, the publication of Salman Rushdie's *The Satanic Verses* (1989) prompted Iran's Ayatollah Khomeini to pronounce a *fatwa*, calling for Rushdie's death and forcing the author into seclusion.

Public political debate was given constitutional protection in some jurisdictions. Article 5 of the Basic Law of West Germany (1949) and Article 10 of the European Convention on Human Rights and Fundamental Freedoms (1953) specifically provided for free speech rights. The First Amendment to the U.S. Constitution, ratified in 1791, expressly prohibited Congress from making any law that abridged freedom of speech, press, religion, assembly, or the right to petition the government for redress of grievances. This right to free speech was not, however, absolute. The First Amendment has generated an enormous amount of litigation over its interpretation, particularly when it has collided with other rights in American society.

The degree to which the principle of free speech has been extended to the arts has been a matter of case law in all jurisdictions in which censorship has been scrutinized. Most troublesome for the courts has been the issue of the protection of allegedly obscene or pornographic material.

When free expression has come into conflict with potentially overriding public policy concerns, the courts have engaged in complex legal reasoning, often guided by philosophical and political arguments, in order to determine which interests dominate. Despite the evolution of cultural values, vestiges of several arguments remain common to most court deliberations of the free speech principle.

The argument from truth (also referred to as the libertarian argument) has been associated with the works of John Stuart Mill, but it was also articulated by John Milton two hundred years earlier. It emphasizes the importance of open discussion to the discovery of truth as a fundamental good and invaluable to the development of society. To some extent, this philosophy has been utilized by the U.S. Supreme

Court, first in Justice Oliver Wendell Holmes's now-famous dissent, in *United States v. Abrams* (1919), although its application is limited to speech with political, moral, aesthetic, or social content.

The argument from democracy views freedom of speech as a necessary component of any democratic society, in which public discussion is a political duty. Alexander Meiklejohn is one of its leading proponents, and similar theories are found in the works of Immanuel Kant, Baruch Spinoza, and David Hume. The constitutional scholar Alexander Meiklejohn considered the First Amendment a protection of the right of all citizens to discuss political issues and participate in government. Similarly, the German Constitutional Court and the European Court have recognized the importance of public debate on political questions. The argument from democracy has had little success in cases involving nonpolitical speech.

By contrast, the argument from individuality is rights-based rather than consequentialist, recognizing the interest of the speaker, rather than society, as being paramount. It asserts that there is an individual right to freedom of speech, even though its exercise may conflict with the welfare of society. A free expression rationale based solely on individual fulfillment has raised philosophical and legal quandaries when it has come into conflict with other equally important liberties.

The argument from the paradox justifies censorship in cases in which freedom of speech is exercised by those who would use it to eliminate the free speech principle itself. For example, in England, it was used to set regulations restricting the activities of the National Front. In the United States, those seeking to prohibit the marching of the Nazi Party in Skokie, Illinois, a predominantly Jewish suburb of Chicago, relied on this argument without success. The European Convention on Human Rights employed it as a fundamental consideration in Article 10, and it has been cited as authority for outlawing the German Communist Party.

The utilitarian argument suggests that the speech in question should be weighed for the balance of pleasure and pain. Its value is limited in assessing the extent of free speech protection contemplated by the U.S. Constitution, or other legislation with similar provisions.

The contractualist argument is a rights-based con-

ception that excludes certain rights from state power, particularly the right to conscience. This argument asserts that the government violates this right when it superimposes its own value judgment on the speech at issue.

#### CENSORSHIP AND THE ARTS IN EUROPE

Artistic freedom is protected in Europe in all countries adhering to the European Convention of Human Rights and Fundamental Freedoms. Article 10 guarantees everyone the right to freedom of expression. Any prior restraints on publication must be justified as necessary in a democratic society in order to constitute permissible restraints on the free expression principle.

Germany's Basic Law, Article 5, provides for freedom of expression rights, specifically designating art, science, research, and teaching. This freedom of expression is, however, subject to a fundamental right to dignity and is limited by the provisions of the general laws. As a result, the German Constitutional Court has balanced the interests of free expression and other specific laws in a manner similar to that used by the U.S. Supreme Court.

Great Britain does not constitutionally protect speech; instead, it relies upon common law and administrative agencies to resolve issues involving free expression. Courts often articulate a common law principle of freedom of speech to limit the scope of other rules that impinge on this freedom. Prior restraint by licensing of the press was abolished in 1694, but films remain subject to scrutiny under the Video Recordings Act of 1985.

In 1979, a special committee, popularly known as "The Williams Committee," presented to the government its report containing studies and policies on obscenity and film censorship. Its findings, which recommended the restriction of material that is offensive to reasonable people, are frequently cited by the courts as well as by legal scholars.

Obscenity is prosecuted under the Obscene Publications Act of 1959, provided that the work is not justified as being for the public good or in the interest of science, literature, art, learning, or any other area of general concern. This exception to the obscenity law bears a strong resemblance to the balancing of interests tests utilized by American Supreme Court justices.

#### CENSORSHIP AND THE ARTS IN THE UNITED STATES

The constitutional guarantee of free speech was articulated in one simple phrase, yet its interpretation has been a matter of intricate, strenuous legal debate since its inception. When state laws are challenged as unconstitutional restraints on free speech, the ultimate determination of their legality rests with the U.S. Supreme Court. This court has established, on a case-by-case basis, both the scope and limitations of the free speech doctrine as well as its applicability to the states through the Fourteenth Amendment.

It has been argued that the drafters of the First Amendment contemplated only the protection of political speech. The path that the Supreme Court took in extending the free speech principle to the arts was long, arduous, and occasionally winding. Most instances of repression of the literary and visual arts have occurred under the guise of preservation of moral standards, pertaining to blasphemy and obscenity. Antivice movements and groups have operated on the premise that society needed protection from exposure to material that those movements and groups considered threatening to public morals. Although not necessarily acting under the color of state law, organizations such as the Legion of Decency, the New England Watch and Ward Society, and various independent groups constituting what became known as the "moral majority" have pressured municipalities and businesses into tacitly censoring material deemed offensive.

The U.S. Supreme Court began to address the extension of First Amendment protection beyond political speech during the 1940's. Blasphemy prosecutions are all but obsolete in the United States, but it was not until 1952 that the Supreme Court ruled that a film (*The Miracle*) could not be censored for sacrilegious content. The Court also ruled that motion pictures were included within the free speech and press guarantee of the First and Fourteenth Amendments; the importance of films as organs of public opinion was not lessened by the fact that they were designed to entertain as well as inform.

Literary and visual arts in the form of erotica have been afforded the least First Amendment protection. Obscenity has always been criminally sanctioned and subjected to prior restraints in the United States, based on numerous policy considerations: that it corrupts the individual, that it leads to sex-related crime

and illegal sexual activity, that it serves no socially redeeming purpose, and that it is lacking in any solid element of the search for truth.

Until 1934, American courts relied on the English common law Hicklin test when determining whether a given work was to be considered illegally obscene. *Regina v. Hicklin* (1868) defined the test of obscenity as whether the tendency of the matter is to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall. Thus, a publication was judged obscene if any isolated passage within it could corrupt the most susceptible person.

The Hicklin rule was replaced by the “Ulysses standard,” first articulated in *United States v. One Book Entitled Ulysses* (1934), which required that the entire work, rather than an isolated passage, be evaluated for its libidinous effect. The Supreme Court continued to proclaim in *Chaplinsky v. New Hampshire* (1942) that there were certain well-defined and narrowly limited classes of speech that are of such slight social value as to be clearly outweighed by the social interest in order and morality. Such classes of speech included the lewd and obscene, the profane, the libelous, and insulting words that by their utterance inflict injury.

The first landmark case setting forth a standard for determining whether a work was to be considered obscene, and therefore undeserving of First Amendment protection, was *Roth v. United States* (1957). The Court, in upholding convictions for violations of California and federal obscenity statutes, found that the statutes did not violate constitutional standards. The Court stated that the test for obscenity was whether the average person, applying contemporary community standards, would find that the dominant theme of the material, taken as a whole, appealed to prurient interest.

Three years later, the Supreme Court found that a Chicago city ordinance requiring submission of film for examination as a prerequisite to obtaining a permit for public exhibition was not void as a prior restraint under the First Amendment. In *Times Film Corp. v. City of Chicago* (1961), the Court indicated that there is no complete and absolute freedom to exhibit, even once, any and every kind of motion picture. The Court limited the scope of the First Amendment, based on the overriding societal interest in preserving the decency of the community, as-

suming that the ordinance was directed at obscenity.

In applying the “Roth standard” in *Jacobellis v. Ohio* (1964), the Court found the motion picture *Les Amants* not to be obscene and overturned the prosecution of a theater manager who had exhibited the film. The court stated that obscenity is excluded from constitutional protection only because it is utterly without redeeming social importance, and that the portrayal of sex in art, literature, and scientific works is not in itself sufficient reason to deny material the constitutional protection of freedom of speech and press.

In 1970, a presidential commission appointed to study the statistical correlation, if any, between crime and pornography published its conclusions, finding that there was no direct correlation. There was, however, considerable dissension among the members of the committee, who sought to lodge their conclusions separately.

In 1973, *Miller v. California* was decided, again refining an earlier standard set in *Memoirs v. Massachusetts* (1966). The test for obscenity established three standards that must be independently met in order for a work to be removed from the umbrella of First Amendment protection: whether the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to prurient interest; whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Consequently, a work that had political value was protected, regardless of its prurient appeal and offensive depiction of sexual activities. Sexually explicit art was immune if it demonstrated serious artistic value. Subsequent cases have made it clear that works found by a reasonable person to have serious artistic value are protected from censorship, regardless of whether the government or a majority approve of the ideas these works represent.

A companion case to *Miller v. California*, *Paris Adult Theater I et al. v. Slaton*, held that a state could prohibit hard-core pornographic films. Although there were extensive dissenting opinions, the majority categorically disapproved the theory that obscene, pornographic films acquire constitutional immunity from state regulation simply because they are exhibited for consenting adults; they stated further



that the states have a legitimate interest in regulating the use of obscene material in local commerce and in all places of public accommodation. The Court concluded that a legislature could quite reasonably determine that a connection between antisocial behavior and obscene material does or might exist.

In October of 1989, the “*Miller* standard” of obscenity became controversial outside the courts. A censorious bill proposed by Senator Jesse Helms, which sought to restrict and punish the National Endowment for the Arts (NEA) for allegedly funding “obscene” art, was defeated. Congressional critics had assailed the NEA for funding two controversial projects: a photography exhibit by Robert Mapplethorpe that included homoerotic images and an exhibit by Andres Serrano entitled “Piss Christ,” which was criticized as sacrilegious. Congress passed instead a compromise bill that removed most penalties against specific artists and institutions but required that the NEA observe legal bans on obscenity by employing standards reminiscent of the language in *Miller v. California*. Further, grant recipients were required to sign a nonobscenity oath.

Subsequently, many organizations and artists refused to sign the oath, and several initiated lawsuits against the NEA. *Bella Lewitzky Dance Foundation v. Frohnmayer et al.* (1991) held that the nonobscenity oath requirement was unconstitutional. Artists and legal scholars alike voiced strenuous objections to the *Miller*-style decency standards of the legislation, particularly because the determination of obscenity was made by NEA panelists and administrators rather than by peer review, and because the standards ignored the nature and purpose of post-modern art, which rejects the previous definition that art must be “serious.”

In June, 1992, a United States District Court heard the suit of *Karen Finley et al. v. National Endowment for the Arts and John Frohnmayer*, in which four performance artists whose grant applications were denied by the NEA brought suit alleging improper denial of the grant applications. The governing statute as amended in 1990 provided that artistic merit was to be judged taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public. The Court found that the decency provision violated the Fifth Amendment’s due process requirement. It further held that the public funding of art is entitled to First

Amendment protection and that the decency clause on its face violates the First Amendment on the basis of overbreadth.

The influence of ethical arguments throughout the constitutional case law concerning censorship and the arts is unmistakable. Throughout the twentieth century, the Supreme Court has labored to give contemporary meaning to the terms of the First Amendment, affording broad freedom of expression to the arts while balancing various community values and shifting interests in a pluralistic society.

*Kathleen O’Brien*

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SEE ALSO: Academic freedom; Art; Art and public policy; Book banning; First Amendment; Freedom of expression; *Index librorum prohibitorum*; Library Bill of Rights; Mapplethorpe, Robert; Pentagon Papers; Political correctness.

## Cesarean sections

**DEFINITION:** Surgical delivery of a viable fetus through an incision in the uterus

**DATE:** First documented procedure on a living woman in 1610; routine use began during the 1960's

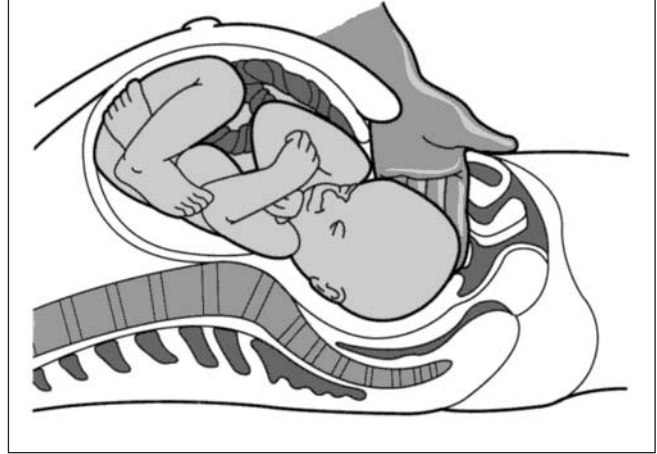
**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Obstetricians claim that the cesarean section is a life-saving procedure, but its opponents claim that it is dangerous major surgery and that 80 percent of its use is for the convenience of physicians.

In Roman times, cesarean sections (C-sections) were legally required if a pregnant mother was dead or dying. In the modern United States, C-sections are necessary to save the life of mother and baby when a baby cannot be born vaginally. This happens in a total of 5 percent of births. In the United States, however, C-sections are performed in 30 percent of births. Obstetricians defend the high rate by saying that it is better to have an unnecessary C-section than to risk losing a baby and that a C-section can end the pain of a long and difficult labor.

Opponents of C-sections, such as the Cesarean Prevention Movement, attribute the high rate to obstetricians' fear of lawsuits, poor training in managing the natural process of birth, lack of patience for the variations in and length of normal labor and birth; and naive enthusiasm for using the latest technological interventions. As a result of these deficiencies, opponents allege, obstetricians subject mothers to

### Delivery by Cesarean Section



*Several conditions may necessitate the delivery of a baby through an incision in the lower abdomen instead of through the birth canal, including fetal distress or the inability of the baby's head to fit through the mother's pelvis*

unnecessary surgery, including unnecessary pain, recovery time, scarring, and financial expense, as well as the risk of infection, adhesions, and bad reactions to anesthesia.

*Laura Duhan Kaplan*

SEE ALSO: Bioethics; Birth control; Birth defects; Medical ethics; Parenting.

## Character

**DEFINITION:** Person's pattern of behavior related to the moral qualities of self-discipline and social responsibility

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Consideration of a person's character is a common method for evaluating the person's level of moral and ethical development.

The terms "character" and "personality" are sometimes used interchangeably, although character is more apt to be associated with behavioral and attitudinal characteristics that are consistent with the ethical standards of a community. It is thought that a

wholesome character is not inherited but begins to form during the early years of the child's life and continues to form into adulthood.

During the mid-1920's, Hugh Hartshorne and Mark May were funded by the Institute of Social and Religious Research to conduct a study that came to be known as the Character Education Project. The purpose of the project was to ascertain the effect of character education programs on the ethical behavior of children. The study took five years and produced three volumes, all published under the title, *Studies in the Nature of Character*. Almost 11,000 children, ages eleven through sixteen, in both private and public schools were tested for behaviors that could be labeled "character."

Tests included situations in which the children had opportunities to cheat by copying answers, situations in which they had the opportunity to lie by answering in the affirmative such questions as "I always obey my parents cheerfully" and "I always smile when things go wrong," and situations in which it was possible for them to steal by taking money out of a coin box on their desk. More than 17,000 tests were given. The purpose was not to counter any student regarding his or her behavior but rather to determine for the group as a whole the variables that correlate with good character.

It was found that almost all children were dishonest under some circumstances but not under others. Moral behavior tended to be specific to the situation. Age and gender were not relevant. Furthermore, children who participated in organized programs of religious education or other programs emphasizing character development were not more honest than children without this training. What did make a difference was that children who were less apt to cheat or lie or steal were more intelligent and came from homes that were better off socioeconomically. Siblings also tended to resemble each other, showing the influence of the family.

The Hartshorne and May study has been used to discredit organized programs in character education. Simply telling the child what is right and what is wrong was not sufficient to produce good character. Methods other than direct instruction would need to be implemented. Moral educators came to believe that children must understand why it is important to be honest or brave or kind. Children also need to be actively involved in learning how they can show

these favorable characteristics in their day-to-day dealings with others. Participatory decision making and opportunities to practice the desired character traits are essential.

### CHARACTER EDUCATION

The American Institute for Character Education, which developed the Character Education Curriculum in 1970, based its program on "a worldwide study of value systems" and identified fifteen basic values "shared by all major cultures and world religions." These values are courage, conviction, generosity, kindness, helpfulness, honesty, honor, justice, tolerance, the sound use of time and talents, freedom of choice, freedom of speech, good citizenship, the right to be an individual, and the right of equal opportunity.

Almost all character education programs list individual character traits. Boston University's Character Education program emphasizes such basic virtues as honesty, courage, persistence, loyalty, and kindness, which students learn from studying the lessons of history and reading good literature. The Heartwood Project in the Pittsburgh Public Schools has seven universal values developed for children at the elementary grades. Courage, loyalty, justice, respect, hope, honesty, and love are learned through stories, songs, art, and saying the seven virtue words in another language. The development of character comes not only from knowing what society expects of its members but also from a desire to incorporate that expectation into one's daily life.

Thomas Lickona writes that good character consists of knowing the good, desiring the good, and doing the good—habits of the mind, habits of the heart, and habits of action. His integrated approach to character development consists of fifteen components. Moral knowing is composed of awareness, values, perspective-taking, reasoning, decision making, and self-knowledge; moral feeling includes conscience, self-esteem, empathy, loving the good, self-control, and humility; and moral action incorporates competence, will, and habit. For each of these fifteen components, illustrations are given and suggestions are offered as to how they can be taught to children.

There have always been persons in every society who are so deficient in their moral makeup that they are said to have a "character disorder." Many of these persons are average or above average in intelligence,

are neither neurotic nor psychotic, and can verbalize the rules of society. Yet they seem unable to understand why they should obey the rules or conform to the expectations of others. Sometimes called “sociopathic,” they tend to project blame onto others, taking no responsibility for their own failures. They act impulsively, are unconcerned about the rights and privileges of others, are pathological liars, are unable to form deep attachments to other persons, display poor judgment and planning, and lack emotional control. The prognosis for such persons who are in therapy is poor, since they experience little anxiety or distress because of their social maladjustment and are unwilling or unable to see why they should change.

*Bonnidell Clouse*

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SEE ALSO: Dignity; Godparents; Integrity; Loyalty; Personal relationships; Pride; Responsibility; Self-control; Self-respect; Self-righteousness.

## Charity

**DEFINITION:** Propensity to share one’s property and person with others in order to alleviate their wants

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Charity is grounded in a recognition of the interdependence of humans and an ethical imperative to act based upon recognition of the needs of others. When a society institutes benefits designed to motivate charity, such as tax deductions, the needy benefit, even as the authenticity of the charitable act may be called into question.

Every culture and religion recognizes the necessity of charity to healthy social and personal living. The unconditioned giving of oneself and one’s possessions to alleviate the basic needs of others is the foundation of a good society.

The experience of receiving an unexpected gift is one that is enjoyed by most people. The experience of giving an unsolicited gift has been known by many people. These experiences of giving and receiving are fundamental to being charitable, since charity is both the act of giving and the act of receiving the basic necessities of life. Sharing is always a mutual action.

Modern Western culture is ambivalent about the place of such gift-giving in personal and social affairs. To clarify the reasons for this ambivalence, it is necessary first to review the etymology of the word “charity” and the history of the practice of charity in Western culture. Then it is possible to review the paradoxical nature of charity in modern American culture.

#### ETYMOLOGY AND HISTORY

The word “charity” comes from the old French *charité* and the Latin *caritas*. The Latin word is a translation of the Greek New Testament word *agape*. Most modern translators of the Bible translate *agape* as love. Love of one’s neighbor and charity toward one’s neighbor originally, and until recently, meant the same thing. Charitable acts such as feeding the hungry, giving water to the thirsty, providing homes for the homeless, educating the ignorant, giving medicine to the sick, burying the dead, and visiting those in prison were seen as acts of love to those in need. These acts of love were performed in imitation of the God who freely gave humans life.

In Western cultures, the concept of charity is closely associated with Christianity. The following of Jesus Christ's command to love, or be charitable to others, was institutionalized by placing some Church officials, deacons, in charge of these institutional acts of charity/love and by establishing institutional means, such as collecting food, to aid those in need. Every Christian had the obligation to love his or her neighbor. The community of Christians, the Church, understood love of neighbor as essential to its mission. During the Middle Ages (500-1500), groups of men and women, religious orders, organized themselves to continue this mission of the Church and thus dedicated themselves to educating the ignorant, feeding the hungry, clothing the unclothed, caring for the slaves and imprisoned, healing the sick, and caring for orphans.

With the advent of the modern Western state in the eighteenth century and that of the social sciences in the nineteenth century, the questions of who should care for the needy, how to train those who cared for the needy, and whether to care for the needy arose. In general, the care of the needy began to be seen in Europe as an obligation of the state in the eighteenth century and gradually began to be accepted as a governmental obligation by many people during the first quarter of the twentieth century in the United States. The obligation to love or be charitable toward one's neighbor continued to be recognized as an essential ingredient of an individual's life—and certainly of the Church's existence—but the means for fulfilling this command gradually became part of the government and came under the control of professionals.

### WEALTH AND POVERTY

The evolving social sciences and the ideologies that supported them developed a different view of gaining and possessing wealth. Before the mid-nineteenth century, the possession of great wealth was seen as a danger to the individual and society. Wealth was for sharing. The poor were acknowledged and cared for because, it was understood, anyone could become poor. Life, riches, and personal abilities were all gifts from God that could easily be lost. Thus, both rich and poor acknowledged the tenuousness of their position. With the advent of entrepreneurial capitalism and Social Darwinism, everyone began to be seen as destined to be rich and to possess the goods of this earth. The poor were seen as poor because they

did not work hard enough or had bad habits or genes or some other fault. It was their own fault that the poor were poor, it was claimed. The rich were rich because of their own initiative and work.

Since being in need was perceived as being one's own fault, the poor should not be rewarded by being given the basic necessities of life. They needed a stimulus for work. That stimulus was poverty. If, for whatever reason, the state did help individuals with the basic necessities of life, the state should never deprive the rich of the wealth that they had gained through their hard work. The command to love and the command to share was replaced by the demand for the ideological means to reduce one's guilt in the face of the starving, unclothed, and homeless. Institutions were developed in order to professionalize and economize the care of the needy. Thus, the needy were gradually segregated into institutions according to their specific needs: hospitals, orphanages, schools, and prisons. One result of such institutionalization was the invisibility of those in need. Charity became professionalized, love eroticized, and the possession of wealth individualized. Consequently, the original command to love one's neighbor through acts of charity/love lost all meaning, and with it the sense of community and self changed. Charity was no longer the sharing of one's goods with those in need, but rather the giving of one's leftovers to those who had failed.

### COMPETITION AND SELF-SACRIFICE

The goal of competition is to win. Life, as competition, results in winners and losers. What part does charity play when one wins or loses? Should one accept the necessities of life from the winner? Should one provide the loser with the necessities of life, knowing that these provisions may enable that person to challenge one again? If one never aids the losers, what kind of a human being is one? If everyone always and everywhere acts only out of selfishness, what becomes of community?

Some modern authors argue that humans always act out of selfishness. Even at one's most giving moments, it is claimed, one is actually seeking self-gratification. This psychological claim is reflected in philosophical studies that make a distinction between *agape*, or disinterested love, and *eros*, or sensual love. True charity is then disinterested charity, something no human can do on his or her own. Only



God can provide the ability to act out of *agape*. Followers of these contemporary authors are left with a cynical distrust of anyone who does good.

Actually, love can be both gratifying and sacrificial. It is paradoxical but nevertheless true that people act against every obvious self-interest in performing such heroic acts as jumping in front of a speeding car to save a child and jumping on a live hand grenade to save the lives of fellow soldiers. To risk death or to die for others may be interpreted as inherently pleasurable to the risk taker or the dead hero, but these theories seem to be held in the face of obvious contradiction. Even if true, they should not be used to destroy all charity, if only because of the obvious result: A world without love and charity would be a world devoid of humanity as people now know it.

*Nathan R. Kollar*

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SEE ALSO: Altruism; Benevolence; Christian ethics; Greed; Homeless care; Service to others; Welfare rights.

## Cheating

**DEFINITION:** Willful violation of rules with the intent to benefit oneself

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** As an ethical violation for personal gain, cheating is one of the central issues addressed by any system of personal ethics.

Broadly speaking, cheating can be taken to mean any violation of known social norms, therefore encom-

passing all deliberate deception and lawbreaking. A narrower interpretation restricts cheating only to situations in which an individual has voluntarily agreed to behave according to a set of rules and willfully violates those rules for personal gain. Examples of such cases are games and marketplace behavior. In the former, rules are usually explicit; in the latter, rules may be implicit—taking the form of customs—or may be explicit or even established by law. Often, the punishment for cheating is limited to expulsion from the activity. Cheating is similar to breaking a personal promise in that a person willfully breaks an expected standard of behavior; it differs in that the standard was set socially rather than individually.

#### FORMS OF CHEATING

All immoral action can be taken to constitute cheating, but most discussions limit cheating to several broad areas. Cheating is taken to mean willful breaking of rules. The breaking of formal established rules, such as laws, most often falls outside discussions of cheating. The innocent violation of rules is not considered to be cheating; even though “ignorance of the law is no excuse,” a person is not said to have cheated by violating a rule of which he or she was unaware. Cheating is deliberate behavior.

The clearest cases of cheating are those in which individuals deliberately violate rules that they have willingly agreed to follow. Games provide some examples. By participating in a game, a player agrees to follow the rules of the game. Cheating takes place when a player violates the rules with the intention of winning. This behavior takes advantage of other players who follow the rules. Clearly, if everyone cheated, games would cease to have any meaning and would cease to exist. This would deprive people of any enjoyment they derive from playing games.

Societies have rules in the forms of laws and social conventions. Lawbreaking is usually, but not always, a clear violation of social norms. The exceptions occur in cases in which there is a perception that the law is widely violated or is irrelevant to the situation. Such cases include speeding, jaywalking, and cheating on taxes. Even though all of those behaviors are violations of laws, many people do not believe themselves to have behaved unethically by performing those behaviors, since “everyone does it.” Unwritten social conventions include positive reinforcement for helping those in need and prohibitions

against eavesdropping, spreading gossip, and skipping ahead in lines, to name only a few.

Ethical issues arise when people argue that they do not enter into social contracts voluntarily and thus are not bound by those contracts. Examples include taxpayers who argue that they did not vote for the tax

laws and students who state that they are in school against their will and thus are not subject to its rules. As in games, when people violate social contracts, even those entered into implicitly (through citizenship in society) or against individuals' will, those contracts become meaningless and people become less certain of what they can expect of others. Behavior becomes less cooperative and more self-serving and protective.

## Forms That Cheating May Take

### *Criminal*

- Forgery
- Bribery of officials
- Tax fraud
- Tax evasion
- Misrepresentation on tax forms

### *Games and gambling*

- Marking cards
- Stacking decks
- Altering dice
- Bribing athletes to underperform
- Drugging animals
- Using steroids or other banned substances
- Illegally signaling gaming partners

### *Marriage*

- Infidelity

### *Employment*

- Lying on resumes or employment applications
- Submitting false expense accounts
- Claiming hours not worked
- Taking credit for work done by others

### *Schoolwork*

- Stealing examinations
- Copying from other students' work
- Having someone else do one's homework
- Plagiarism

### *Driving*

- Speeding
- Rolling stops through intersections
- Parking in restricted areas

### *Shopping*

- Purchasing mislabeled items at prices known to be too low
- Requesting unauthorized discounts

### *Self-discipline*

- Dieting or other regimens
- Cheating at solitaire

## MISREPRESENTATION

Misrepresentation, or lying, is a particular case of violation of rules. One of the most basic social conventions is that people should tell the truth. In some cases, as in courts of law or on legal documents, that convention is enforced by threat of legal sanction. In many cases, people simply rely on each other to tell the truth.

In the United States, laws specifically cover many types of misrepresentation, including that in many sales contracts, employment contracts, and even the marriage contract. Cheating behavior involving any of these contracts gives the damaged party the right to dissolve the contract and possibly to claim damages. Other countries that rely less on the legal system to settle disputes have not codified prohibitions against misrepresentation to the same extent, instead relying on social conventions and social sanctions against those found to misrepresent themselves.

## ETHICAL IMPLICATIONS

Cheating involves taking advantage of a situation to gain an unfair advantage. In competitions of all sorts, the objective is to win, but winning carries less meaning when the rules of the game are violated. A student who cheats on a test, for example, appears to have proved attainment of knowledge but instead has proved only the ability to defeat any monitoring system. To the extent that cheating is successful, it punishes those who behave ethically and honestly by giving rewards to those who cheat. This harm to society is one reason that many social conventions have been codified into law. The same reasoning helps to explain why payment of taxes is not voluntary and is subject to rules, with punishment for violation. Individuals would believe themselves to be gaining by violating any voluntary system of taxation, but the society as a whole would lose because there would be insufficient money to allow the government to pro-

vide goods for the benefit of everyone. In cases where conventions are important to society, governments tend to mandate behavior through laws rather than relying on people to behave ethically.

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SEE ALSO: College applications; Conscience; Fairness; Fraud; Integrity; Lying; Moral education; Resumes; Taxes; Temptation; Universalizability.

## Chemical warfare

**DEFINITION:** Use of chemical substances as military weapons

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Chemical agents, along with biological and nuclear agents, are categorized as nonconventional weapons; the nature of the damage they cause to their targets, the increased collateral damage associated with them, and the history of

their use against nonmilitary targets all raise special ethical issues.

A nation engaged in military aggression inevitably causes human casualties on the opposing side, but the development of toxic chemical agents against an enemy poses special moral problems for a nation. Chemical weapons can be effective in a variety of military situations. When used against unprotected individuals, they cause painful, lingering death and injuries.

#### HISTORY

The use of toxic chemical substances in warfare dates to ancient times. This includes the use of toxic substances to poison soldiers' drinking water and the production of poisonous clouds of sulfur dioxide by burning sulfur and pitch during battles. Condemnation of these primitive forms of chemical warfare also dates from these early times, as reflected in an ancient Roman quotation: "War is waged with weapons, not with poison."

Modern chemical warfare began during World War I. Germany released deadly chlorine gas from thousands of cylinders against French and British troops at Ypres in Belgium in 1915. As a result, more than 5,000 men were killed in the attack. Later, Germany also employed phosgene and mustard gas. By the end of the war, both sides had used chemical weapons, causing more than 1.25 million casualties, including 90,000 deaths. After the war, families and friends of veterans exposed to chemical weapons were shocked to see their effect—coughing and gasping for breath and horrible scars on the victims. Public outrage sparked a worldwide drive to eliminate the use of these weapons in future conflicts, leading to the Geneva Protocol of 1925 prohibiting the use of poison gas in warfare. This agreement was signed by all the world's major powers except the United States and Japan.

Although they were never used in combat, highly toxic nerve agents were developed by Germany during World War II. With the surrender of Germany, the United States army came into possession of one such substance, sarin, an incredibly lethal compound; one drop could kill fifty men. Since the end of World War II, some countries, including the United States, have continued to manufacture and store chemical weapons, but they have been employed in only a few of the more than two hundred wars fought since

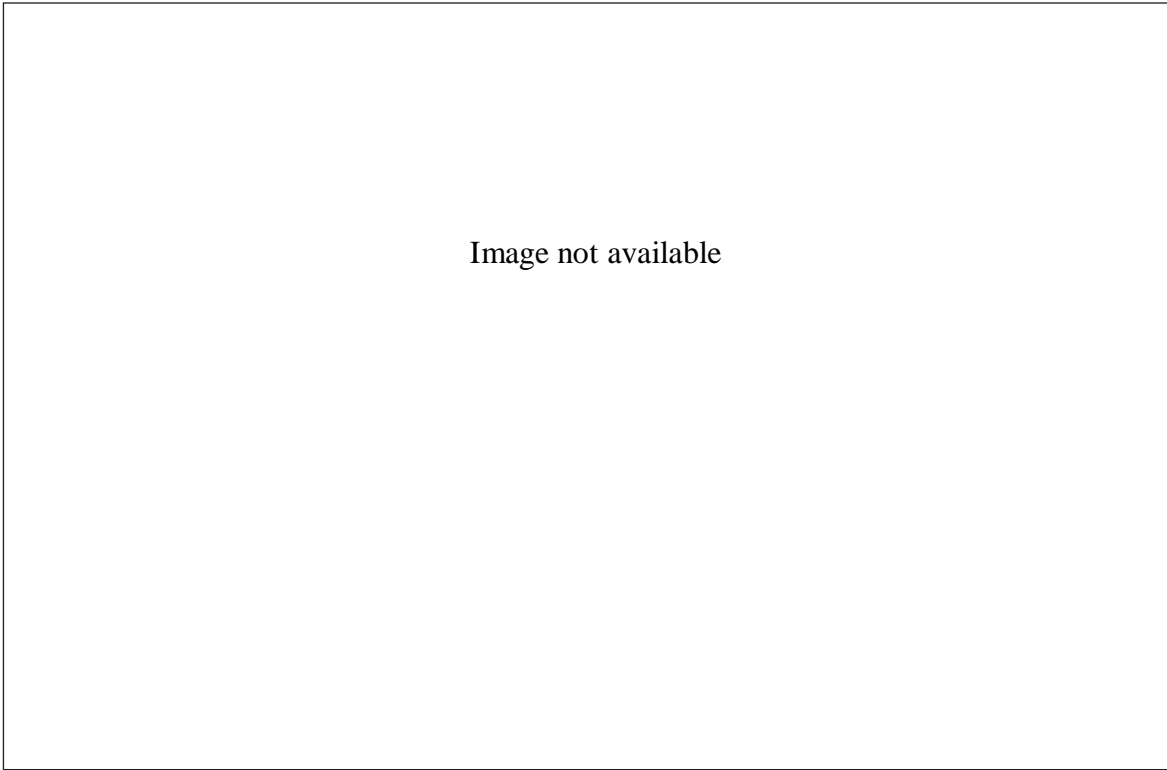


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*A belated victim of Japan's invasion of China during the 1930's, this man was severely burned in August, 2003, by the contents of a mustard gas canister left by Japanese troops in northern China decades earlier. (AP/Wide World Photos)*

World War II. They were used by Italy in Ethiopia and by Japan in China during the 1930's and 1940's, in Yemen during the 1960's, and in the Iran-Iraq conflict during the 1980's. Although chemical weapons were not used in the Persian Gulf War of 1991 or the U.S.-led coalition invasion of Iraq in 2003, military units fought in chemical protective clothing as a preventative measure.

In 1995, Aum Shinrikyo, a Japanese religious cult, released the chemical agent Sarin in the Tokyo subway system and planned other attacks with chemical weapons in Japan. Eight people were killed and hundreds were injured. This incident proved how dangerous chemical weapons could be and how real a threat they posed if they were to fall into the hands of terrorist organizations. After terrorist attacks on New York City and Washington, D.C., in September, 2001, many nations expanded their defenses against weapons of mass destruction, including chemical agents.

The international community reacted diplomatically to the continuing threat of chemical weapons. In April, 1997, the Chemical Weapons Convention (CWC) was ratified by eighty-seven countries and formally established in the United Nations. The CWC included extensive provisions for monitoring compliance with a goal of destroying all stockpiles of chemical weapons by the year 2007. By 2004, 158 countries had signed the convention.

#### **ETHICAL PRINCIPLES**

The ethics of using chemical weapons focus on several important issues. Proponents of chemical weapons cite several arguments justifying the use of these weapons: First, military strength is a deterrent to a nation or state contemplating aggression toward another nation. If the types of weapons potentially available for use are restricted, this may reduce the deterrent factor. Therefore, all kinds of weapons—conventional, nuclear, chemical, and biological—

should be available for use. Second, while chemical weapons produce human casualties, they do not, like conventional weapons, destroy inanimate objects such as roads, houses, hospitals, and bridges. Reconstruction of cities devastated by chemical weapons is therefore likely to be quicker and less costly.

A third issue is that chemical weapons can be effective in a variety of situations. For example, they can be used against concentrated or dispersed troops, against troops that are above or below ground, or

against concealed troops. Fourth, if an enemy is believed to possess a chemical weapon capability, it forces soldiers to wear cumbersome protective devices that may hinder their effectiveness. The fear of chemical weapons may also affect the morale of soldiers. Fifth, unlike biological weapons, which are impossible to contain, the application and control of chemical weapons are relatively easy to maintain. Sixth, injuries inflicted by chemical weapons are not necessarily more terrible than those inflicted by the weapons of conventional warfare. Flying fragments of hot metal from conventional weapons can produce horrible injuries comparable in severity to those caused by chemical weapons.

By contrast to the above arguments, opponents of chemical weapon use cite the following arguments. First, many political and military leaders have had an aversion to employing chemical warfare because of the insidious nature of these substances and their effects on humans. In the case of nerve gases, they produce intense sweating; the filling of bronchial passages with mucus; decreased vision; uncontrollable vomiting, defecation, and convulsions; and eventual paralysis and respiratory failure leading to death. Other less lethal agents can produce painful blisters and blindness. In addition, the long-term effect of exposure to some chemical weapons is difficult to quantify. Second, while chemical weapons are effective when used against unprotected individuals, they have minimal effect against soldiers wearing gas masks and protective clothing. Third, although chemical weapons are more predictable than biological weapons, weather conditions and human error may still result in chemical weapons reaching unprotected nonmilitary targets. Fourth, compared to conventional weapons, chemical weapons are somewhat easier and cheaper to obtain and manufacture. Consequently, they are more likely to be used in conflicts within Third World countries. This was the case in the Iran-Iraq conflict in the 1980's, in which Iraq employed chemical weapons not only against Iran but also within its own border on the civilian Kurdish population.

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*Demonstration of an airport security device on the opening day of the Milipol 2003 exposition at Le Bourget airport near Paris, France. As the woman stands inside the General Electric Ion Track EntryScan3 portal, fans blow air past her that is then scanned for microscopic particles of explosives and drugs. The GE Ion Track is an example of new technology being developed in the ongoing struggle against biochemical warfare. (AP/Wide World Photos)*



Military operations—whether they involve conventional or chemical weapons—that cause the widespread injury and death of civilians are condemned by most nations. For the reasons outlined above, most nations possessing chemical weapons could justify their use only in retaliation if they themselves were subject to a chemical weapons attack. Because of the many problems of chemical weapons, including their safe manufacture, storage, transportation, and disposal, most nations are reluctant to acquire these weapons of destruction, let alone use them. Terrorist organizations, although restrained by these same factors, may be less reluctant to use chemical weapons in the future. Hence governments have to be prepared to react to the use of chemical weapons upon civilian populations.

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SEE ALSO: Atom bomb; Biochemical weapons; Bioethics; Geneva conventions; Homeland defense; Iraq; Military ethics; War.

## Child abuse

**DEFINITION:** Physical or psychological violence against or neglect of a child

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** Children are commonly thought of as both innocent and powerless. As a result, acts which harm or traumatize them are often considered to be among the most egregious moral transgressions.

In 1988, the National Center on Child Abuse and Neglect estimated that 500,000 children are physically abused each year in the United States. The American Humane Society estimated that 2.2 million children were abused or neglected in 1986. The incidence of reported child abuse tends to be highest in the lower socioeconomic groups, where opportunities are most limited and stress is greatest. Between 1976 and 1986, reported child abuse tripled, indicating an increased willingness to report mistreatment, an increased incidence of mistreatment, or both.

Most child abuse occurs in the home. Although parents may abuse their children at any age, abused and neglected children are most often younger than age three. Signs of sexual abuse include extreme changes in behavior, such as loss of appetite; sleep disturbance or nightmares; regression to bed-wetting, thumb-sucking, or frequent crying; torn or stained underclothes; vaginal or rectal bleeding or discharge; vaginal or throat infection; painful, itching, or swollen genitals; unusual interest in or knowledge of sexual matters; and fear or dislike of being left in a certain place or with a certain person. Abuse is most traumatic if a nonabusive parent is unsupportive on hearing of the abuse, if the child is removed from the home, and if the child suffered from more than one type of abuse (for example, physical and sexual).

Explanations for child abuse include personality and behavioral characteristics of the parents, stresses on the parents, personality and behavioral characteristics of the child, and cultural values and institutions. Personality traits of parents that contribute to increased likelihood of abuse include low self-esteem, frustrated dependence needs, low family satisfaction, low need to give nurturance, and low ability to recognize or admit feelings of rejection of the child. Behaviorally, parents who abuse their children are more likely than nonabusing parents to be young and poorly

### “Mary Ellen” and the Society for the Prevention of Cruelty to Children

The very concept of child abuse was largely unheard of, and certainly had no legal recognition, in America until the 1870's. Child welfare laws were passed first in New York City in 1875, thanks to the efforts of the newly formed New York Society for the Prevention of Cruelty to Children (NYSPCC). The NYSPCC was founded, and the laws were passed, largely in response to the case of “Mary Ellen,” a nine-year-old girl who was neglected, tied up, and beaten by her foster parents. When concerned neighbors became aware of her situation in 1874, they reported the case to the authorities, only to discover that no legal provisions for removing abused children from foster care existed. The New York police and district attorney lacked the statutory authority to help Mary Ellen. The neighbors then approached the Society for the Prevention of Cruelty to Animals (SPCA) and persuaded it to use its legal resources to help Mary Ellen. SPCA lawyers succeeded in having Mary Ellen removed from her abusive situation, and the activists, recognizing the need for an organization devoted to the rights of human children, formed the NYSPCC the following year. The Society's purview eventually became national, and by 1895 its name had been changed to the American Society for the Prevention of Cruelty to Children, or, more simply, the Society for the Prevention of Cruelty to Children.

Cultural values and institutions that contribute to increased likelihood of child abuse include acceptance of violence, approval of physical punishment and power assertion as methods of discipline, high levels of social stress, isolation, and absence of community support systems for individuals and families.

Abuse is a complex phenomenon that results from an interaction between the child's problematic traits, the parents' personality problems and social stresses, and cultural values and institutions. Compensatory factors that can prevent an abused child from repeating the abuse as a parent include having a history of positive attachment to a caregiver, resolving not to repeat the abuse, having an awareness of one's early abusive experiences and being openly angry about them, experiencing fewer stressful life events than the abusing parents did, being aware of one's own inner needs, and having a supportive spouse or committed relationship or social network.

educated, and they are often grossly ignorant of normal child development. For example, they may expect their children to be neat or toilet-trained at an unrealistically early age.

Stresses on the parents that contribute to increased likelihood of child abuse include unemployment or other chronic financial hardships, marital difficulties, social isolation, large families, poor living conditions, being isolated from the child at birth, and having been abused as children themselves. Approximately 30 percent of abused children actually become abusive parents.

A personality characteristic of children that contributes to increased likelihood of child abuse is difficult temperament (fussy, irritable, dependent). Behaviorally, children who are abused are more likely than nonabused children to be premature or low-birth-weight, to have colic, to have a serious illness during their first year of life, to have a mental or physical handicap, to be hyperactive, to have other behavioral abnormalities, and to be unattractive in appearance.

#### PREVENTION

At the individual level, child abuse prevention programs, which involve some combination of personal therapy and behavioral modification, have proved to be relatively successful in decreasing child abuse. Abusive parents need help in learning about and developing social relationships, including relationships with their own children. They also need training in caregiving, including learning how to meet the physical, social, and emotional needs of their children. Abusive parents are less likely than nonabusive ones to smile, praise, and touch their children, and they are more likely than nonabusive parents to threaten, disapprove, and show anger toward their children. Treatment includes helping the parent identify specific situations that trigger abuse, modeling how to reward appropriate behaviors, using time-out periods instead of physical punishment and threats, and learning how to settle problems and arguments through negotiation rather than violence.

At the community level, child abuse prevention programs involve identifying high-stress families and high-risk infants, providing crisis services and home support assistance, providing social support networks (such as Parents Anonymous), and offering public education. Also, people who are arrested for family violence are less likely to continue the maltreatment than are those who are not arrested. Many social agencies offer free services to those in need of help and/or counseling about child abuse.

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SEE ALSO: Abuse; Child labor legislation; Child soldiers; Children; Children's Bureau; Children's rights; Incest; Parenting; Roman Catholic priests scandal; Sexual abuse and harassment.

## **Child labor legislation**

**DEFINITION:** Laws designed to protect children from exploitative and dangerous conditions of employment

**DATE:** Early nineteenth century to present

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** Attention to children's rights, in the workplace or elsewhere in the social system, in-

volves the ethical issue of protecting the defenseless or most vulnerable members of society.

By the end of the twentieth century, nearly all countries in the world had developed some form of legislative protection to guard against the abuse of child labor in the workplace. General (but clearly not complete) acceptance of the role of the International Labor Office of the United Nations in establishing guidelines for international standards of child labor legislation, however, can be considered the result of more than a century of reform efforts that originated in only a few Western countries.

One aspect of transition from the latter stages of what is called the Agrarian Age to the Industrial Age was the movement of large segments of the rural population into more concentrated wage-earning zones, either in cities or in areas where raw materials for newly established industries, especially coal and minerals from mines, were produced. Other sites that typically attracted cheap wage labor from economically depressed agricultural hinterland zones as the eighteenth century gave way to the nineteenth century were processing mills, especially in the textile manufacturing sector.

#### **PRECEDENTS IN WESTERN COUNTRIES**

The most notable examples of countries that were first to address child labor in legislation include those areas that first experienced industrialization on a significant scale, particularly Great Britain, France, and the United States.

The issue of child labor in Great Britain was the object of several legislative reform efforts in the nineteenth century. Robert Oastler was one of the earliest reformers to denounce what he called "Yorkshire slavery" in 1830. He charged that children were being "sacrificed at the shrine of avarice . . . compelled to work as long as the necessity of needy parents may require, or the cold-blooded avarice of . . . worse than barbarian masters may demand!" Responding to claims of inhumanity in conditions of work in 1833, Parliament banned children between the ages of nine and thirteen from factory labor, limited working hours for those between thirteen and eighteen, and required that all child workers must receive two hours of schooling each day. From this point, reformers drew attention not only to near-slave-level pay, long hours, and harsh physical conditions and stan-

dards of hygiene, but also to one of the things that became generally recognized as a harmful social effect of child labor: deprivation of minimal opportunities for education.

This factor was visible in Great Britain's 1844 Child Labor Act (which called for certificates proving a half-time education schedule daily) and especially the Education Acts of 1870, 1876, and 1891. The latter, soon backed up by a law making twelve the universal minimum age for leaving school, provided free elementary education for all children for the first time. The main motivation in this combination of child labor and education reform legislation

was to provide what otherwise would be a totally ignorant youthful labor force with basic knowledge that could protect young workers from being dependent on exploitative offers coming from the lowest levels of the employment market.

#### FRENCH LEGISLATION

In France, the second country to pioneer child labor legislation, information on actual conditions in factories and mines after 1837 had to be gathered by governmental authorities from local chambers of commerce and appointed labor arbitration boards, who encountered a clear unwillingness on the part of private employers to reveal what could only be described as exploitative conditions. Some even claimed that if harm was occurring to children who came to work in factories or mines, it came from unhealthy home environments. Basing this judgment partially on considerations of how children get into the situation of having to seek work, even under the worst conditions, child labor reformers in France during the rest of the century sought to legislate better general social and family environmental laws.

Examples of French laws that would be copied by other European countries and that were even assumed to be applicable in France's foreign colonies include the Child Labor Laws of 1841, 1851, and 1874. These laws carried varied emphases. The law of 1841 mandated a maximum eight-hour work shift for children between eight and twelve and required proof of school attendance until the age of twelve. Certain factories were prevented from hiring any laborers under sixteen.

The 1851 law defined conditions of apprenticeship, obligating mutual commitments. Children worked under predefined conditions in return for a guarantee of training that would eventually allow "full" integration, under agreed-upon conditions, into the "adult" trained labor ranks. The law of 1874 banned child labor for wages before the age of twelve unless guarantees of continued schooling apply. Fifteen state inspectorates were established to oversee application of proper standards of work for

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*Liberated child laborers in India are symbolically bound in a protest against child labor in New Delhi on December 2, 2003—a date proclaimed the International Day for the Abolition of Slavery. The International Labour Organisation estimated that between 11 and 23 million children in India were then working in forced labor. (AP/Wide World Photos)*

children and to report to a national “High Commission” in the Ministry of Commerce to judge and penalize employers when complaints arise.

#### ATTEMPTS TO INTERNATIONALIZE LEGISLATIVE MODELS

Eventual legislative reactions to the exploitation of child workers in most Western countries represent an uneven record even where nineteenth century laws existed and were updated to try to meet twentieth century expectations; conditions in less developed countries would constantly lag far behind. In some cases there could be a claim of “double standards.” In what came to be called a “neocolonial” situation following generations of actual colonial domination of many Asian and African countries, Western consumer markets for items produced under deplorable physical and near-slave labor conditions of child labor in other countries might have abandoned responsibility for obvious inequities had it not been for certain twentieth century humanitarian-inspired international agencies.

One of these agencies, the International Labor Office (ILO), originally under the League of Nations, later under the United Nations, has attempted since 1919 to obtain acceptance by member states of a number of international conventions on child labor. The formal reports of literally dozens of ILO conferences contain descriptions of key industrial and commercial activities throughout the world in which problem cases can be identified. In order to obtain a degree of international moral authority to “shame” potentially negligent countries into accepting general standards (regarding age, schooling, safety standards, and so forth), the ILO circulates questions to all member nations, who are expected to vote openly, giving their reasons for either accepting or rejecting suggested amendments (where needed) to individual country law codes with respect to child labor.

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SEE ALSO: Child abuse; Child soldiers; Children; Children’s Bureau; Children’s rights; Fair Labor Standards Act; Minimum-wage laws; United Nations Declaration of the Rights of the Child; Work.

## Child psychology

DEFINITION: Diagnosis and treatment of children with mental, emotional, or behavioral disorders

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: The practice of child psychology raises ethical questions about consent; confidentiality; values conflicts among parents, child, and therapist; guidelines for research, and the role of the professional in court cases.

Because persons under the age of eighteen (minors) are considered by American law to be incompetent to make decisions for themselves, proxy consent from parents or guardians is required for medical treatment. Involving the child in the decision when possible respects the child as a person and has the practical advantage of giving the child information and enlisting his or her cooperation, which may be very important for the success of the treatment. Parents may commit children to hospitalization against their will, however, and still have the admission labeled as “voluntary.”

While the law seems to assume that parents always decide in the best interest of the child, ethical dilemmas may arise when parents refuse consent for treatment of children deemed in need by school officials or others. This raises the question of whether children have a right to needed treatment. Exceptions to the parental consent requirement may be made in cases of older adolescents who are legally emancipated minors—that is, living independently of par-



ents, married, or in the armed services—or who are considered by the therapist to be mature minors and thus able to decide for themselves.

### **CONFIDENTIALITY**

The maintenance of confidentiality between therapists and adult patients is recognized as an important ethical rule, and there are many reasons why confidentiality should be respected for children as well. Much of the material that becomes known to the therapist is very personal and may involve issues that are sensitive for the child or family. Pledges to honor confidentiality can enhance trust between children and their therapists.

Also, harm may be done to children by “labeling.” Revealing past status as psychiatric patients can be a factor in denying later educational or job opportunities. Despite the importance of confidentiality, parents often think that they have a right to know everything, and sometimes a therapist may have to break confidentiality to protect the child or others. A therapist should be honest and state ground rules before beginning treatment and inform the child or family before revealing information.

### **CONFLICTS IN VALUES**

Who should set the goals for psychiatric or behavioral therapy for a child? Parents may have unrealistic expectations for their children or want help in making them conform to cultural ideals of behavior that are different from societal norms or that the therapist may find inappropriate for a particular child. The therapist must decide whether to accept the family’s values and help the child adapt to them or to help the child develop the strength to stand against parental pressures. Even using the best interest of the child as the standard, this can be a difficult decision. It is the right of parents to make decisions for their children and to bring them up as they see fit, and many child-rearing practices and behavioral expectations are accepted in a pluralistic society. Although society does set limits and require that certain basic needs be met, and has legal standards of abuse or neglect, therapists must be careful not to impose their own personal values on families.

### **RESEARCH**

Research in child psychology and psychiatry can run from totally nonintrusive observation of normal

children in public places to surveys by questionnaire and interviews all the way to trials of new behavior modification techniques or clinical trials of psychotropic drugs. The use of children as research subjects presents ethical problems because as minors they cannot legally volunteer and because in many studies it is very difficult to assess potential risk. Thus, some questions are virtually unexplored and data about causes and effective treatment are lacking. The picture is improving, however, since in 1991 Congress approved a national initiative for increased research on child and adolescent mental health.

Ethical guidelines for medical research with children were adopted as federal regulations in 1983, and they provide that research be well-designed in order to give valid, nontrivial results, that trials be made on animals and adults rather than on children when possible, that risks be outweighed by expected benefits, and that informed consent of parents or guardian be given. It is recommended that children older than age seven be asked for their assent, as well. Nontherapeutic research, whose main goal is to obtain scientific information, has stricter standards than does therapeutic research, whose primary goal is to benefit the child-subject. Despite parental consent, in nontherapeutic research any child over age seven may refuse assent and veto participation, any child may withdraw from the research at any time for any reason, and except under very special conditions, no child may be subjected to anything greater than “minimal” risk, defined as the sort of experience likely to be encountered in everyday activities.

### **FORENSIC ISSUES**

Courts often depend on the professional evaluations of psychiatrists or psychologists to determine the “best interest of the child” in custody or adoption suits, the reliability of child witnesses, or the competency of juvenile offenders to stand trial as adults. One must beware of potential bias or conflict of interest in such cases, since the professional may be hired by one party and be expected to give favorable testimony. There is no general agreement on the age or standards of competency that apply to adolescents or tests to determine the truthful reporting of young children; thus, professionals may offer conflicting judgments, and there may be no clear way to resolve the conflict.

*Rosalind Ekman Ladd*

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SEE ALSO: Child abuse; Child soldiers; Children; Children's rights; Confidentiality; Medical ethics; Psychology; Psychopharmacology; Therapist-patient relationship.

## Child soldiers

**DEFINITION:** Children under the age of eighteen recruited or conscripted into military and armed groups

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Using children as soldiers cruelly exploits the children, distorts the nature of the combat in which they serve, and creates a class of citizens who may threaten the long-term stability of their societies.

In 2003, an estimated 500,000 children under eighteen years of age served in the government armed forces, paramilitary forces, civil militia, and armed groups of more than eighty-five nations, and another 300,000 children were active in armed combat in

Image not available

*A thirteen-year-old Myanmar government soldier, armed with an M-79 rocket launcher, guards a jungle camp near the Thai border in late 2003. Thousands of child soldiers have been forced to fight on both sides of Myanmar's long-standing civil war. (AP/Wide World Photos)*

more than thirty countries. Some of the children were as young as seven years of age.

Many child soldiers are volunteers seeking to avenge harm done to family members, seeking refuge from social and economic desperation, or seeking parental surrogates or group membership. Others are conscripts captured, kidnapped, drafted, or otherwise forced or threatened into service. Many are abandoned or orphaned children found wandering the countryside.

Child soldiers are prized because their youth and physical vulnerability makes them obedient and easily intimidated into undertaking dangerous and undesirable tasks and providing personal services for adult soldiers. Many child soldiers are incompletely socialized, lack moral foundations, and lack full un-

derstandings of pain and death; they are often more willing than adults to commit atrocities and acts of terror. They are also generally more willing to undertake dangerous missions as spies, lookouts, messengers, suicide fighters, and human mine detectors. Drugs, threats, and brainwashing are used to overcome any fear or reluctance to fight. Developmental learning theory suggests that, until about the age of fifteen, children cannot critically evaluate the merits of the causes for which they fight.

Child soldiers are denied their childhood and appropriate socialization and enculturation. They often suffer trauma and psychological damage from exposure to danger, violence, and carnage. Most never receive education or training beyond that required for combat. Many are physically maimed, permanently handicapped, and become addicted to drugs. Most are social outcasts once armed conflict ends, either because of their actions and injuries in combat or because of society's rejection of the sexual exploitation most, especially female child soldiers, experience within their armed units. This underclass enters adulthood with little prospect for employment, marriage, or acceptance by society. They become constant threats to social and political stability within their countries.

The 1949 Geneva Convention and 1977 Additional Protocols, 1989 Convention on the Rights of the Child (CRC), and 1998 International Criminal Court set fifteen as the minimum age for soldiers. An Optional Protocol to the CRC, adopted by the United Nations in the year 2000, raised the age to eighteen. Child soldiers remain in spite of these efforts.

*Gordon Neal Diem*

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SEE ALSO: Child abuse; Child labor legislation; Children; Children's rights; International Criminal

Court; Land mines; Limited war; Mercenary soldiers; Military ethics; United Nations Declaration of the Rights of the Child; War.

## **Child support**

**DEFINITION:** Regular financial contributions to help raise, educate, and maintain a child, paid by a divorced or otherwise absent parent to the primary caregiver of the child

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** Laws mandating the payment of child support seek to protect minor children from the financial consequences of family disruptions.

Children have a legitimate expectation of protection and nurturance from adults. As society became increasingly complex during the twentieth century, that responsibility grew to cover a longer period of time and a wider range of obligations. Traditionally, the adults responsible for providing this nurturance have been the child's parents. While there have always been children who have not had two parents, owing to death, divorce, and out-of-wedlock childbirth, the number of children in single-parent households grew significantly during the late twentieth century. Simultaneously, changes in gender roles challenged traditional assumptions about the delegation of moral and legal obligations to children. The consequence was the nonsupport of many children and the insufficient support of far more.

#### **HISTORY**

Common law assumed that the physical care of children was the responsibility of the mother, while the financial support of the children (and, in support of that end, the mother) was the responsibility of the father. Courts adjudicated divorces and child support awards with this assumption until the 1960's. Two related trends altered this longstanding approach.

California passed the first "no-fault" divorce law in 1970. The intent was to minimize acrimony in divorce proceedings, with the anticipated consequence of alleviating the financial and emotional disruptions to children, as well as adults, imposed by an adversarial system. Cultural changes in gender role expectations led to additional changes in the division of

responsibility between parents. These changes were reflected in the courts in the initiation of “joint custody” arrangements and an increase in contested custody.

Research by Ron Haskins showed that noncustodial fathers continued during the 1980’s to recognize a moral responsibility to support their children. Nevertheless, critics such as Lenore J. Weitzman, in *The Divorce Revolution* (1985), and Ruth Sidel, in *Women and Children Last* (1986), argued that changes in the application of divorce law in fact had the unanticipated effect of impoverishing women and children. First, “no-fault” laws made divorce easier to obtain. Second, growing legal assumptions of gender equality led to equal divisions of property, even when the mother had neither the education nor the job history to allow her to earn an equal income. Child support awards were based not only on unjustified assumptions about the mother’s earning potential but also on the implicit assumption that she would continue the traditional role of sole physical care while assuming half of the financial responsibility. As noted, the law also changed to allow for joint custody. In practice, however, this applied to a tiny fraction of children during the 1980’s.

The situation was further exacerbated by a trend of noncompliance with legally adjudicated child support. Recognition of social responsibility to the involved children was embodied in national legislation, notably the Child Support Enforcement Act, which passed in 1975. Nevertheless, critics charged that enforcement of child support payments remained insufficient.

These social changes created a situation that has been called the “feminization of poverty.” While the term refers to adult women impoverished by circumstances such as divorce, in fact, the largest growing segment of the population trapped in poverty during the 1980’s were children, in particular the children of these women. These children were effectively denied their right to appropriate nurturance in the form of proper nutrition, medical care, and education.

#### AREAS OF CONTENTION

There were several specific areas that created disputes among lawyers and social policy analysts, as well as among the involved parties. The legal determination of the appropriate amount of child support weighed a number of complex factors, including the

ability to pay and previous lifestyle. Many of these issues were determined from the perspective of the adult’s concerns rather than from that of the child’s rights. When that perspective was included, additional issues arose. Appropriate support included medical care; in practice, this entailed paying for health insurance. Educational needs were frequently a point of controversy, particularly since the age of majority usually determined the extent of legal child support obligation. In 1972, California changed that age from 21 to 18, with tremendous consequences for the support of college-age children.

Other disputes centered on how best to encourage noncustodial parents to meet their responsibilities. Legally, during the 1990’s, there was no link between visitation arrangements and child support, but research by Mavis Hetherington suggested that fathers retained a greater sense of responsibility to their children when visitation was more frequent and/or extended. The organization Equal Rights for Fathers developed as a goal the greater enforcement of visitation and other policies to enhance visitation.

Most social policy analysts during the 1980’s and 1990’s focused efforts on enforcement of child support awards. Methods included attachment of wages, attachment of income tax refunds, and public humiliation of the worst offenders. Child advocates also noted that the size of awards at that time needed to be increased substantially to meet the real needs of children. Additionally, Ruth Sidel argued, in *Women and Children Last* (1986), that social policies needed to be designed to enable custodial parents to meet the obligations they could neither escape nor fulfill. Programs such as job training and childcare, and an end to wage discrimination against women, were deemed critical to that end.

The United States during the late twentieth century confronted a major ethical dilemma. Those who had reached adulthood had to find a way to meet their obligations to those who had not.

*Nancy E. Macdonald*

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SEE ALSO: Children; Children's rights; Divorce; Family; Family values; Parenting; Welfare programs.

## Children

**DEFINITION:** People who have not yet come of age; youths lacking the full rights and privileges of adults.

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** Because "childhood" is itself a constantly evolving social creation, the ethical views and practices that prevail toward children within particular societies provide substantial insight into the historical development of moral values both within and across those societies.

How adults treat children differs discernibly from culture to culture and has continually changed throughout history, as have general attitudes toward childhood. The social status of "childhood" is culturally defined and cannot be precisely identified through strictly biological or any other type of universal criteria. All culturally accepted conventions are, ultimately, arbitrary, so they gain their normative or legal validity only by social fiat.

Despite the commonsensical understanding of children as a "biologically immature" adults, it is the social recognition of this "immaturity" that defines children's status. For example, while the achievement of childbearing age may signify full maturity and thus adulthood among females of certain indigenous peoples of South America, it emphatically does not among industrialized North American societies.

Indeed, the very fact that many modern states legally specify a certain age to define childhood/adulthood contradicts the biological fact that human beings "mature" (however that is socially defined) at significantly different ages.

### CHILDREN'S ETHICS

In moral terms, the norms of "acceptable" treatment of those people socially recognized as "children" are equally subject to historical and culturally relative criteria. The most common ethical issues that arise relate either to the extent to which full social obligations can be placed upon children or to the moral responsibilities of adults toward children, including the respective legal rights of both parties.

The ethical content of child status versus adult status can attain a profound social significance, determining the eligibility of people to perform certain types of work, consume alcoholic beverages, exercise control over their own health treatment, fight in wars, engage in sexual activity, vote in elections, and so on. In modern criminal law codes, the recognition of child status usually determines the extent to which one is legally punishable or even culpable for criminal behavior.

### HISTORICAL ATTITUDES

The specification of "childhood" as a special social category is relatively recent in human history. As a legally recognized status, it is only a few hundred years old. The apparent social indifference toward young people prior to this specification is thought by some experts to be related to their high mortality rate. Until the seventeenth century, more than half of the twenty-one-year-old and younger population died before entering what many modern societies now define as "adulthood." In such societies, it is reasoned, there was no strong argument for becoming too interested in members of a population who could not be expected to survive. Comparative perspectives call these assertions into question, however, citing evidence from non-Western cultures that challenge the universality of these historical stereotypes.

Most experts agree that the general unifying characteristic from ancient times up to the sixteenth century, at least in European societies, was the virtual absence of societal institutions aimed specifically at children. In short, Western societies were "adult centered" for centuries, and children simply grappled



with society by mixing with adults and eventually learning how to function as adults. Up into the eighteenth century, childhood in the contemporary sense essentially referred to pre-five-year-olds. Those individuals who were older became immersed in the normal work responsibilities of the household, though stratified by gender.

The origin of the social status of childhood as defined in Western societies is most frequently attributed to the eighteenth century Enlightenment. The Enlightenment weakened many of the most traditional religious notions that had governed human self-understanding, including the presumption of an inherent “evil” that resided in people as described in the biblical metaphor of “after the fall.” With the rise of social “progress” theories that would in turn lead to the development of the social sciences, more sanguine images of human nature began to trickle down into the Western mind-set, and notions of the perfectibility of the human race became widely disseminated.

Philippe Aries’ seminal work on the history of childhood, *Centuries of Childhood: A Social History of Family Life* (1962), chronicles how social attitudes toward children began to change during this period. Using content analysis of portraits, early writings on pedagogy and pediatric medical care, and other cultural artifacts, Aries uncovered the various ways in which the developmental phases of childhood and the passage into adulthood became reconceptualized.

Examining the affluent classes of European societies, Aries shows how portraits began to appear as early as the sixteenth and seventeenth centuries in which children were depicted as having a distinct and “innocent” character and were no longer made to look like miniature adults. This notion of childhood innocence became one of the defining features of children in the post-Enlightenment period, which in turn helped fuel a shift in social attitudes. Children became increasingly thought of as “pure” and “good” people who needed protection from rude, dangerous, and immoral social processes that could harm their development. Social attention turned decisively toward child upbringing and the need to instill morality into children under the protection of adults. Activities formerly common among young people as well as adults, such as cursing, drinking alcoholic beverages, and sexual activities, all became increasingly

regarded as antithetical to childhood and became socially prohibited among children.

Greater emphasis on structured childrearing gradually became the norm among the middle classes during this period. During the seventeenth century, the apprentice system routinely took young males and females between the ages of ten and fifteen out of the household, whereupon they became members of another in order to learn a trade from a skilled artisan. The apprentice earned his or her keep but remained under the strict control of the master. This was viewed socially as a means by which parental coddling could be defeated, since children completed the rearing process under the more detached supervision of an unrelated master. The apprentice system was ultimately dismantled by the onset of the Industrial Revolution and had largely disappeared by the nineteenth century.

#### CHILD WELFARE IN THE UNITED STATES

In the United States, social attitudes became more child-centered following the rise of the factory system during the early nineteenth century. Once seen as little more than the waiting period before becoming an adult, childhood became more idealized and regarded as an end in itself, an object of increasing social attention.

New social institutions designed to address the special needs and characteristics of children began to proliferate and expand in importance during the nineteenth century, with the most important being formal education. The eventual rise in popularity of kindergartens previsioned the subsequent social concern with progressive educational reform that aimed to nurture the spontaneity and creativeness of children rather than repress it. All such trends provide evidence of the continuous evolution in American attitudes toward recognition and respect of a “child’s world.”

Of equal ethical importance was the creation of social agencies aimed at dealing with child deviance. With deviant acts committed by children becoming increasingly regarded as a reflection on the social environment rather than as evidence of the “evil” lurking in the young person’s soul, social forces arose to intervene in the lives of failed or defunct families so as to “rescue” children from their defective environment. “Houses of refuge” were opened for children throughout the United States during the 1820’s, becoming the first generation of “child-saving” institu-

tions that would later culminate in the expansion of state child protection services during the twentieth century.

Child refuges attempted to create a “properly structured environment” in which the negative influences of poverty, neglectful parents, and/or a syndrome of poor behavior on the part of the child could be corrected through military-like discipline and the learning of model social roles. The state was frequently called upon by charitable institutions to facilitate their child-saving activities by granting them legal rights of supervision over the children, a process that gradually drew the state into greater involvement in child welfare.

After the U.S. Civil War, social reformers began to criticize the prison-like model of child refuge centers, calling instead for more humanistic interventions that aimed to restore family life settings and to focus on teaching skills to errant children. With child saving emerging as a major ethical concern in the late nineteenth century, many feminists began to enter into the child advocacy movement, emphasizing child welfare over child punishment.

Largely because of child welfare reformers, the juvenile court system was formed during the turn of the century, with the first court instituted in Illinois in 1899. Within three decades, virtually every state had a juvenile court system that typically exercised its jurisdiction over children “in trouble” under the age of sixteen. Invoking the principle of *parens patriae*, a notion dating back to feudal times that asserts that the state is the ultimate parent to children, the juvenile courts established the power of the state to designate as “wards of the state” those children who had broken laws, been improperly treated by their parents, or had engaged in behavior considered immoral for children, and to thus assume full legal responsibility for their welfare.

Many experts argue that the juvenile justice system as it developed acted primarily to address the concerns of the middle and upper classes by enabling the state to intervene in the lives of poor families. While the overarching ideology governing the court was child welfare through therapeutic action rather than a punishment ethic, critics over the years argued that the court routinely violated the civil rights of children, particularly those of the lower classes. The 1967 U.S. Supreme Court decision *In re Gault* reaffirmed the constitutional impropriety that pervaded

the juvenile justice system in practice, its good intentions notwithstanding, and ruled that juveniles were entitled to the full legal protection of the due process enjoyed by adults.

Along with the increasing specialization of the legal system designed to differentiate children from adults, the social sciences gradually developed specialized research traditions in the area of juvenile delinquency. Institutes for the study of juvenile delinquency were formed and became influential in consulting with the state on the expansion of state social welfare agencies. By the early twentieth century, children received a variety of public services, usually for their material support in cases in which a need was recognized. State-sponsored foster homes and a variety of residential facilities were created to offer child care and child protection. The eventual creation of specialized state child protection agencies led to the development of comprehensive systems of family welfare, with intervention into child abuse and neglect cases, emerging as systems that would coexist with legal and medical authorities.

#### ETHICS OF CHILD MALTREATMENT

The social recognition of child maltreatment and the “discovery” of child abuse provide a dramatic example of changing social attitudes toward children and their proper ethical treatment. In Ancient Rome, the principle of *patria potestas* established the complete control of fathers over their children, including decisions concerning their right to live, regardless of age. Infanticide was widely practiced there, as it was in virtually all ancient societies, including ancient Egypt and Greece. Often, a particular ritual was practiced that established the social expectation that a particular child was to be raised to maturity. Prior to the event, unwanted children could in most cases be disposed of without social sanction. Among the most common situations in which infanticide was practiced were cases of birth deformities and cases of children who were “illegitimate,” conceived by incest, or considered likely to become a drain on the state in the absence of a conducive family setting.

During the Middle Ages, the Christian doctrine of parental love tempered somewhat the brutality latent in the absolute authority it granted parents over children in cultures where it predominated. Nevertheless, severe corporal punishment remained a norm in most Christian cultures. For example, historical data

show that when French Jesuits first encountered the Eskimo societies of North America during the seventeenth century, they observed with horror that the aborigines refused to hit their children for any reason. To the French missionaries, the taboo on child beating was evidence of the primitive and paganistic ways of the Eskimos. Once the conversion to Christianity began, the Catholic missionaries placed special emphasis on preaching the necessity of beating children so that they would "learn to fear God."

In no way unique to France, the physical punishment of children, often in an extreme form, was considered fully legitimate in Western societies until the late nineteenth century. During the 1870's, the Society for the Prevention of Cruelty to Children (SPCC) was formed to advocate for legislation in the United States designed to protect children from abusive employers and surrogate caretakers. While the success of the SPCC and other child-saving institutions is shown by the formation of the juvenile justice system, it was the parallel development of social welfare agencies that pioneered the emphasis on direct intervention within conflictual families. Child protective services (CPS) exhibit a paternalistic and therapeutic model of intervention.

With their legislative authority based in juvenile and criminal court statutes, CPS bureaucracies are firmly controlled by government agencies, primarily at the state level. The Child Abuse and Prevention Act of 1974 mandated that state CPS agencies follow certain federal guidelines with respect to creating open channels of reporting child maltreatment.

The expansion of CPS during the 1970's and 1980's emphasized the provision by social caseworkers of services that could repair and restore the family, with removal into state foster homes as a last recourse; this contrasted with the early child-saving movement, which emphasized removal and the creation of alternative arenas of socialization.

### **MEDICALIZATION AND CHILD ETHICS**

Another important shift in social attitudes toward children grew out of changes in the medical establishment. The early development of pediatric medicine had paralleled the increasing social recognition of childhood. During the 1960's, the discovery of the "battered child syndrome" by pediatric radiologists helped fuel social concern about child abuse. During the same decade, an explosion of pediatric medical

research occurred concerning the phenomenon of child hyperactivity, providing another example of the impact that modern medicine has had on social attitudes and the treatment of children.

Hyperactive children have a long history of being socially defined in adverse terms, either as "possessed" by the devil or other "evil spirits," or as malicious, disorderly, rebellious, and so on. Nurtured by the specialized study of children among psychiatric researchers, medical research in the second half of the twentieth century began to discover various biological factors that influence child hyperactivity, along with an array of pharmacological treatments that proved to be effective in controlling it. This led to the clinical designation of child hyperactivity as an illness known as "hyperkinesis."

The "medicalization" or general social recognition of hyperactive child behavior as an illness constituted a qualitative break from earlier conceptions. From a moral category of "bad" or "evil" activity, the medical profession has largely succeeded in shifting the larger social understanding of a whole set of aberrant child behaviors into the more neutral terrain of a "sick" condition that rests outside the control of the afflicted child. The medicalization of this form of child deviance helps to illustrate the continuing erosion of traditional conceptions of children and child care as much as it demonstrates the power of the medical community to alter the perceptions and ethical standards of child treatment.

The celebrated child-rearing manual of Benjamin Spock, *Common Sense Book of Baby and Child Care* (1946 and many revisions), provides yet another example of the direct impact that medical authorities have had upon attitudes toward and the treatment of children. Spock's instructive emphasis on preserving happiness in childhood socialization helped contribute to the social recognition of a science of parenting, initiating a trend in which adults look to medical experts for advice on the optimal technique for raising their children.

### **PERSISTENT ETHICAL DILEMMAS**

The ethical issues that surround the social attitudes and treatment of children must be continually reexamined and considered in their overarching complexity. At all levels, the socially acknowledged rights and obligations accorded to children as well as the transgressions against them have historically been

stratified by social class, race, and gender. Young females are sexually abused at a rate six times that of young males. The rate of physical neglect of impoverished children is invariably higher and unlikely to improve merely through therapeutic means of treatment.

Just as maltreatment exhibits its social biases, so too do the various institutions that are involved in the professional treatment of children. If socio-historians have shown how child savers of the nineteenth century enacted reforms that disproportionately affected poorer families, modern child protection agencies can likewise be seen to enforce white, middle-class standards in their practices at the expense of poor women and people of color. Any perspective that claims to grasp the tremendous complexity of child ethics must continually and critically evaluate how childhood is intertwined with the dynamics of social class, gender, and racial inequalities.

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Aries, Philippe. *Centuries of Childhood: A Social History of Family Life*. Translated by Robert Baldick. New York: Knopf, 1962. A classic work on the history of childhood. The author attempts to make a comprehensive study of social attitudes toward children throughout the entire span of recorded history.

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SEE ALSO: Child abuse; Child labor legislation; Child psychology; Child support; Children's Bureau; Children's rights; Children's television; Family; Family values; Moral education; Parenting.

## Children's Bureau

IDENTIFICATION: Federal agency charged with investigating and reporting on "all matters pertaining to the welfare of children"

DATE: Founded in 1912

TYPE OF ETHICS: Children's rights

SIGNIFICANCE: The establishment of the Children's Bureau was the first U.S. institutional recognition of children as individuals—not property—with their own rights and needs.

During the late nineteenth century, children's health became an issue in the United States. Child mortality rates were high, largely because neither parents nor

physicians knew much about the specific needs of children. Doctors had begun to understand that simply providing adult treatments in smaller doses was not adequate. Gradually, new thinking about child psychology and development spread.

In 1912, the U.S. Congress established the Children's Bureau to deal with infant mortality, preventive medicine, orphanages, the juvenile justice system, and child labor. The bureau quickly became a strong force for the improvement of children's lives. It established national birth registration to make possible the first useful study of infant mortality. The bureau produced two booklets, *Prenatal Care* (1913) and *Infant Care* (1914), which were updated and distributed for decades. For the first time, mothers had access to sound advice. By disseminating information and training new professionals, the bureau greatly expanded public health services for mothers and children.

After the passage of the Social Security Act in 1935, the bureau added services for new populations, including disabled, abandoned, and delinquent children, the mentally retarded, and specific minority groups.

*Cynthia A. Bily*

SEE ALSO: Child abuse; Child labor legislation; Child support; Children; Children's rights; United Nations Declaration of the Rights of the Child.

## Children's rights

**DEFINITION:** Area of legislation, social work, and activism that seeks to protect children from discriminatory or abusive practices

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** Distinctive, child-specific forms of exploitation exist in modern mass society, so there is an ethical imperative to institute equally distinctive safeguards to protect children against exploitation.

When the Universal Declaration of Human Rights was passed by the United Nations General Assembly in 1948, the wording of Article 2 provided for the protection of rights "without distinction of any kind, such as race, color, sex, language, religion, political

or other opinion, national or social origin, property, birth or other status." Thus, as in the famous French Revolutionary Declaration of the Rights of Man and the Citizen (1789), formulators of identifiable categories of persons with unalienable rights omitted specific mention of age (either old age or youth). Such omissions may have stemmed from a general assumption that children are automatically an essential component of any population. Historical experiences before those famous declarations, however, and many key social developments, particularly in the second half of the twentieth century, suggest that there should be a specific sphere of concern for the rights of children in all regions of the world.

### HISTORICAL PRECEDENTS

It was the spreading mid-nineteenth century impact of the Industrial Revolution that brought a desire by mine and factory owners to cut unskilled labor costs and, in the process, ushered in an entire era of employer exploitation of child workers. In several countries where such exploitation (long hours, very low pay, hazardous work conditions) became the object of public and political outrage, special child labor legislation acts were passed. An important part of such legislation in Great Britain and in France was to oblige employers to guarantee that working children could receive enough education to "free" them from the bonds of ignorance (and therefore near slavery in the unskilled workplace). In most cases, the question of whether the wider social and family environment in which disadvantaged children had to live could be addressed and resolved by laws was hardly posed in this era of early child labor legislation.

### CHILDHOOD VS. ADULTHOOD

Various societies have defined "rights" or "rites" of passage from childhood in different ways. In some traditional tribal settings, for example, important cultural distinctions have been made between what constitutes becoming a man and what constitutes becoming a woman. These tend in general to be linked with puberty and "qualification" for marriage and family responsibilities. In modern Western societies, however, passage from adolescence to early adulthood tends to relate to a number of legal rights. Characteristic rights here might be the right to make legally binding decisions (including marriage and the establishment of a separate place of residence) without



necessary parental consent, the right to vote, and the right to purchase controlled substances such as alcohol or tobacco. In addition to such rights, there may also be certain obligations attached to the attainment of a certain age. These include, according to the country in question, obligatory military service and the right to be tried in court according to the same conditions that apply to persons of full adult status.

In the United States, a legal division between juvenile and adult criminal jurisdictions has existed only since about 1900. The juvenile court system was

established on the assumption that children are more likely to reform themselves if instructed rather than punished to the full limits of penal law. Because the juvenile system functions according to procedures quite different from those of the regular courts (notably in its emphasis on the judge's role, with less attention given to formal representation of the accused by an attorney), critics from the 1960's forward have called for its reform. In addition, some specialized agencies, including the National Legal Resource Center for Child Advocacy and Protection in Wash-

### Turning Points in the History of Children's Rights

<i>Date</i>	<i>Event</i>	<i>Impact</i>
1833	British Parliamentary Act	Ages and hours limited for children in factories
1844	British Child Labor Act	Requires guarantee of minimal education for working children
1851	French Child Labor Law	Defines rights of apprentices
1874	French Inspectorates placed over employers of children	Provides for fines when minimal standards not met
1890's	Education Curriculum Reforms passed in United States	Emphasizes social democratization of all classes of pupils
1900-1910	Juvenile Court System introduced	Establishes different courts, procedures, and punishments
1912	U.S. Children's Bureau established	First federal agency devoted to monitoring the welfare of children
1950's-1960's	U.S. Aid to Families with Dependent Children introduced	Provided for tangible government welfare aid to needy children
1959	United Nations Declaration of the Rights of the Child	Recognized the ethical responsibility of national governments to look after the welfare of children
1960's-1970's	Child Welfare System created	Public assignment to foster homes to protect children's rights
1990	Convention on the Rights of the Child ratified	Enumerated thirty-eight specific rights of children that all nations must respect
1998	Establishment of the permanent International Criminal Court	Measures included defining the use of child soldiers as a punishable war crime.
1999	International Labour Organisation's Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	Designed to protect children from working in unsafe and unhealthful environments

ington, D.C., and the National Center for Youth Law in San Francisco, have taken it upon themselves to serve as watchdogs to assure that juvenile justice, while remaining separate, provides adequate guarantees of equality of rights within the total penal system.

### **CHILDREN'S RIGHTS IN MODERN MASS SOCIETIES**

The concerns of lawmakers and courts over the phenomenon of child abuse in many modern countries have had many historical precedents. Extreme cases of systematic infanticide can be found in a number of historical cultures. One example only among others appears in the Islamic Qur'ān itself, in passages exhorting Arab tribes living in ignorance of God's ways to abandon the custom of preferring male over female infants, some of whom might be killed at birth. The physical abuse of children, ranging from beatings by one or both parents to sexual exploitation either in the family (the object of anti-incest laws) or commercially (the object of special laws against child prostitution or pornography) has existed in one form or another from antiquity to the present. The compounded negative effects of mass societies, however, combined with the increasingly intensive examination of such problems by the media, seem to have focused more attention in the second half of the twentieth century than in any other period on the need to address protective rights for children.

After experiencing rather distressing early campaigns for special legislation to protect children's "external" rights in the workplace and in the penal justice system, modern society seems to have identified a general ethical need to look more closely at the internal functioning of the family to determine whether one of the key contributors to the eventual "external" abuse of children's rights is the home (or the absence of a real home).

In cases in which children do not receive the nurturing experience of a nuclear family (orphans, for example, or those who are assigned by public authorities to foster homes), there may be less difficulty in establishing certain objective criteria for determining whether children's rights are being respected: Specific legislation exists in most modern countries that defines exact procedures for meeting required standards of care for dependent children who do not live with their own families. If shortcomings are dis-

covered, these same laws provide for terminating a foster care contract, for example, or even for closing down specialized childcare institutions, be they orphanages or part-time day-care centers.

Determining whether children are fully safe within their own families, however, is a very different matter. Here, the legal rights of privacy stand as protective barriers intended to keep the public authority of the state from infringing on personal freedoms (guaranteed, in the United States, under the Bill of Rights). Certain forms of legislation have been passed that, on the surface, at least, aim at protecting children living in families experiencing deprivation.

Perhaps the best known (and most controversial) packet of social legislation targeting children was the Aid to Families with Dependent Children (AFDC) program, also referred to as welfare. Although AFDC did not speak directly to questions of children's rights in ethical terms, it was the only government cash-disbursing program in the United States that assumed that the primary beneficiaries of special assistance are children who would otherwise have gone without many essentials. Part of the process of determining the effectiveness of AFDC aid involved social workers' intervention in determining how families managed the funds they received. In extreme cases, such intervention took forms that were resisted by families who, although desperate for aid, resented interference in the private sphere of family-child relations. In 1997, AFDC was superseded by the Temporary Assistance for Needy Families (TANF) Program created by the Welfare Reform Law of 1996.

A second agency that is meant to serve as a watchdog over children's rights is the child welfare system. Its responsibility is to remove children from family situations that may be detrimental to their personal development and even personal safety. As the main authority referring children to foster homes, the child welfare system comes closest to executing public responsibility to protect the private rights of children despite the will of their own families.

Until the mid-1980's and into the 1990's, the assumed typical dilemmas of child deprivation or abuse (alcoholism, drugs, dysfunctional families also confronted with poverty-level existence, and so forth) seemed to lend themselves to the programmatic actions provided for in the child welfare system. By the 1990's, however, a series of quite different issues began to attract the attention of the media and the court

system. The most controversial involved recognition that children themselves might, under particular circumstances, exercise the legal right to “divorce” their parents. This issue promised to invite a critical turning point, since it implied transfer of the decision-making process in children’s rights from the public to the individual private sphere.

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SEE ALSO: Child abuse; Child labor legislation; Child soldiers; Child support; Children; Head Start; Infanticide; United Nations Declaration of the Rights of the Child.

## **Children’s television**

**DEFINITION:** Television programming and advertisements designed specifically for children

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** Numerous studies have indicated that children are particularly vulnerable to being influenced by messages contained in television programs and advertisements; for this reason, broadcasters of children’s programming have a special ethical responsibility.

By the age of eighteen, most North American children have spent more than two solid years of their lives watching television—more time than many of them have spent in school. Studies dating back to the 1960’s indicate that television programming and ad-

### **V-chips**

Developed during the early 1990’s, V-chips are devices built into television sets that permit owners of the sets to block designated categories of programs, based on their ratings. Their purpose is to allow parents to limit their children’s viewing of programs with what they consider to be excessive amounts of violence, sexual content, or other objectionable material. In 2001 the Federal Communications Commission (FCC) adopted a rule requiring all new television sets with thirteen-inch or larger screens to be equipped with V-chip technology. The television industry itself established a system for rating the content of programs and coding those ratings into the signals that stations broadcast so that V-chips can read the ratings.

Also known as TV Parental Guidelines, the program-rating system was established by the National Association of Broadcasters, the National Cable Television Association, and the Motion Picture Association of America.

vertisements can have a strong influence on children, who are frequent viewers. Further, television and media violence, gender and race portrayals, and advertisements have been linked to a variety of adverse behaviors, including violence in later life, aggressive attitudes, and obesity.

Although children’s television in the United States has been bound by few ethical codes beyond the broad mandate that broadcasters serve the “public interest, convenience, and necessity,” two key pieces of U.S. congressional legislation have attempted to codify that directive. The Children’s Television Act of 1990 required programming that met the educational and informational needs of children. The Telecommunications Act of 1996 mandated a program-rating system similar to that used by the film industry and also required manufacturers to install computer devices called V-chips on all new televisions. V-chips read ratings embedded in programs and allow owners of the sets—such as parents—to block shows with specific ratings. In addition, the 1996 law called for broadcasters to air a minimum of three hours of children’s educational programming per week.

Although V-chip technology was widely publicized, the device was slow to catch on. By 2004, it was estimated that less than 20 percent of Americans who owned V-chip-equipped televisions were using the device. Further research suggested that broadcasters may not be providing enough information via the rating system, and the definition of educational television remained murky, at best.

### VIOLENCE

More than one thousand studies have identified links between childhood exposure to television violence and real-life violent behaviors. Some studies have suggested that exposure to television violence, including the make-believe, or fantasy, violence associated with cartoons, may not only desensitize children to acts of real violence but also change their opinions about what constitutes right and wrong behavior. Several studies have found that childhood exposure to media violence predicts aggressive behavior in both male and female adults.

Saturday-morning television programming, typically consisting of cartoons and other shows targeting children, has been found to average twenty-five acts of violence per hour. In addition to programming content, more than a third of commercials airing on children's shows contain aggressive acts, and many advertisements linked to adult-related programming target children. For example, World Wrestling Entertainment, which produces such shows as *SmackDown* and *Raw*, also licenses a series of action figures modeled after wrestling stars.

### GENDER ROLES

Although many children's shows reflect changing modern gender expectations, most programs continue to portray male and female characters with stereotypical traits. For example, male figures appear more frequently in cartoons than do female figures and are generally more action-oriented. Male characters are also more likely to use physical aggression, and female characters are more likely to demonstrate fear, romantic behavior, and supportive gestures. On the other hand, when female characters are portrayed in action roles, they often behave as violently as their male counterparts.

Advertisements targeting children showed similar characteristics. Boys typically appear more often and are placed in contexts in which they have traits of

power, control, action, competition, and destruction. The content of commercials targeting girls generally emphasizes more limited physical activity, as well as feelings and nurturing.

### EDUCATIONAL TELEVISION

Although U.S. federal law requires broadcast television stations to air at least three hours per week of educational programming, the Federal Communications Commission's definition of educational television is vague: "any television programming that furthers the educational and informational needs of children." Broadcasters have frequently pointed to their own studies, which indicate that their educational programming has increased 100 percent since 1990—more than complying with the federal law. However, by the broadcasters' definitions, their educational programming has included such shows as *NBA: Inside Stuff*, *G.I. Joe*, *America's Funniest Home Videos*, *The Flintstones*, *The Jetsons*, and *Teenage Mutant Ninja Turtles*. At one point, ABC-TV even attempted to depict its program *Tales from the Crypt*, based on HBO's adult horror series, as a way to teach children a "wonder-filled morality lesson."

More traditional forms of educational television often appear on Public Broadcasting System (PBS) including *Sesame Street*, *Barney*, and *Wishbone*. Research studies have suggested that these shows do, indeed, provide young viewers with educational experiences. For example, children who watch *Sesame Street* generally know and understand more words, have a better grasp of mathematics, and are better prepared for school than children who watch only cartoons and general programming on commercial television.

### ADVERTISING

In 1750 B.C.E., Hammurabi's code made it a crime punishable by death to engage in commerce with a child without first obtaining the permission of a parent. Historically most societies have implicitly understood the ethical questions raised by selling goods to children. Sweden has banned all advertising directed at children under twelve, and in Greece, commercials for toys are banned before 10 P.M.

In North America, however, children represent an exceptionally ripe demographic market. By the early twenty-first century advertisers were spending more than two billion dollars per year on commercials tar-

getting children alone. Numerous studies have suggested that young children are typically unable to understand the intent of advertisements and frequently accept advertising claims as literally true. Many parents also voice concerns that advertising makes children too materialistic and encourages youths to define their self-worth by their possessions.

### HEALTH IMPLICATIONS

Around the turn of the twenty-first century, the number of overweight children in North America was double what it had been two decades earlier. Some authorities believed that television was at least partly to blame. Beyond promoting physical inactivity, food advertisements were a regular part of children's television. On Saturday-morning television, for example, 61 percent of commercials were for food, and more than 90 percent of those advertise-

ments were for sugared cereals, fast foods, and other nutritionally questionable foods. Numerous studies have now documented that such advertising is very effective in increasing children's requests for junk food and fast food, and in changing their fundamental views of healthy nutrition.

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Sesame Street characters Elmo (left) and Dani (center) talk to a doctor about Dani's asthma condition in an instructional video titled Sesame Street "A" Is for Asthma. Released in 1998, the video was part of a Children's Television Workshop series designed to capitalize on the popularity of familiar television characters to educate children about a medical condition that affects millions of young Americans. (AP/Wide World Photos)



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SEE ALSO: Advertising; Censorship; Child psychology; Children; Head Start; Moral education; Reality television; Song lyrics; Violence.

## Chivalry

**DEFINITION:** Medieval code of conduct that stressed loyalty, wisdom, courage, generosity, religious fidelity, and the virtues of courtly love

**DATE:** Influential from the eleventh century to the end of the fourteenth century

**TYPE OF ETHICS:** Medieval history

**SIGNIFICANCE:** Forms of chivalry helped to stabilize the power structure of the nobility, contributing to feudal Europe's social coherence for several centuries.

The dissolution of the Carolingian empire in the ninth century completed the decentralization of political authority in western Europe. Although there would soon be signs of newly evolving nation-states, nearly four hundred years passed before strong central monarchies were again dominant in France, Spain, and England. During the intervening years, a complex network of local authorities arose to maintain small subsistence economies and to secure them against attacks and invasions. Never a "system," these local arrangements, based on varying personal and contractual agreements, loosely described western European feudalism. It was in this context that, between the ninth century and the eleventh century, codes of chivalry evolved, reaching their refinement in the thirteenth and fourteenth centuries.

Whatever the immediate intent of chivalry codes, over time they set ethical standards for both personal conduct and social relationships. They applied only to nobles, most of whom at some point in life fulfilled their chief social functions as warriors. (For maxi-

imum military effectiveness and to bear the weight of his armor, each noble warrior required a horse. The French word *cheval*, which means "horse," is the source of the English word "chivalry.") Consequently, among the nobility, most chivalric standards derived from military obligations. Others especially concerned the conduct of lords, knights, and their vassals in relation to the ideals or needs of Europe's remaining universal institution, the Roman Catholic Church. Additional rules of behavior, which developed later, pertained to courtly, or romantic, love. Chivalry affected the lives of peasants only indirectly, although peasants were by far the largest segment of Europe's population.

### MILITARY CHIVALRY

Feudal society generally was based on a division of labor that was essential for life because of the scarce resources available during the middle Ages. A handful of nobles thus devoted themselves to providing security for the peasants, who, in turn, furnished the means to feed, arm, and maintain the nobles. Chivalry therefore reflected the centrality of the warrior in feudal society and warrior virtues—loyalty above all, but also courage, wisdom, physical skill, individual prowess in battle, and a longing for glory.

Chivalric behavior was also pragmatic, however, and was intended to make the warrior's tasks easier. For example, knights were armored—over time, more and more heavily. Armor was cumbersome, uncomfortable, and hot. Few nobles chose to wear it at all times. Accordingly, an armored knight was forbidden to ambush an unarmored one; ambush was permissible, but the armorless victim had to be allowed to suit up before battle legitimately could begin. Then, too, since the purpose of taking prisoners was to ransom them, and since the prospect of any captor—including a king—becoming a captive himself was good, knights began to treat their captives as honored guests.

By the thirteenth century, if captive nobles were unable to raise ransoms, their captors frequently released them and accepted their children or other relatives as hostages. On other occasions, if captives were unable to meet their ransoms, they were released after a simple pledge to return if they were unable to secure the sums demanded. An example of this was the voluntary return of France's Jean I to captivity in England when his countrymen failed to raise his ransom.

Military chivalry reached polished forms in tournaments, which were arranged mock battles. Their original goals were to maintain knightly skills and to profit from the capture of those who were defeated in jousts. The principal objective of the participants, however, soon became the achievement of glory; for example, to win admiring attention from higher nobles, to charm ladies, to bear the flags or colors of noble houses into jousts with panache, or to distinguish themselves by means of various gallantries. The English word “gallant,” in fact, derives from the French *galant*, a thirteenth century word associated with chivalric dash and spiritedness.

### RELIGIOUS CHIVALRY

The Roman Catholic Church persistently sought to mitigate the perpetual violence of European aristocracies by diverting knightly energies to more peaceful or more obviously religious ends. Gradually, the Church’s sermons and literature sketched out fresh knightly ideals. The ideal knight should become the ideal Christian. If fight he must, he should fight for God, not for personal aggrandizement, land, or booty. He should observe Church-decreed periods of truce. He should serve the Church and his secular lords faithfully. He should suppress crime and bring order to his realms. He should also care for the weak and helpless. Scholars have noted that medieval Church-sponsored Crusades against infidels were partially attempts to steer knightly energies toward religious goals and divert them from self-destruction and the disruption of daily life.

### CHIVALRY AND COURTLY LOVE

The songs and poems of French and Spanish troubadours during the thirteenth century successfully celebrated the notion that the leading nobility could derive great benefit by conducting themselves in ways that led ladies to admire and adore them. Thus, incentives were provided for the cultivation of gentler manners, for elevating the status of women, and for making them the center of the actions of such figures as Richard the Lion Hearted, Roland, or Galahad. In addition, the troubadours, whose livelihoods depended on lordly patrons, did much to exalt generosity by making it a cardinal virtue in their lively songs and poems.

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SEE ALSO: Bushido; Etiquette; Generosity; Honor; Loyalty; Mercy.

## Choice

DEFINITION: Ability to do one thing rather than another

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Choice is fundamental to any ethical discussion; an act becomes one’s act, whether right or wrong, when one chooses to do it. Moreover, within modern, liberal, capitalist societies, personal choice is celebrated as a good in itself. Less individualist societies, on the other hand, resist the valorization of choice over such other ethical principles as tradition or the good of the community.

When one congratulates others for jobs well done or punishes them for harming others, one does so because what they have done is their action. They chose to act this way rather than that way and, as a consequence of that choice, they accepted the responsibility of that action—it became their act. Legal, ethical, and everyday culture are founded on the responsibilities that are the consequences of free choice. At the same time, one is surrounded by those who wish to control one’s choices to achieve their ends. Modern free choice must always be considered within the context of personal responsibility and communal control. As a result, in any discussion of choice in its ethical context, it is necessary to consider the nature of choice itself, its freedom, and the various theoretic-

cal and practical attempts to destroy or control this freedom of choice.

### THE NATURE OF CHOOSING

Almost every living thing moves: Birds fly, dogs bark, wasps build nests, and bees sting. Within a certain range of activity, living things move in a purposeful manner: There is a pattern to their movement and a selection from among possible movements. Living things seem to do this action rather than that action because of some inner purpose. The human observer easily projects onto all living things both human feelings and thought. When one sees the dog bark, the bee sting, the bird fly, one may presuppose that the dog, bee, and bird are doing things similar to what one does oneself—they choose to bark, sting, or fly. Such a projection upon the surrounding world is part of those magic years of childhood when the child talks to the doll and listens to its answer. It is part of primitive tribal life, in which the whole world is viewed as being animistic and filled with life.

Some modern scientific methods reverse this common experience by suggesting that human actions are like animal actions. Behaviorism, a type of determinism, suggests that all living things act as a consequence of the causes that surround them. There is no such thing as free choice; everything is already determined by forces outside of one's control. Religious determinists claim that God determines what humans do, psychological determinists claim that mental and emotional makeup determine what people do, and sociological determinists claim that society determines what people do. For determinists, human free choice is purposeful activity performed as a result of the inanimate forces that surround people.

Although these deterministic theories are favored by many in the social sciences, modern culture is based on an entirely different principle. The prison, education, legal, and political systems are based on the principle of responsible free choice. Culture demands an answer to various questions: Whose fault is it? Who performed such a wonderful job? The answers determine reward and/or punishment. The system of rewards and punishment is based on the presupposition that people, not circumstances, are responsible for actions. Ethical theory has the same presupposition.

All ethical theory is based upon responsible free choice. People act as a consequence of freely chosen

goals and purpose. Culture, as well as ethical theory, recognizes that humans can do things that are unexpected and different, things that are beyond scientific systems and attempts to explain. There is something about the human being that enables him or her to say no when everyone expects a yes and yes when everyone expects a no. There is something about human beings that enables them to create something new. People have not made their homes the same way throughout time because they have freely chosen to do otherwise. Activity by animals and humans is not the same: People choose to act. Somehow, people can take what is outside them, bring it inside them, and, because of certain ideas, choose to change what is outside them.

### CHOICE AS ACTION AND AS INTENDED ACTION

Choice is not only internal, it is also an action—what one does. Choosing and doing are internally linked. Certainly, people think about things, reflect upon things, imagine things. Choosing, however, is an intimate link between one's personal, internal goals, principles, and habits and how one affects the world around one by operationalizing and creating one's own world through choosing what will make it up.

What one chooses to do is purposeful—one wants to do it. It is not necessary that one have the intention of doing something every time one does it. Many choices are not intentional in terms of the here and now. Most choices are part of a more extensive intentionality of wanting, for example, to be a good person, a generous person, or an industrious person. In the light of these general intentions, people build habits of goodness or virtue, and these good intentions constitute the intention for specific actions.

Because ethical individuals make choices based on such general intentions, their lives have a consistency to them such that one can say "This is a good person" and expect a consistency of ethical actions.

### ETHICAL CHOICE IS FREE ACTION FREELY INTENDED

Freedom is the possibility and ability of making choices. Such a definition of freedom is easy to read but difficult to apply. Certainly one is not more free the more choices one has or makes. It is not possible to quantify freedom. A blind person does not have to wait for sight to live freely. Those who are sur-

rounded by the constant attempt to control their political, economic, educational, food, drink, and dress choices through advertising should not say that they were forced to vote for a U.S. senator or drink a soft drink because advertising dominated the air waves and limited their choices.

At the same time, people should realize that there is a great deal of subtle manipulation of choices. Advertising is sold on the basis of the claim that consumers' choices can be manipulated by the advertiser. In modern technological consumer culture, choice is never had without someone trying to influence it. Most of the social sciences, which began as disinterested attempts to understand human behavior, are now used to attempt to control human behavior for economic or ideological purposes. One must develop a strong character in order to choose freely in the modern world. When one accepts the necessity and the possibility of free choice in modern society, one also accepts the responsibility that accompanies it. Ethical life is not freedom alone or choice alone, but free choices that result in acceptance of responsibility for one's actions. A free choice may be a bad choice or a good choice.

Nathan R. Kollar

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SEE ALSO: Behaviorism; Choiceless choices; Cost-benefit analysis; Determinism and freedom; Dilemmas, moral; *Either/Or*; Ethics/morality distinction; Incommensurability; Motivation; Stoic ethics.

## Choiceless choices

DEFINITION: Ethical concept articulated by Lawrence Langer describing a situation in which all choices facing an actor are equally unacceptable or immoral

TYPE OF ETHICS: Human rights

SIGNIFICANCE: The concept of choiceless choices offers a rationale for behavior that may offend the ethics of others but for which there is no moral alternative available to the actor.

The "choiceless choice" is a false choice, or a nonchoice, between one form of abnormal response and one or more other abnormal responses, all imposed by situations that are not of the actor's own choosing. Persons in such situations cannot select the lesser of two evils, because *all* the available choices are equally unacceptable. Immoral choices must thus be made in the absence of morally acceptable alternatives. The concept provides solace and succor to those seeking to understand the apparent immoral and incomprehensible behavior of others, or their own behavior, in times of extraordinary stress.

The decisions people make when faced with choiceless choices are often not conscious ones, but decisions made automatically, motivated by rules ingrained inside the actors' heads. An example of one such rule is that of physical survival. A person may act to survive physically, but in doing so may have to pay a moral price that leaves the person facing self-loathing and spiritual death. In the absence of choices that support one's personal integrity, self-worth and self-esteem, one has no alternative but to act in ways that are destructive of one's own sense of self, even as the actions allow for physical survival.

### Examples of Choiceless Choices

- Cooperating with enemy captors in order to stay alive
- Undergoing dangerous and unproven treatments when conventional medical treatments are unlikely to cure a terminal disease
- Committing suicide rather than facing the dishonor of surrendering to an enemy
- Tossing a defenseless person from a crowded lifeboat to avoid the risk of having everyone on the boat drown
- Killing one's own children to spare them from lives of slavery or abuse
- Committing a crime oneself in order to expose a crime committed by others
- Eating human flesh to avoid starvation
- Amputating one's own limb to escape a death trap

In some societies, a common rule impressed into the minds of members is the importance of avoiding dishonor. In such societies, people faced with choiceless choices may choose death over dishonor, to the astonishment of persons outside the culture.

Lawrence Langer developed the concept of choiceless choices to describe behavior of Jewish concentration camp prisoners who collaborated with Nazi camp officials during the Holocaust. In some camps, Jewish prisoners were put in charge of other Jewish prisoners. These prisoners policed the camps, operated the crematoria in which the bodies of executed prisoners were burned, and scavenged the remains of the dead for their gold teeth and other valuables. Langer contends that people who did such horrendous things were not true "collaborators" but victims who faced a lack of alternatives. The choiceless choice concept also explains the immoral acts of conquered peoples during wartime, such as the collaboration of the Vichy French authorities with the German occupiers of France during World War II.

*Gordon Neal Diem*

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SEE ALSO: Choice; Concentration camps; Dilemmas, moral; *Either/Or*; Genocide, frustration-aggression theory of; Holocaust; Honor; Nazism.

## Christian ethics

DEFINITION: Ethical systems put forward and endorsed by various forms of Christianity

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Christianity and Christian ethical values, in both religious and secularized form, have shaped Western and global thinking about morality for almost two thousand years.

A rich and complex religion, Christianity takes many divergent and occasionally even contradictory forms. It draws upon many resources: the Jewish scriptures, Jesus of Nazareth (whom Christians call Christ), Zoroastrianism, Stoicism, and Neoplatonism.

### JESUS OF NAZARETH

The whole of Christian ethics (called moral theology in Roman Catholicism) can be seen as a series of footnotes to the Sermon on the Mount (Matthew 5-7). In this collection of sayings attributed to Jesus, Jesus calls upon his followers to reject the dominant values of their culture and to live according to a different vision. Calling them "the salt of the earth" and "the light of the world," he urges them to trust in God rather than money, to pray in secret and not to broadcast their piety before others. He condemns not only murder but hatred as well; not only adultery but also lust. In one of the most famous moral sayings of all time, he instructs his disciples to "turn the other cheek" to those who strike them, to "repay evil with good," to "love your enemies," and to "pray for those who persecute you."

It is commonplace to say that Christian ethics is an ethics of love—love of God, love of neighbor, and



love of self. When asked to summarize the Law, Jesus quoted the Jewish scriptures: “You shall love the Lord your God with all your heart, soul, mind, and strength, and your neighbor as yourself.” This is not the same love as desire (*eros*) or kinship (*philia*); it is a self-giving love (*agape*) that creates and finds fulfillment in the other.

Even more important than Jesus’ teachings, however, are what he did and what happened to him—his life, death, and resurrection. His life, characterized by healing, power, suffering, forgiveness, obedience, and ultimate submission to a humiliating death by crucifixion—followed by the ultimate triumph of resurrection—has been taken by countless Christians as the pattern for their own lives.

### PRIMACY OF GOD AND UNIVERSALITY OF SIN

A pious Jew, Jesus took for granted Judaism’s belief in one powerful, just, and merciful God who was God of all the world even if all the world did not acknowledge him. This included a belief in the primacy of divine action over human action—the belief that human beings are neither self-made nor accidents of nature but creatures of the God before whom the nations of the world are mere drops in a bucket. The God of Jesus is active and enmeshed in the world and all human history, even though still above it.

One of the most controversial of all Christian teachings is the universality of sin, which is sometimes described as Original Sin. Broadly speaking, it is the belief that everything that human beings do—and particularly the good that they do—is infected by an evil for which they are responsible but over which they have little control. Hence all human actions fall short of the good; although some are clearly worse than others, none is wholly good.

### CONFLICT WITH CULTURE

These beliefs and teachings have put Christians in conflict with both their cultures and themselves. Most cultures value self-preservation and self-assertion, and use violence and coercion to achieve justice and maintain order; but the Sermon on the Mount is in profound contradiction to such a view, as was Jesus’ refusal to resist the Roman soldiers who arrested him. Christianity seems to require the impossible: Who can avoid hating some people and lusting after others? The inner tension between the

commandment to love one’s enemies and normal tendencies toward self-preservation is equally profound. How can a soldier, a judge, or a ruler, all of whom must make use of violence, be a Christian?

Thus, Christianity finds itself in the midst of overwhelming contradictions and tensions between religion and culture, tensions mirrored in its own history. The new religion grew from a persecuted and illegal sect (c. 30 to 300 C.E.) into a rich and powerful church that dominated European culture and politics (c. 300 to 1800 C.E.), only then to find itself bitterly criticized, put on the defensive, and transformed into one voice among many in a pluralist world (c. 1800 C.E. to present). How has Christianity responded to these tensions?

Christian ethics seems to have taken one of three basic responses to these tensions. It can take the path of cooperation and compromise, becoming part of the power structure and working through the culture, as have medieval Roman Catholicism and nineteenth century American Protestantism. It can take the path of withdrawal, separation and purity, removing itself into separate communities and then either criticizing the surrounding culture (as the Jehovah’s Witnesses do) or ignoring it (as the Amish do). Finally, it can take the path of inner withdrawal into the self, as medieval mystics and modern intellectuals who emphasize personal spirituality have done.

In technical terms, these three approaches are called the church, the sect, and mysticism. All three of these “types” are authentically Christian, all have great strengths, and all have weaknesses. The church engages the world and society but tends toward hierarchy, conservatism, and compromise with the great evils of the age (slavery, for example); the sect usually appeals to oppressed members of society and tends toward purity and radicalism (sometimes liberal, sometimes conservative), but at the cost of self-righteousness and fanaticism; and the mystic can combine a tremendous inner liberation with profound tolerance of others but often becomes an utter relativist, profoundly indifferent to most serious moral questions. For the past two or three hundred years, the church type has been in relative decline, while the sect type and mysticism have increased.

### PRESENT AND FUTURE DEBATES

Although confident predictions of religion’s demise have clearly failed, Christian ethics is neverthe-

less undergoing massive changes. Christian ethics is no longer identical with the ethics of Western civilization, in two senses: Western civilization no longer regards itself as Christian, and the majority of Christians were living in the developing world at the beginning of the twenty-first century. Two hundred years earlier, Christianity was criticized for being too pessimistic. By the twenty-first century, it was being criticized for being too optimistic. Several vigorous debates arising from these and other changes should both enliven and frustrate Christian ethics for the foreseeable future.

The growth in the number of developing world Christians and the worldwide increase in minority populations in the developed world will fuel continuing debates over the extent to which salvation entails liberation from economic and social oppression. Does God clearly side with the poor, as liberation theology insists? What does that mean? At the same time, the rapid growth in charismatic and conservative Christianity, particularly in South America and in the nations of the former Soviet Union, require re-evaluation of an ethics that emphasizes personal morality and responsibility over social change (which it nevertheless unintentionally produces). The growing importance of women in culture and religious institutions will intensify debates over gender and oppression, as can be seen in the growth of feminist liberation theology.

New debates have also arisen over the role of love and suffering in the Christian life. Christian love has often been described as self-sacrificial, and human suffering has been viewed as an opportunity to share in Christ's suffering; but now many question whether Christianity should be in the business of prescribing self-sacrifice and suffering for women and the poor. Nevertheless, it is impossible to remove all suffering from human life; everyone must suffer and die. Must we resist all pain and suffering at all costs? Are there times when they should be accepted and even embraced? These questions are also relevant to the euthanasia debate and to the growing cost of health care.

Concern over Christian teachings regarding the environment will also grow, as the Christian ethic of Earth stewardship wrestles with various forms of biocentrism and recent attempts to revive some pagan religions.

Finally, one may continue to look for debates over

the primacy and power of God's involvement in nature and history, apart from which it will be impossible to sustain Christian ethics.

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## Church-state separation

**DEFINITION:** Issues arising from the U.S. Constitution's First Amendment, which prohibit laws "respecting an establishment of religion," and comparable state constitutional provisions,

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Most accounts of church-state separation insist that involvement by government in religious affairs infringes upon rights of citizens

to be free from compulsion in religious matters and to be treated with equal respect without regard to their religious beliefs.

The notion of church-state separation, often associated with the establishment clause of the U.S. Constitution's First Amendment, is not specifically referred to in that document. Nevertheless, during the course of the twentieth century, courts relied on the establishment clause—and comparable provisions in state constitutions—to prohibit close alliances between government and religion. Disestablishment is generally understood to protect individuals from compulsion in matters regarding religion and to safeguard their standing as citizens without respect to their religious beliefs.

### PROTECTION FROM COMPULSION

In the American experience, the principle of church-state separation springs from a commitment to religious liberty. A variety of colonial and state religious establishments existed during the seventeenth and eighteenth centuries. Some of these—such as the establishment of the Congregational Church in Massachusetts—did not collapse until the early decades of the nineteenth century. However, all of these establishments eventually came to be viewed as encroachments on the religious freedom of individuals because they exerted the force of law to compel support for particular religious traditions. Rhode Island founder Roger Williams, for example, complained bitterly against official support for religion, insisting that “forced worship stinks in God’s nostrils.”

Thomas Jefferson joined those who opposed a tax scheme in Virginia that would have contributed financial support to a variety of Christian churches. In the “Bill for Establishing Religious Freedom,” which Jefferson wrote and which Virginia ultimately passed, he declared that forcing individuals to contribute to the propagation of opinions in which they did not believe was “sinful and tyrannical.” Eventually, the Constitution was amended to include the religion clauses of the First Amendment. Although the free exercise clause most directly limits the power of government to exercise compulsion in religious matters, the establishment clause is generally understood as erecting a barrier against even indirect forms of compulsion.

### EQUAL RESPECT AS CITIZENS

Church-state separation also secures a measure of respect for citizens without regard to whatever religious beliefs they do or do not hold. In North American colonies with established religions, membership in a colony’s official church was often a prerequisite to holding public office or enjoying other benefits. Article VI of the U.S. Constitution specifically prohibits religious tests for office and thus dethroned this kind of religious favoritism, at least as applied to federal political positions.

More recently, the U.S. Supreme Court has interpreted the establishment clause, as well, as preventing government from endorsing particular religious traditions. In so holding, the Court has argued that such endorsements impermissibly make the possession of certain religious beliefs relevant to one’s standing as a citizen. Thus, the Court has held that publicly sponsored displays of religious symbols designed to endorse particular religions are forbidden by the establishment clause. In *County of Allegheny v. American Civil Liberties Union* (1989), the Court declared unconstitutional the display of a nativity scene—depicting the birth of Jesus Christ—during the Christmas season, when the scene was not accompanied by other holiday symbols. Although the Court had previously upheld the display of a nativity scene in conjunction with other Christmas symbols in *Lynch v. Donnelly* (1984), it ruled in *County of Allegheny v. ACLU* that the solitary display of the nativity scene amounted to an impermissible endorsement of Christianity.

### SUPPORT FOR RELIGIOUS ACTIVITIES

Throughout most of the twentieth century, the Supreme Court interpreted the establishment clause to forbid most public aid to religious organizations or institutions. This interpretation of church-state separation was often justified as preventing citizens from being compelled to support religions to which they did not adhere. By the end of the twentieth century, however, the Court had focused attention on whether it was appropriate that religious believers be disqualified from receiving certain generally available benefits, especially those that facilitated freedom of speech. Eventually, the Court read the First Amendment’s free speech clause to require governments to make available to religious speakers opportunities comparable to those provided other speakers.

This, the Court reasoned, was made necessary by the free speech clause's general requirement that government not favor particular speakers over others. By the beginning of the twenty-first century, the Court had not yet dissolved its longstanding ban on direct aid by governments to religious institutions. Nevertheless, by focusing on the equal rights of religious speakers, the Court had retreated from vigorous notions of church-state separation that had prevailed only fifty years earlier.

As is often the case in constitutional law, competing ethical principles each claim a harbor within the First Amendment's establishment clause. On the one hand, the principle of preventing compulsion in religious matters might justify a sturdy wall of separation between church and state. On the other hand, the principle of equality has made it increasingly difficult for the Supreme Court to justify excluding religious believers from access to many public benefits that are available to their fellow citizens. The Court is still reluctant to countenance direct public aid to religious institutions, but it has become more willing to guarantee—at a minimum—that religious citizens have equal free speech rights.

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## Cicero

IDENTIFICATION: Roman orator and politician

BORN: June 3, 106 B.C.E., Arpinum, Latium (now Arpino, Italy)

DIED: December 7, 43 B.C.E., Formiae, Latium (now Formia, Italy)

TYPE OF ETHICS: Classical history

SIGNIFICANCE: A leading figure in the tumultuous final days of the Roman Republic, Cicero articulated and attempted to practice his belief that the good man gives himself to unselfish public service. His many treatises include *On the Republic* (*De republica*, 52 B.C.E.), *On the Laws* (*De legibus*, 52 B.C.E.), *On Fate* (*De fato*, 45 B.C.E.), *Tusculan Disputations* (*Tusculanae disputationes*, 44 B.C.E.), and *On Duties* (*De officiis*, 44 B.C.E.).

The author and orator Cicero was one of the most eloquent exponents in the Roman world of the Stoic belief that there is an inherent natural order in the universe and that this order requires human beings, as rational creatures, to follow natural law. This natural law, which can be apprehended through a calm and philosophical survey of the world, clearly indicates that humans are morally obliged to conform to the universal rule of reason. This is particularly true in social relationships, since Cicero shared the Greek belief in the natural brotherhood and equality of man; this belief makes serving the common good of humanity the highest duty of every individual. For Cicero, enlightened patriotism was an ethical as well as a political duty.

*Michael Witkoski*

SEE ALSO: Children; Common good; Duty; Just war theory; Natural law; Parenting.

## Citizenship

DEFINITION: Status held by individuals born or naturalized into a community or state that confers upon the individual certain rights and duties in relationship to other members of the community and to the community itself

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Citizens are both empowered by, and beholden to, the states in which they enjoy citi-

zanship. The rights and obligations of citizenship provide the framework for some of the oldest reflections upon ethical life and moral duty in the Western canon.

The idea of citizenship is central to any conception of ethics. Human beings, by necessity, live in or rely on social and political communities. To avoid conflict and promote cooperation in these communities, it is necessary that individual members of it learn how to accommodate their own interests and needs with those of the collective whole. The earliest systematic treatment of politics and the ethical comportment of citizens in political contexts undertaken by the ancient Greeks recognized that necessity drove individuals into the social context and held that duty was the primary content of citizenship.

To Greeks and Romans, citizens enjoyed certain privileges or rights denied to outsiders, but the notion of an individual right, a natural right inhering in the individual, as opposed to a positive customary or statutory right that might be granted or withdrawn by the state, was not conceived until the seventeenth century. Political and ethical theory now posits that rights are inherent in the individual as individual, and one of the rights now affirmed is the right to citizenship itself. If rights have become the primary focus of much thinking about modern citizenship, however, there can be little doubt that duty must remain a significant feature of citizenship if the concept is to have any genuine content, since rights have no meaning if no one has a duty to respect the rights of others.

## HISTORY

The earliest conceptions of citizenship stressed the importance of the individual's duty to the state. Not all persons were considered citizens in the fullest sense of the term, even in the most democratic of states, such as Athens in the fifth century B.C.E., where active citizenship was limited to propertied men. With the privileges of citizenship came responsibilities: to participate in assemblies, to hold office, to defend the city from external enemies, to serve in the army or navy, to pay taxes, to outfit a naval vessel, or to subsidize a public festival. In the intimate confines of the Greek polis the citizen might enjoy certain privileges, but above all the citizen was duty bound to the state. Still the Greeks, as evidenced in Sophocles' story *Antigone* (c. 441 B.C.E.) and in

Plato's accounts of the trial and death of Socrates, were alive to the contradictions that citizens might face in honoring civic duty on one hand and the dictates of individual conscience on the other.

In Rome, a more extensive body of rights was enjoyed by its citizens, although, as in Greece, citizenship carried with it certain duties, such as paying taxes and serving in the legions or navy. Moreover, the rights of Roman citizens were not conceived as natural or human rights, but rather were rooted in the custom or statutes of the city, and could be revoked. As Rome expanded beyond a republic to an empire, its conception of citizenship also enlarged, and under Caracalla in 212 C.E., citizenship was extended to all the empire's inhabitants.

By that time, the rights of the citizen had been substantially diluted. The coming of Christianity created new tensions for the citizen. In general, Christianity taught that the good Christian should obey and serve the political ruler except in matters that called for the Christian to violate fundamental tenets of faith or scruples of conscience. In these circumstances, passive disobedience and the acceptance of punishment for such disobedience was counseled. Violent rebellion was considered wrong. Christians were urged to respect the need for political authority and civil order. Duty, as in the classical ages, still dominated thinking about the individual citizen's relationship with the state. Not until the Religious Wars of the seventeenth and eighteenth centuries did philosophers (such as Thomas Hobbes and John Locke) posit the notion that individuals had inherent human rights that no state in principle should violate. Not until after World War II, however, did governments begin to adopt human rights treaties stipulating what those rights were or how they might be guaranteed.

## MODERN ISSUES

Modern issues concerning the ethical content of citizenship include the nature of citizenship as a human right, the problem of civil disobedience, the scope of freedom in which citizens may act in face of the community's need for order, and the problem of citizens and outsiders. Modern human rights treaties suggest that individuals have a right to citizenship. No state, however, has a duty to extend citizenship to any particular person, which leaves many people, including refugees, in precarious situations.

States also have the power to take away citizen-



ship. Citizenship, then, is still governed by sovereign states and has only a tenuous claim to status as a human right. Within democratic systems, however, citizens are guaranteed civil rights and individual freedoms in domestic law. Even aliens are guaranteed individual freedoms by most governments, although civil rights, such as the right to vote and hold office, are reserved for citizens alone. Citizens also have duties, such as supporting the state, serving in its defense, and obeying its laws. On occasion, the individual's religious beliefs or personal conscience come into conflict with the law. This may lead an individual into acts of protest or civil disobedience. Modern examples of movements that espouse civil disobedience include the Civil Rights movement, the sanctuary movement, and some factions of the pro-life movement. Citizens practicing civil disobedience risk punishment for violation of the law.

The tendency in many democratic countries has been for citizens to claim an expanding body of rights and personal freedoms. This overemphasis on rights has often ignored the importance of duties to others and to the community as a whole. A perpetual clash of rights without a sense of corresponding duties can lead to disorder and eventually to the endangerment of rights. An increasingly important ethical question for modern democratic societies, then, is how to ensure a balance between rights and duties.

Finally, what duties do the citizens of a society have toward aliens, illegal immigrants, refugees, or asylum seekers? In an era of substantial migration, questions about how to deal with outsiders—whether to grant them admission or citizenship or to exclude or deport them—become increasingly important. Decisions about who should or should not be admitted raise ethical issues for public policymakers regarding the needs and rights of the existing citizen body and the predicament of asylum seekers and prospective immigrants who wish to become members of it.

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SEE ALSO: *Apology*; Aśoka; Conscientious objection; Democracy; Duty; Human rights; *Leviathan*; *Nicomachean Ethics*; Patriotism; Rights and obligations.

## **Civil disobedience**

**DEFINITION:** Nonviolent form of social protest in which protesters defy the law with the aim of changing the law or effecting social change

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** Civil disobedience is closely associated with an ethical commitment to nonviolent resistance to the infractions of a government. It is therefore significant both as a means of effecting social change, and as an expression of the moral belief that such change should be brought about through peaceful means.

### Major Events in the History of Civil Disobedience

1849	Henry David Thoreau publishes “Resistance to Civil Government” (later known as “Civil Disobedience”).
1906	Mohandas K. Gandhi urges Indians in South Africa to go to jail rather than accept racist policies, beginning his <i>satyagraha</i> campaign.
1919	Gandhi leads nationwide closing of businesses in India to protest discriminatory legislation.
1928	Gandhi organizes on behalf of indigo workers in Bihar, India, and initiates fasting as a form of <i>satyagraha</i> .
1920-1922	Gandhi leads boycott of courts and councils in India and develops noncooperation strategies.
1932-1933	Gandhi engages in fasts to protest untouchability.
1942	Gandhi arrested for <i>satyagraha</i> activities.
1955	Martin Luther King, Jr., leads boycott of transit company in Montgomery, Alabama.
1956-1960	King leads protest demonstrations throughout the American South.
1963	King leads March on Washington for civil rights.
1965	King leads “Freedom March” from Selma to Montgomery and organizes voter registration drive.
1968	King initiates a “Poor People’s Campaign” but is assassinated before it can be carried out.

Most civil disobedience movements have been non-violent, hence the term “civil” (disobedience to the law in a civil, or nonviolent, manner). Civil disobedience has been used by people in various societies as a vehicle to seek changes in the laws considered unjust by those participating in these movements.

The resistance by the state to such protests is based on the moral and political legitimacy claimed by the rulers in the name of the people. The fundamental philosophical issue here is that although the rule of law must be maintained in order for the society to function and to protect life and property, civil disobedience movements represent a challenge to the legitimacy of that rule of law. Participants in actions of civil disobedience recognize a higher moral au-

thority than that of the state, asserting that the laws do not reflect the ethical norms of the people. They believe that it is therefore justifiable to disobey the law.

#### PHILOSOPHICAL BACKGROUND

Political philosophers since Socrates have discussed and debated the rule of law and the legitimacy sought by the state in demanding obedience to its laws from its citizens. Socrates was accused of corrupting the minds of young people by preaching atheism. He thought it was his moral duty to disobey laws that he thought were immoral. Thomas Hobbes considered it the prerogative of the sovereign to institute laws that must be obeyed. He considered all laws to be just laws. John Locke, however, considered that the citizens did not completely surrender their right to resist a law they considered unjust. Henry David Thoreau advocated the right of citizens to resist laws they considered immoral or laws that forced people to commit injustice to others. Thoreau is considered the pioneer in the United States in advocating civil disobedience on moral grounds.

An important element of civil disobedience is conscientious objection.

Conscientious objectors defy laws that they consider repugnant to their moral principles. Unlike civil disobedience, in which the participants are seeking to change laws, in conscientious objection, objectors seek exemption from laws only for themselves. For example, many individuals have refused to pay portions of their federal taxes that would be used for defense expenditures. An important distinction here is the fact that these people are disobeying the law to pay taxes but they are not necessarily urging others to do the same.

#### CIVIL DISOBEDIENCE IN INDIA

A key civil disobedience movement in modern history was led by Mohandas K. Gandhi of India, popularly known as Mahatma Gandhi. He led protest

movements in South Africa during the early twentieth century to challenge laws of racial discrimination by the whites against the indigenous peoples and non-whites of South Africa. The technique he developed, based on ancient Indian philosophical ideas, focused on the notion of *satyagraha*, or “moral victory.” According to this concept, the protesters would win their campaigns because they stood on higher ethical ground than did the laws they chose to disobey.

After winning many legal battles in South Africa, Gandhi returned to India to take part in the movement for national independence from the British. This is where he perfected the art of nonviolent civil disobedience. He soon realized that the most effective way of hurting the British was to deny them the revenue they earned by selling products manufactured in Britain to Indians. Gandhi launched a movement to

boycott goods made in Britain. Two important milestones in Gandhi’s civil disobedience movement were the boycott of British-made cloth, which Gandhi reinforced by encouraging Indians to weave their own cotton, and the second was the defiance of the ban on making salt from saltwater. These two movements mobilized millions of people in boycotting British-made goods and defying British laws in a nonviolent manner.

#### CIVIL DISOBEDIENCE IN THE UNITED STATES

The civil disobedience movement in the United States was essentially the struggle of African Americans to gain equal rights. An important milestone in the Civil Rights movement in the United States was the refusal of Rosa Parks to vacate her bus seat to a white passenger in Montgomery, Alabama. This act



*Rosa Parks is fingerprinted after being arrested in December, 1955, for refusing to give up her seat to a white man in the nonwhite section of a Montgomery, Alabama, bus. (Library of Congress)*

of civil disobedience led to widespread agitation in the southern United States. Martin Luther King, Jr., who organized and led the protests, is considered the father of the civil disobedience movement in the United States. King adopted Gandhi's idea of nonviolent noncooperation. He led protesters in challenging segregation laws that separated whites and nonwhites in education, public facilities, and other arenas. This civil disobedience movement led to the dismantling of most of the racially discriminatory laws in the United States and the passage of the Civil Rights Act in 1964.

Another important civil disobedience movement in the United States was the opposition to the United States' involvement in the Vietnam War. Many young people refused to join the armed forces. There were protests all over the country, mainly in educational institutions, demanding the withdrawal of U.S. troops from Vietnam. Resistance to the draft was a key form of civil disobedience in this era.

The civil disobedience movement poses a serious challenge to the authority and the claim of the state for total compliance of laws by its citizens in the name of maintaining peace and order in society. By defying laws considered morally repugnant, civil disobedience movements have played a key role in changing numerous unjust laws in the United States and abroad.

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SEE ALSO: Boycotts; Conscience; Conscientious objection; Gandhi, Mohandas K.; King, Martin Luther, Jr.; Nonviolence; Revolution; Taxes; Thoreau, Henry David.

## **Civil Rights Act of 1964**

**IDENTIFICATION:** Federal law outlawing racial, religious, and ethnic discrimination in places of public accommodation

**DATE:** Became law on July 2, 1964

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** Passage of the Civil Rights Act signaled that the American public had accepted that racial discrimination and the "Jim Crow" system were evils that should be eliminated; the statute and its successor acts set American race relations on a new course.

The first true civil rights law in the United States since Reconstruction, the Civil Rights Act of 1964 passed after decades of southern resistance to any new civil rights laws. Public opinion in the United States had changed as a result of violent southern resistance to demonstrations such as the sit-ins and freedom rides of the Civil Rights movement.

The assassination of President John F. Kennedy and the murders of several civil rights activists strengthened the public sense that it was time to reform American race relations. The bill was powerfully pressed by President Lyndon B. Johnson, who, as a southerner, was able to generate a great deal of support for it. The law prohibited discrimination on account of race, color, religion, or national origin in access to places of public accommodation such as hotels, restaurants, shops, and theaters. Later amendments to the law added age, gender, and disability as forbidden grounds for discrimination; employment and education were later added as protected activities.

*Robert Jacobs*

SEE ALSO: *Brown v. Board of Education*; Civil rights and liberties; Civil Rights movement; Commission on Civil Rights, U.S.; Congress.

## Civil rights and liberties

**DEFINITION:** Legally codified private rights and duties granted to citizens by their governments

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The system of civil rights and civil liberties is intended to permit every member of a polity to seek liberty, property, and happiness, free of interference from others or from the government.

Civil rights and liberties, in the broadest sense, permit citizens to live their lives free of fear of being victimized by other members of their communities or by the government. Thus, laws that establish and protect property and personal rights are an important part of civil liberty. The common usage of the terms, however, encompasses both the rights and liberties of individuals in relationship to government and those rights that are enforceable in courts. In this sense, there are two types of rights: substantive and procedural.

### SUBSTANTIVE RIGHTS

Substantive rights are those things that one can do as a matter of right without interference from the government or public officials. In the United States, there is constitutional and customary protection for many of the most basic aspects of life; for example, the rights to citizenship, to own property, to choose one's spouse, to choose an occupation, to be protected by laws, and to make and enforce lawful contracts. There is additional constitutional protection for other substantive rights. Most of the limits on government are found in the U.S. Bill of Rights. The First Amendment freedom of speech, press, and assembly and the right to the free exercise of one's religion protect the individual's conscience and allow him or her to associate with whomever he or she chooses.

The Fourth Amendment, which has both procedural and substantive aspects, forbids agents of the government to enter one's home or other places where one can reasonably expect privacy, except under narrowly defined circumstances. The First and Fourth Amendments combined establish additional rights of privacy that protect access to birth control information, access to abortion for a pregnant woman in the first trimester of pregnancy, privacy in

the choice of one's reading matter, and privacy in intimate marital matters. Under the Second Amendment, there is still a limited private right to keep and bear arms.

There are also substantive political rights in the United States. In general, political rights are conferred only on citizens; most of the other substantive rights discussed above are conferred on citizens and noncitizens alike. Political rights include citizenship itself, the right to vote, and the right to hold public office or to participate in other ways in the administration of government.

### PROCEDURAL RIGHTS

Procedural rights are those procedures that the government must afford an individual whose life, liberty, or property it proposes to take. The foremost expression of procedural rights is found in the due process clause of the Fifth Amendment, which promises that no "person will be deprived of life, liberty, or property without due process of law." At a minimum, then, the government must afford the individual a fair hearing before imposing any kind of punishment or deprivation.

The U.S. Constitution is full of provisions that specify the contents of fair procedure. An arrested person must be brought before a magistrate soon after arrest and, except under certain narrowly defined circumstances, is entitled to be released on bail while awaiting trial. The defendant in a criminal case is entitled to a trial by an impartial jury; the government may not force him to stand trial away from the area in which the crime occurred. No one can be forced to incriminate himself or herself either before a tribunal or during a police interrogation. A defendant has the right to confront and cross-examine opposing witnesses as well as the right to have illegally seized evidence excluded from consideration at trial, thus making good the procedural side of the Fourth Amendment. Hearsay evidence is inadmissible in court. A defendant cannot be tried twice for the same crime if acquitted and cannot be subjected to cruel or unusual punishment. An indigent defendant has the right to representation by court-appointed counsel at public expense.

The crime of treason is narrowly defined by the Constitution, thus preventing the government from using treason charges against its political opponents. The writ of habeas corpus, which is the main proce-



dural safeguard against unlawful arrest, may not be suspended by the government except in time of war or other emergency.

### CONCLUSION

The guarantees discussed above reflect centuries of ethical thought and also incorporate the legal and political wisdom of bench and bar over the years. The fundamental principles that emerge are that people should be allowed to do and think as they see fit so long as they do not injure public peace or order, that only the guilty should be punished, that the powers of the government should never be used to injure people who are not guilty of crimes, and that fair evidentiary rules must be applied in the search for the truth when someone is accused of a crime.

*Robert Jacobs*

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SEE ALSO: Bill of Rights, U.S.; Citizenship; Civil Rights movement; Commission on Civil Rights, U.S.; Constitution, U.S.; English Bill of Rights; First

Amendment; Freedom of expression; International Covenant on Civil and Political Rights; Magna Carta; Rights and obligations.

## Civil Rights movement

**THE EVENT:** Historical movement dedicated to bringing substantive civil rights to all American citizens by dismantling legally sanctioned systems of racial prejudice in the United States.

**DATE:** 1950's-1960's

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The Civil Rights movement changed the status of race relations in the United States, especially between African Americans and whites, and formed a model for other struggles for equality during the late twentieth and early twenty-first centuries.

The Civil Rights movement in the United States represents a broad and protracted struggle in the effort to establish constitutional liberties for African Americans and members of other historically disadvantaged groups. A liberal interpretation of the movement's history suggests that it could be dated as far back as the Emancipation Proclamation of 1863. Some scholars maintain that the Montgomery bus boycott of 1955 represents the genesis of the Civil Rights movement. Yet this assessment tends to ignore the contributions of many individual activists, such as W. E. B. Du Bois and A. Philip Randolph, and organizations such as the National Association for the Advancement of Colored People (NAACP) and the National Urban League (NUL) that took place prior to 1955. These and other initiatives gave rise to countless efforts over the next twenty years or so by African Americans and their supporters.

### HISTORY

The U.S. Supreme Court's *Brown v. Board of Education* decision in 1954 augured a dramatic shift in the status of race relations in America. "Separate but equal" had been declared unconstitutional in education. The system of segregated education in the South was ordered to be dismantled.

The *Brown* decision did not go unchallenged. In 1956, the White Citizens Council of America was



*Ronald Martin, Robert Patterson, and Mark Martin were among the first civil rights activists to stage peaceful sit-ins at the Woolworth store lunch counter in Greensboro, North Carolina, in 1960. (Library of Congress)*

formed. Its expressed purpose was to provide “massive resistance” against the desegregation effort in the South. The organization was successful in pressuring school boards, business leaders, and politicians to maintain a hard line against the desegregation effort. In 1957, massive resistance emboldened Arkansas governor Orval Faubus to use the National Guard to prevent African American students from integrating Central High School in Little Rock, Arkansas. As the civil rights effort broadened in scope, so did the violence caused by some whites. Freedom riders were sometimes brutally beaten; peaceful demonstrators were frequently attacked by local police with dogs and blasted with high-pressure water hoses; some demonstrators were jailed for marching and sit-ins; and some civil rights leaders were physically abused, while others had their homes bombed.

The 1955 Montgomery bus boycott, however, appeared to have begun a spirit of social activism that could not be easily deterred. The refusal of Rosa Parks, an African American seamstress, to give up

her seat to a white passenger sparked a protest that lasted more than a year, paralyzing the city buses. The significance of the bus boycott was that it kept the Supreme Court involved in the desegregation debate, gave national prominence to Martin Luther King, Jr., and demonstrated that direct action could bring about desired change.

The movement appeared to have gained momentum following the Montgomery bus boycott. Soon after, challenges to Jim Crow began to spring up in various places throughout the South. In Greensboro, North Carolina, in 1960, four African American college students sat at a lunch counter, challenging Woolworth’s policy of serving only white customers. The sit-in became a powerful weapon of nonviolent direct action that was employed by the Congress of Racial Equality (CORE), the Student Nonviolent Coordinating Committee (SNCC, pronounced “snick”), the Southern Christian Leadership Conference (SCLC), and other nonviolent activist groups and organizations fighting discriminatory practices.

Also during this time, CORE began the “freedom rides,” while the SCLC began organizing a major voter rights drive (Voter Education Project), both in the South. All such efforts were met with resistance from whites who were determined to hold on to the advantages that racial discrimination afforded and to the traditions of segregation.

Some significant legislation supporting the civil rights effort was passed by Congress. The 1964 Civil Rights Act and the 1965 Voting Rights Act are often viewed as the most important legislation of the period. Together, they enhanced the Fourteenth and Fifteenth Amendments to the Constitution, guaranteeing equal protection of the law and the right to vote. Legislation did not, however, readily translate into a more open society. Frustration over the lack of opportunity for jobs, better housing, and greater educational opportunity resulted in a series of riots from 1965 to 1967. In 1968, the Kerner Commission (National Advisory Commission on Civil Disorders) concluded that white racism was responsible for the conditions leading up to the riots.

#### RETRENCHMENT

Some observers suggest that the Civil Rights movement began to wane during the late 1960’s and early 1970’s. There are indications that as the movement became more militant, whites were hard pressed to find common ground with some organizations. There are also indications that the Vietnam “antiwar” movement became the focus of attention, detracting from the civil rights effort. Still others suggest that the death of Martin Luther King, Jr., in 1968 deprived the movement of its most influential leader, causing disarray and abandonment by liberal whites. Others maintain that the Civil Rights movement never ended, but that it has experienced only moderate support from liberals and outright hostility from conservatives.

Despite the ups and downs of the struggle, the civil rights of all citizens have been enhanced by the efforts of African Americans and their supporters. Women have gained tremendously, as have other minority groups, such as Hispanics, Native Americans, Asian Americans, and gays and lesbians. The tactics and strategies employed by African Americans during the 1950’s and 1960’s became standard operating procedure for many activist groups.

#### SIGNIFICANT ORGANIZATIONS

The NAACP, founded in 1909 by African Americans and white liberals, assumed leadership in the civil rights struggle during the first half of the twentieth century. From its inception, the NAACP began the struggle to achieve legal redress in judicial systems around the country on behalf of African Americans. Throughout most of the twentieth century, the NAACP has fought for antilynching legislation, the fair administration of justice, voting rights for African Americans in the South, equal educational opportunity, and the ending of discriminatory practices in the workplace.

The NUL was founded in 1911. Although it is considered a proactive civil rights organization, it stood on the periphery of the civil rights struggle until about 1960. Prior to the 1960’s, the Urban League concentrated almost exclusively on improving employment opportunities for African Americans migrating from the South.

CORE, founded in 1942, did not become actively involved in the Civil Rights movement until about 1961. It was one of the first civil rights organizations to employ the strategy of nonviolent direct action. It began utilizing the sit-in as a protest strategy following the initiation of the Journey of Reconciliation (freedom rides).

The SCLC was founded in 1957, under the leadership of the Reverend Martin Luther King, Jr., and often worked hand in hand with the NAACP. It grew out of an effort to consolidate and coordinate the activities of ministers and other civil rights activists in southern cities.

SNCC was organized by the SCLC and African American student leaders in 1960 to help guide anti-segregation activities in the South. It broke away from Martin Luther King, Jr., and the SCLC within a year, arguing that its tactics for achieving integration were too conservative. Over the years, as the leadership of SNCC became more militant, it began to exclude whites from the decision-making process. This militant posture culminated in the call for “Black Power” by SNCC in 1966.

*Charles C. Jackson*

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## Class struggle

**DEFINITION:** Belief that all societies are divided into social classes based on their relation to the economy and that these classes have fundamentally different interests which cause them to struggle against one another

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Since the model of class struggle necessarily precludes belief that all members of a society can share common interests, it has profound implications for political philosophy, public policy, and social practice.

The ethical concept of class struggle revolves around the notion that more or less clearly defined classes exist in every society. These classes are defined by their relationships to the predominant means of production, with one class dominant in its ownership or control of society's assets. Since different policies will affect various classes in diverse manners, each class inherently has its own set of interests. Since resources are limited, each class will struggle, albeit at times unconsciously, against others to attempt to gain benefits.

While social conflict has doubtlessly existed since the formation of social classes, "class struggle" as a

concept dates back to the French Revolution of 1789. Before this time, awareness of social classes was certainly widespread, but conflict was seen as primarily being between different groups or peoples. First articulated by Gracchus Babeuf within his small "Conspiracy of Equals," the concept of class struggle was fully developed in the nineteenth century by Karl Marx and Friedrich Engels.

Marx denied that he had discovered class struggles, pointing to various historians before him who "had described the historical development of this struggle between classes." Yet it remained for Marx and Engels to take these empirical observations and transform them into a theory. They came to the conclusion that at the root of all conflicts was a struggle between different social classes, no matter in which arena a conflict might occur: religious, political, or ideological. That the participants themselves did not see the conflict in explicit class terms was immaterial. What counted was that there was always an underlying class interest that motivated various social groups, even if the conflict was expressed in nonclass language.

Therefore, even an event such as the Reformation, which appears at first glance to be almost wholly religious in nature, is in the final analysis the disguised expression of class conflict. This struggle is not solely an economic one. For Marx, the struggle between competing classes has taken many forms. Its expression is constrained by the ideology of the day. For example, class struggles during medieval times naturally cloaked themselves in the language of Christianity because that was the common shared culture of all contending classes.

The cause and intensity of class struggles in different areas and at diverse times vary widely in terms of specifics. Still, they all share a root communality. Whenever a portion of society has ascendancy in terms of the means of production, that dominant class will exploit the common people. This exploitation may be open and direct as in the case of slavery or less obvious as is the situation with modern workers. All the same, the antagonism generated by the opposed interests of owners and workers will result in class conflict.

### MODERN CLASS STRUGGLE

In the modern era, the main protagonists of class struggle were the capitalists on one side and workers



on the other. Put crudely, employers desire high profits and workers want high wages. This is the source of struggle between the classes. This conflict is not simply between the opposing classes; the governmental apparatus or the state is always a major player.

For Marx and Engels, no government or state is really above, or neutral in, the class struggle. Far from being impartial, the state is itself the historical product of class society. That is, the state was established (and later its power expanded) because of the need the dominant class had for protection from the exploited. Thus, in ancient Rome, slave revolts led to battles not so much between slaves and their owners per se as between slaves and the Roman state.

Although the state was seen by Engels “in the final analysis as nothing more than a body of armed men,” governmental apparatuses function as more than repressive institutions. They can mediate class conflicts with an eye to reducing their intensity. In addition, governments serve an ideological function in that they legitimize the dominant system of wealth and power.

Although Marx hoped that class struggle would lead to a consciousness among workers that would lead them to overthrow capitalism, he realized that this was far from automatic or assured. Further, he argued that the only solution to the history of class conflict would be the establishment of a classless society that was free of exploitation. With the abolition of private property, the basis for classes and class struggle would disappear.

Karl Kautsky argued that social conflicts need not always be between classes, saying that struggles have often taken place between status groups. By contrast, V. I. Lenin and the Russian Bolsheviks took a more strict interpretation of the primacy of class struggle. Subsequent socialist thinkers have often stressed that classes are by no means homogeneous and that gender, racial, and occupational divisions are a counterweight to general class cohesion.

In the final analysis, the significance of the concept of class struggle goes beyond nuances of interpretation. As an ethical formulation, it suggests a view of the world that seeks to go beyond platitudes of common interest. Moreover, it is an ethical tool for a certain type of understanding of the world.

*William A. Pelz*

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SEE ALSO: Communism; *Communist Manifesto, The*; Lenin, Vladimir Ilich; Marx, Karl; Marxism; Poverty and wealth; Revolution; Socialism.

## Clean Air Act

**IDENTIFICATION:** Federal law that directs the states to take action to control and prevent air pollution, on the premise that air pollution is essentially a state or local problem

**DATE:** Enacted in 1963

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The Clean Air Act acknowledged that air pollution was a problem of the commons rather than an individual problem, requiring action by the community to protect the health of the public.

The federal Clean Air Act of 1963 superseded the Air Pollution Act of 1955, which had authorized studies of air pollution and recognized air pollution as an emerging national problem. The 1963 Act was passed as a result of a report by the U.S. surgeon general that found that motor vehicle exhaust can be dangerous to human health. The 1963 Act, however, did not permit action by the federal government; instead,



grants were made available to state and local governments to undertake initiatives to control pollution in their areas.

The act was amended in 1970 and again in 1977, both times to set or change national standards for air quality in response to state and local government inaction. In 1990, significant changes were made to the 1963 Act to deal with remaining lower atmosphere pollution and, particularly, to act against upper atmosphere problems such as acid rain and the thinning of the ozone layer, which could damage forests, animal life, and the ability of humans to live a healthy life.

*Sandra L. Christensen*

SEE ALSO: Biodiversity; Clean Water Act; Ecology; Environmental ethics; Environmental Protection Agency; Global warming; Greenhouse effect; Pollution; Pollution permits.

## Clean Water Act

IDENTIFICATION: Federal law enabling broad federal and state campaigns to prevent, reduce, and eliminate water pollution

DATE: Enacted in 1972

TYPE OF ETHICS: Environmental ethics

SIGNIFICANCE: The Clean Water Act recognized the nation's waters as a part of the commons, of benefit to all. With its passage, the federal government accepted the responsibility for ensuring the safety of those waters for human health, and for maintaining the biological diversity of the waters.

The Federal Water Pollution Control Act (FWPCA) of 1972 (known as the Clean Water Act) was an amendment to the FWPCA of 1956. It continued a line of federal legislation of water pollution that began with the Rivers and Harbors Act of 1899, which required a permit to discharge pollutants. In the FWPCA of 1972, responsibility was generally left to the states to control pollution, with the federal government providing grants for local construction of sewage treatment plants.

Other acts, such as the Water Pollution Control Act of 1956 and the Clean Water Restoration Act of 1966, set federal standards for water quality and imposed fines on source point polluters. The goals of

the Clean Water Act were to achieve waters clean enough for recreation use by 1983 where such uses had been discontinued because of pollution, and, by 1985, to have no discharge of pollutants into the nation's waters. The act established a National Pollutant Discharge Elimination System that required permits for all source points of pollution, focusing attention on specific polluters rather than on specific bodies of water. The Clean Water Act criminalizes the act of pollution by imposing fines and prison terms for persons found guilty of polluting the waters.

*Sandra L. Christensen*

SEE ALSO: Biodiversity; Clean Air Act; Ecology; Environmental ethics; Environmental Protection Agency; Pollution; Pollution permits.

## Clinton, Bill

IDENTIFICATION: President of the United States, 1993-2001

BORN: August 19, 1946, Hope, Arkansas

TYPE OF ETHICS: Politico-economic ethics

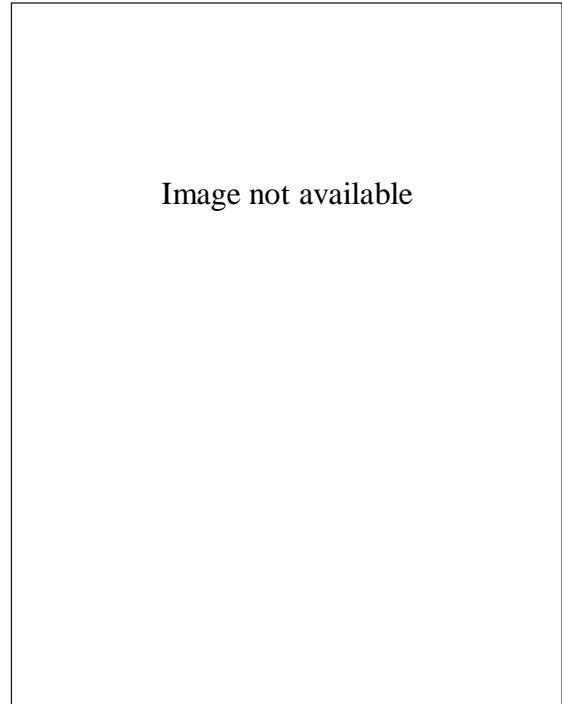
SIGNIFICANCE: Clinton was the first elected U.S. president to be impeached—on charges of perjury and obstruction of justice relating to his affair with the White House intern Monica Lewinsky. Publicity over the incident led to public ethical debate over the extent to which a president's private life should be used as a criterion to judge his public performance.

Bill Clinton faced attacks—including allegations of wrongdoing—from political opponents almost from the first day after he elected president in 1992. However, no allegations were proved against him, other than those associated with his sexual relationship with Monica Lewinsky. Since Clinton and Lewinsky were both legally adults, their adulterous relationship would probably have been a private matter, of concern mainly to Clinton's wife, Hillary Rodham Clinton, were it not for Clinton's status as president of the United States.

Allegations of sexual improprieties were made against earlier presidents, such as Thomas Jefferson, Andrew Jackson, and Grover Cleveland, during their election campaigns. All three survived the attacks,

largely because members of the voting public appeared to make distinctions between public accomplishments and private peccadilloes. Indeed, public opinion polls, even at the height of the Clinton impeachment effort, continued to show broad support for Clinton's presidency and reflected the continuation of that attitude.

Clinton's situation was complicated by his denial of the Lewinsky relationship in sworn testimony during a civil lawsuit over sexual harassment charges brought by another woman. While the exact wording of Clinton's deposition questioning left some room for him later to deny he perjured himself in a narrow legal sense, his answers and other public statements he made were obvious attempts to avoid telling the truth. Given a president's constitutional obligation to enforce the law, Clinton's avoidance of the truth until it was forced on him in a grand jury proceeding raised serious questions about whether the distinction between public and private wrongdoing could be maintained in Clinton's case. Beyond Clinton, the in-



*President Bill Clinton reads an apology to the nation for his conduct in the Monica Lewinsky affair, at a White House press conference on December 11, 1998. (AP/Wide World Photos)*

cident may well force a reexamination of this distinction in the future.

*Richard L. Wilson*

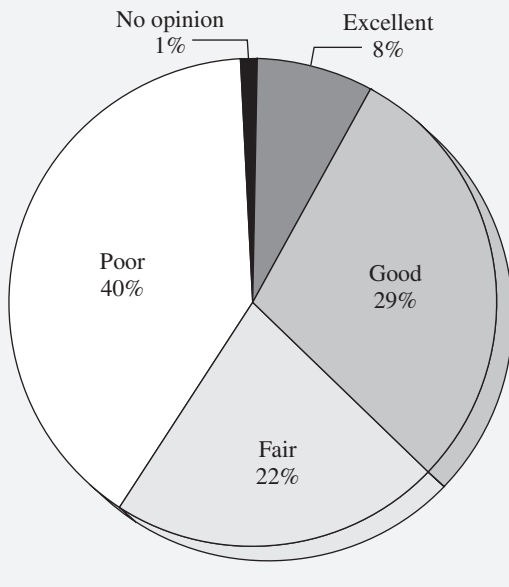
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SEE ALSO: Adultery; Character; Leadership; Morality; Perjury; Politics; Prisoner's dilemma; Sexuality and sexual ethics.

### **Public Opinion on Clinton's Ethics**

Results of an ABC News poll asking a cross-section of Americans to evaluate Clinton's ethics in government.



Source: Roper Center for Public Opinion Research. Figures based on responses of 515 adults surveyed in January, 2000.

## Cloning

**DEFINITION:** Artificial production of identical copies of genes, at the molecular level, or production of genetically identical organisms at the macroscopic level

**DATE:** First attempted in 1952

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** In theory, any living organism can be cloned, resulting in genetically identical copies of the original organism. However, the concept of cloning human beings has raised both medical and philosophical questions as to the desirability of the procedure.

The basis for cloning dates to the early twentieth century, when German zoologist Hans Spemann found that individual embryonic cells from salamanders each contained the hereditary information necessary to create identical organisms. He later performed nuclear transfer experiments using amphibians and was

eventually honored with the Nobel Prize in Physiology or Medicine for his work in 1935. Similar experiments were attempted by Robert Briggs and T. J. King in 1952 using tadpoles. Though initially unsuccessful, they were eventually able to clone tadpoles.

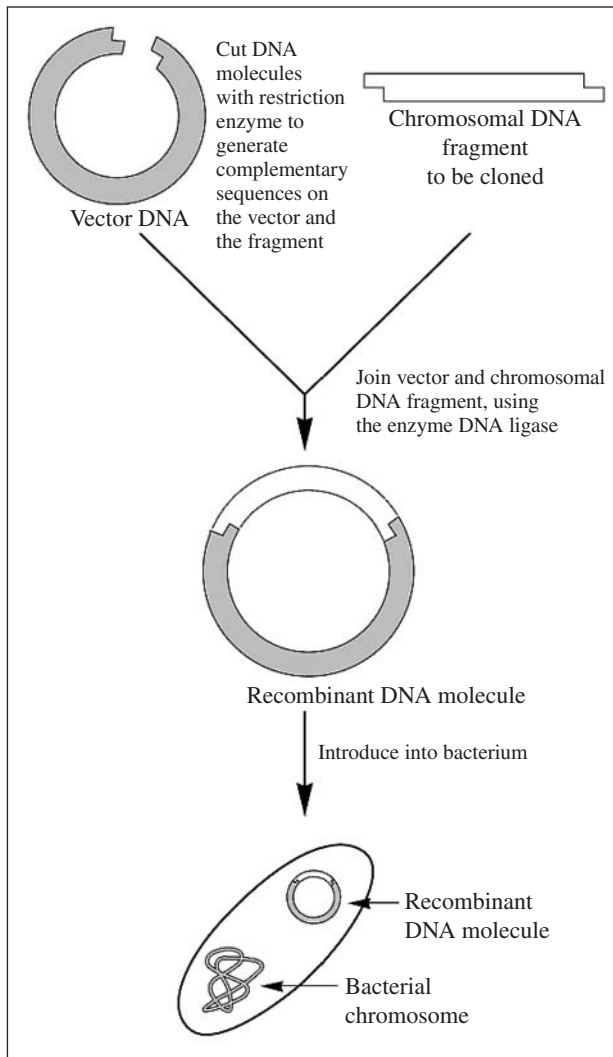
The first successful cloning of large life-forms occurred in 1984, when Danish scientist Steen Wilkladsen demonstrated the cloning of a lamb from embryonic sheep cells. Using similar techniques, others were subsequently able to clone a variety of other animals. Although categorized as “twinnings,” none of these experimental procedures involved the transfer of hereditary material from one cell to another.

The first actual case of cloning a mammal using nuclear transfer techniques was reported in February, 1997. Ian Wilmut at the Roslin Institute in Scotland reported the cloning of an adult sheep by transplanting the nucleus obtained from cells of the sheep’s udder into an enucleated egg cell. The cloned animal, nicknamed “Dolly,” quickly became world famous. However, it soon became apparent that the procedure

Image not available

*Cloned cows with nearly identical markings on an Iowa farm. (AP/Wide World Photos)*

was not as straightforward as first claimed. More than 250 separate attempts had been made prior to the successful experiment. By 2003, animals as diverse as cattle, mules, mice, and cats had reportedly been cloned, but no primates had been successfully cloned.



Segments of DNA from any organism can be cloned by inserting the DNA segment into a plasmid—a small, self-replicating circular molecule of DNA separate from chromosomal DNA. The plasmid can then act as a “cloning vector” when it is introduced into bacterial cells, which replicate the plasmid and its foreign DNA. This diagram from the Department of Energy’s Human Genome Program site illustrates the process. (U.S. Department of Energy Human Genome Program, <http://www.ornl.gov/hgmis>.)

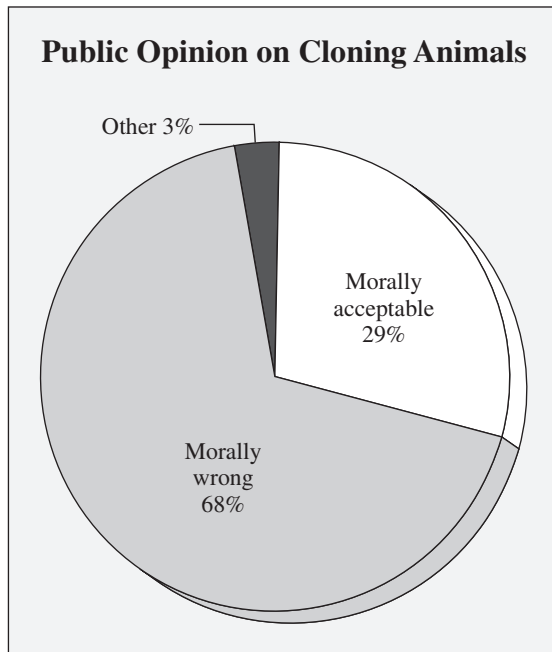
## CLONING HUMANS

The question of whether it is desirable, or even possible, to clone humans has engendered two schools of thought. First is the question of reproductive cloning. In theory, this would involve the production of genetically identical individuals using either individual cells, or isolated nuclei in transfer experiments, their implantation into a female, and subsequent development. It is difficult to justify such a procedure, especially given the high rate of failure. Simply put, the creation of genetically identical offspring is arguably more in the realm of egotism than simple desire for children.

Given the early twenty-first century state of understanding how embryonic cells are regulated, as well as the limited technology that exists, it is questionable whether reproductive cloning of humans is even possible. Even when attempting the procedure with less evolved animals, the process is highly inefficient and subject to large numbers of chromosomal changes. Successful nuclear transplantation requires both the inactivation of genes normally expressed in the donor cell, as well as activation, in the proper sequence, of genes necessary for proper embryonic development. The result has been that most animal clones do not survive implantation; those that do grow to term often have a variety of defects. Among such defects is the problem of premature aging that probably results from changes in the telomeres, the repeat sequences on the ends of chromosomes that shorten as cell division occurs. Even the famous Dolly was physically an old sheep in a young body.

A different school of thought addresses a second application of the procedure: therapeutic cloning. The difference between the two cloning procedures is that the first, reproductive cloning, is to generate an identical embryo. Therapeutic cloning is performed for the purpose of producing cells identical to those of the donor, not to produce embryos. Nuclear transfer experiments can therefore be applied to the understanding of regulation of both embryonic and adult genes.

In addition, the procedure would result in creation of embryonic stem cells genetically



Source: Gallup Poll, May 5-7, 2003. Figures summarize responses of 1,005 adults throughout the United States.

identical to that of the donor. Being identical, such cells could be transplanted back into the donor to serve as “seeds” or replacement cells for those which have died or undergone pathological changes. For example, such cells might replace brain or heart cells that had been damaged without the need of immune suppression, or dependency on not identical donors. Cell transplantation using cloned embryonic cells would thus not require immunosuppressive drugs to prevent rejection.

Since the fetus does not develop as a result of therapeutic cloning, those genes that are necessary for fetal differentiation are unnecessary. The embryonic cells that do develop are multipotential in that, in theory, they could be programmed to develop into any type of body cell. In effect, these can be considered as forms of embryonic stem cells. In the year 2003, science was still unable to program these cells into the desired differentiation pathway; however, it appeared to remain only a matter of time until this problem would be solved.

It is of interest that while most established churches object to the use of cloning procedures for the purpose of reproduction, most have expressed a willingness to accept therapeutic cloning as long as

there are proper guidelines. For example, aborted embryos should not be a source of cells. Even Orrin Hatch, a conservative Republican senator from Utah and a man considered observant within the Mormon Church, introduced legislation to support research in the technique of therapeutic cloning in early 2003.

*Richard Adler*

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SEE ALSO: Bioethics; Biotechnology; Genetic engineering; Human Genome Project; Medical research; Stem cell research; Technology.

## Code of Professional Responsibility

IDENTIFICATION: Code of professional ethics established by the American Bar Association

DATE: Adopted in 1970

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: Originally created to improve ethical standards throughout the law profession, the Code of Professional Responsibility was quickly adopted by every state but soon proved inadequate to the complex needs of the profession.

In the early years of the twentieth century, the American Bar Association (ABA) took the lead in develop-



ing standards of legal ethics for practicing lawyers. The nation's largest association of lawyers, the ABA first proposed rules of legal ethics in 1908. During the second half of the twentieth century, however, the ABA attempted to revise those rules and ultimately adopted, in 1970, the Code of Professional Responsibility. This code addressed a broad assortment of ethical issues relating to the practice of law, from the fees charged by lawyers to the confidences they obtained from clients. Although the ABA does not itself have authority to regulate the conduct of lawyers, it proposed that states adopt its code as the basis for their own regulation of lawyers. Within a few years of its creation by the ABA, every state had adopted some version of the code.

The Code of Professional Responsibility gave lawyers attempting to practice ethically a common set of rules to guide their conduct. It also gave authorities with responsibility for disciplining lawyers a basis for evaluating attorney conduct and for punishing wayward lawyers. In most states the state supreme courts, generally assisted by the state bars, have authority to discipline lawyers who act unethically. Crucial to this disciplinary oversight are rules that give attorneys advance warning of the kinds of conduct for which they can be punished. These punishments vary from private or public reprimands to suspension from the practice of law or even disbarment.

The Code of Professional Responsibility soon proved to be too ambiguous and not sufficiently comprehensive in its scope to guide legal practice in the late twentieth and early twenty-first century. In 1977, just seven years after approving the code, the ABA launched the Kutak commission—named after its original chairman, Robert J. Kutak—to draft a new set of ethics rules for the profession. Over the next five years the Kutak commission labored to devise what ultimately became known as the Model Rules of Professional Conduct, officially adopted by the ABA in 1983. Again, the ABA proposed that states adopt the Model Rules as the new basis for ethical guidance and discipline of attorneys. By the early years of the twenty-first century, a large majority of states had abandoned the Code of Professional Responsibility and replaced it with the new Model Rules. A few states, however, continued to rely on the 1970 Code of Professional Responsibility.

*Timothy L. Hall*

SEE ALSO: American Inns of Court; Attorney-client privilege; Attorney misconduct; Codes of civility; Jurisprudence; Law; Legal ethics; Professional ethics.

## Codes of civility

**DEFINITION:** Informal standards of etiquette observed by members of the legal professions

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Courts and legal organizations have attempted to curb excessive rancor among lawyers by adopting codes of civility.

Toward the end of the twentieth century, many observers were noticing a decline in civility among lawyers, especially among trial lawyers. Lawyers, according to a common lament, too often resort to win-at-all-costs, scorched-earth practices characterized by rudeness and uncooperativeness. Although lawyers must comply with the rules of professional ethics, established rules such as the American Bar Association's Model Rules of Professional Conduct seem to be insufficient to restrain the aggressive tendencies of many lawyers. As a result, judges and professional legal organizations have increasingly turned to codes of civility as blueprints for less rancorous professional conduct.

The codes are relatively informal exhortations for lawyers to treat one another—and other participants in the judicial process—with greater politeness and typically suggest how politeness might express itself in particular contexts. For examples, lawyers are encouraged to refrain from engaging in disparaging comments toward other attorneys, parties, or witnesses; to refrain from scheduling hearings and other court matters at times calculated to pose scheduling conflicts for other lawyers; and to avoid delaying procedures as a tactical device.

*Timothy L. Hall*

SEE ALSO: American Inns of Court; Attorney-client privilege; Attorney misconduct; Code of Professional Responsibility; Etiquette; Jurisprudence; Law; Legal ethics; Professional ethics.

## Coercion

**DEFINITION:** Manipulation of other persons, groups, or entities by force or by threat

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** In addition to being an ethical transgression on the part of the perpetrators, the fact of coercion may mitigate one's moral and legal responsibility for acts one was coerced into performing.

Reinhold Niebuhr, the most politically influential American theologian of the twentieth century, wrote in *Moral Man and Immoral Society* (1932) that "all social co-operation on a larger scale than the most intimate social group requires a measure of coercion." Modern ethicists agree that coercion is present, if not necessary, in every area of social life. The task of ethicists is to lead in critical discussions that will help to identify the nature of coercion, assess responsibility for coerced acts, determine if and when coercion can be appropriately employed, and control coercion.

### THE NATURE OF COERCION

Although coercion is sometimes considered to be synonymous with force, they are in fact distinct. When force is used, the person is acted upon; the forced person does not act. In the case of a forced deed, the victim has no freedom to act otherwise. The victim of force is a medium of another person or power. Personal physical force (for example, being manacled or shot) and natural forces (for example, hurricanes, gravity, or illness) can override or remove an agent's ability to act.

If someone pushes another person out of the way of an oncoming car, the first person forces the other person to move but does not coerce that person. Coercive threats are, however, obstacles to self-determination. They limit one's freedom to act, but they are not overwhelming or insuperable. Some choice remains. A coerced person still acts. Although autonomy is diminished, a measure of autonomy remains.

A coercive threat is intended to motivate a person to act by stimulating in the person an irresistible desire to avoid a penalty although the act is also contrary to the person's will. Offers also intend to motivate a person to act by stimulating in the person an irresistible desire, though here the similarity stops.

Scholars agree that threats and offers are different types of proposals. Threats can coerce; offers cannot.

Even so, threats and offers (also incentives, rewards, bribes, and so forth) can be linguistically structured in terms of one another. A merchant could threaten a customer, saying, "Give me your money or I will deprive you of the merchandise." One could also construe a mugger's proposal, "your money or your life," not as a threat but as an offer to preserve one's life for a fee, but such machinations obscure the issues. The meaning of a proposal, not its linguistic structure, determines whether it is an offer or a coercive threat.

Coercive threats can be further understood and distinguished from offers by means of other characteristics. First, and most fundamental, is that victims of coercion perceive coercive threats as dangers, penalties, or some kind of loss. An offer is considered a beneficial opportunity. Second, a coercive threat cannot be refused without unwanted consequences. Moreover, the consequences of acting in accordance with a coercive threat are also undesired. Regardless of a coerced person's actions, an unwanted consequence is unavoidable. The recipient of an offer, however, can refuse without the recipient's life conditions being altered. Third, a coercive threat requires an imbalance of power, while an offer is usually proposed in a more egalitarian relationship. Fourth, with coercion, the will of the coercer predominates. The threat's recipient submits reluctantly

### When Coercion Can Be Beneficial

Some acts of coercion are considered beneficial when they are directed toward the coerced persons' well-being and are compatible with the latter's autonomy. Some theologians have even written that coercion may be an act of love if it leaves the beloved one with more freedom than would have been secured otherwise.

If a child, for example, were riding his bike in the middle of the street as a car approached and the child refused to move despite parental warnings, a loving parent could coerce him, shouting, "Nathan! If you don't get out of the street this minute, I'll ground you until you're twenty-one!"

with mitigated freedom. With an offer, the will of the recipient dominates, is freer, and more readily accepts or rejects the proposal.

### RESPONSIBILITY

To be responsible for one's acts is to be accountable for their impact on oneself and on others. If a person were forced to perform certain actions, that person would be relieved of moral responsibility for those actions. Neither praise nor blame would apply. By contrast, when persons freely act, they are responsible for their behavior. Between these two poles is the moral territory of responsibility for coerced acts.

Not forced, but not wholly free, coerced persons are only partially accountable for their actions. Coerced persons act with less freedom than normal, contrary to their will, and subject to the influence—not control—of a coercer. All apparent options are rendered morally undesirable. A coerced person's responsibility is therefore limited. The degree of this limitation depends upon the cultural context, the historic background, the immediate situation, and the moral framework.

### LIMITING COERCION

Because coercion can be personally beneficial and socially necessary, efforts must be made to control it, not eliminate it. To restrain coercion, regardless of the coercer's claim to benevolence, it must be subject to an impartial, third-party evaluation. Human beings are simply too self-interested to weigh their own acts of coercion impartially. Reducing the number of incidents of unjust coercion, however, is more fundamental than is controlling coercion. Unjust coercion can be limited by redressing the inequality from which it grows. History has shown that egalitarian social institutions such as democracy, income redistribution, and public education enhance equality and thereby reduce coercion.

*Paul Plenge Parker*

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SEE ALSO: Autonomy; Consent; *Nicomachean Ethics*; Niebuhr, Reinhold; Power; Responsibility; Violence; Will.

## Cognitivism

DEFINITION: View that moral statements make judgments of fact that are either true or false

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: The possibility of any sort of normative ethics depends upon moral statements having truth value. Failing that, ethics becomes a merely descriptive discipline.

Distinctions between cognitivism and noncognitivism arise within twentieth-century metaethics as a result of disagreements about whether moral statements have truth values. Indeed, if moral statements are neither true nor false, as noncognitivists believe, then they are not really statements at all. That is, moral expressions of the form "X is right" or "X is wrong," though they have the grammatical appearance of making factual claims, really do not make factual claims. Noncognitivists are divided over how such expressions actually do function. There are relatively few noncognitivist metaethical theories.

All other moral theories are cognitivist theories. They have in common the view that locutions of the form "X is right" and "X is wrong" are either true or false. Cognitivist theories differ at two levels. At the most general level, there is a distinction between objectivist theories and subjectivist theories. Each of

these categories of moral theory can be further subdivided according to what a given theory says makes an action right or wrong, or an agent good or bad.

### SOME COGNITIVIST THEORIES

Cognitivists hold that a statement of the form “is right” is just what it appears to be: a statement that some action exemplifies an important and desirable moral property. The statement is true if the property in question is exemplified by the action and false if it is not. A statement of the form “is wrong” is a statement that some action fails to exemplify a moral property that should be exemplified, or that it exemplifies a property that it should not exemplify. It too is either true or false. In any case, there is a class of actions whose members have moral properties.

Cognitivists differ about what makes an action right or wrong. If one believes that the feelings of some person or persons determine whether an action has the relevant moral property, then one is a subjectivist. Private subjectivists would hold that “is right” means “I (the speaker) approve of, and that is what makes right.” Social subjectivists hold that the moral quality of an action is relativized to the feelings of approval or disapproval of a group or society of persons rather than some individual.

If one denies that the moral quality of an action depends upon the feelings of some person or persons, then one is an objectivist. There are many different types of objectivist theories of ethics. Again, they can be distinguished in terms of what makes an action right or wrong. Thus, for the hedonistic utilitarian, “is right” can be translated as “Among all alternative courses of action, will produce the most happiness for the largest number of people.” A divine command theorist would hold that “is right” means “God wills.” The ethical egoist takes “is right” to mean that “is in my own best interests.” Each of these theories looks like an attempt to define what is right or good in terms of something else.

The English philosopher G. E. Moore repudiated any attempt to define the good in terms of some other property, but he was still a cognitivist and an objectivist. He held that “is right” means something like “Among all alternative actions, will be most productive of the nonnatural property goodness.” Thus, while good is a property, it cannot be analyzed in terms of something else.

### SOME NONCOGNITIVIST THEORIES

Noncognitivists agree with Moore that goodness cannot be analyzed in terms of something else. They explain that this is because moral terms (such as “good,” “evil,” “right,” and “wrong”) are not genuine predicates that stand for independently existing properties of any kind. For this reason, noncognitivists have sometimes been called subjectivists. This form of subjectivism is quite radical, however, for according to the noncognitivist, moral terms do not refer to anything. There is no question of the ultimate source of the property of goodness, since goodness is not a property of any kind. Obviously, the noncognitivist offers a very different analysis of moral statements and of the moral terms embedded in them.

The best-known type of noncognitivist theory is the emotivist theory of ethics, which was developed by A. J. Ayer, Charles L. Stevenson, and others. According to emotivism, moral utterances merely express the feelings of their speakers. Thus, an expression of the form “is right” can be translated as “Hurrah for !” There is nothing more to the meaning of the utterance than that.

Prescriptivists have argued that moral utterances do more than simply express the feelings of the speakers. They also prescribe or commend behavior. Thus, “is right” means “Do!” and “is wrong” means “Avoid doing !” Yet to say that *X* is right is not to say that *X* has a certain property.

R. Douglas Geivett

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SEE ALSO: Ayer, A. J.; Emotivist ethics; Hare, R. M.; Metaethics; Moore, G. E.; Normative vs. descriptive ethics; Objectivism; Prescriptivism; Subjectivism.

## Cohen, Randy

IDENTIFICATION: Author of a syndicated weekly column on applied ethics

BORN: July 12, 1948, Charleston, South Carolina

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Cohen's column, *The Ethicist*, uses engaging prose and wit to draw public attention to applied ethics, thereby promoting the cultivation of civic virtue in a diverse democracy.

Randy Cohen, who previously published fiction and essays and has written for popular television shows, approaches ethics as an ordinary, thoughtful citizen. He writes with care and wit, but has no formal training in philosophical ethics and brings no formal ethical system to his work. His approach is a kind of rational problem-solving, derived from several working principles that he develops as he applies them to concrete cases. As Cohen explains in his book about his column, *The Good, the Bad, and the Difference: How to Tell Right from Wrong in Everyday Situations* (2002), he admires those virtues that allow human beings to live together in a diverse society: honesty, kindness, compassion, generosity, and fairness. He endorses actions that increase human happiness and do not contribute to human suffering, and that are consonant with American values of egalitarianism and human freedom.

Cohen's column, which he launched in *The New York Times Magazine* in 1999, treats ordinary but specific moral questions posed by his readers. Typical of the issues raised are questions such as these: Should bosses read employee email? Should a woman tell his best friend that she saw her husband with another woman? Is it ethical to drive a gas-guzzling SUV? Cohen's answers to such questions

### The Burden of Being an Ethicist

After Randy Cohen's book *The Good, the Bad, and the Difference* came out in 2002, he was asked how it felt to have millions of people depend upon his ethical decisions. In his reply, he said

I'm not sure that anyone actually does anything I suggest. On a good day, however, I hope I've helped the readers reach their own conclusions. My job is to make the discussion illuminating, the analysis thoughtful, and the prose lively. At least, that's what I try to do, and if I can present the questions in a way that lets the reader see them fresh, I'm pleased.

respect the conflicting interests of the people involved, but at the same time train a steady eye on how individual actions influence social institutions at large. He argues that ethical choices affect not only the people directly involved but also contribute to the tenor of the entire community.

Cohen's column regularly considers broader issues about what constitutes a just and decent society. For example, he worries that commercial exchanges increasingly dominate human interactions in the public sphere and thus erode a sense of civic life, that property rights are too readily permitted to eclipse human rights, and that strident individualism ignores the many ways in which citizens shape, and are shaped by, their communities.

Maria Heim

SEE ALSO: Advice columnists; Applied ethics; Journalistic ethics; Personal relationships; Political correctness.

## Cold War

THE EVENT: Nonviolent rivalry between the United States, representing the West, and the Soviet Union, representing the communist East, after the end of World War II

DATE: 1946-1989

TYPE OF ETHICS: International relations





*President John F. Kennedy (right) confers with Air Force officers during the crisis precipitated by the installation of Soviet missiles in Cuba in October, 1962. (National Archives)*

**SIGNIFICANCE:** The Cold War posed the problem of how foreign and domestic policy ought to be pursued in the age of the atom bomb and of the national security state.

As John Lewis Gaddis stated in *The Origins of the Cold War*, President Harry S. Truman and his advisers decided by early 1946 that the Soviet Union threatened the security of the United States. The reasons for this decision have been debated intensely by historians, who have argued about the extent to which a Cold War was necessary and about the motivations of both superpowers. How the Cold War is viewed depends upon how historians have assessed the moral validity of each side's arguments, policies, and actions.

### **HISTORY**

Traditionalist historians posit an aggressive, totalitarian Soviet Union, as revealed in events such as the Berlin Blockade (1948-1949), in which the Soviet Union closed down all routes to West Berlin, so that the United States and its allies had to airlift sup-

plies to the city; the institution of Soviet-dominated governments in Poland (1944), Romania (1945), Yugoslavia (1945), and East Germany (1945); the rapid communist takeover of Albania (1946), Bulgaria (1947), Czechoslovakia (1948), and Hungary (1949); communist insurgency in Greece (1946-1949); the later victories of communists in China (1949), Cuba (1959), and Vietnam (1975); and several Marxist-inspired governments in Africa.

Traditionalists also contend that the United States was justified in opposing communist subversion of governments throughout the world—not only by producing weapons of mass destruction but also by establishing security organizations, such as the Central Intelligence Agency (CIA), to monitor and to thwart the “communist conspiracy” in secret operations conducted by spies.

Revisionist historians hold that the United States, beginning with the Truman administration, overreacted to the Soviet Union's drive to secure its borders and to maintain a sphere of influence guaranteeing that it would never again be invaded by a militaristic Germany, which had attacked the Soviet Union in

both world wars. Similarly, the development of Soviet atom bombs and missiles is regarded as a defensive measure, necessitated by the fact that the United States did not share its knowledge of atomic energy with the Soviet Union, its wartime ally, and that, indeed, the dropping of two atom bombs on Japan was, in part, an effort to intimidate the Soviets, who had agreed to invade Japan after the conclusion of the war in Europe.

Revisionists also contend that, for reasons of domestic politics, the Truman and subsequent administrations inflated the Soviet threat, inventing a witch-hunt at home for communist subversives in government, in the schools, in Hollywood, and in other institutions, in order to maintain a huge defense establishment and to exercise conservative policies that strengthened the U.S. grip on the global economy. Even the Marshall Plan (1948-1951), which successfully helped Western European economies rebuild after World War II, is viewed by revisionists as an effort to isolate the Soviet Union's economy

and the socialist economies of Eastern Europe and the Third World.

#### **ETHICAL INTERPRETATIONS AND ISSUES**

Other historians do not fit into either category. They draw away from both the traditionalist and revisionist interpretations in order to raise ethical and moral questions about the tactics of both sides during the Cold War. Was it necessary, for example, for the CIA to participate in the overthrow of the Guatemalan government in 1954 because of that government's supposed communist ties? Historians have also questioned the CIA-inspired efforts to embarrass and even to assassinate Fidel Castro. By the same token, Soviet premier Nikita Khrushchev's introduction of missiles into Cuba in 1962, the Soviet invasion of Afghanistan in 1979, and the Soviet Union's supplying of arms to various regimes around the world have been roundly attacked by historians who do not fit into any single ideological camp.

### **Time Line of the Cold War**

<i>Time</i>	<i>Event</i>
1949	The Soviet Union tests its first atomic bomb.
1953	The Soviet Union tests a hydrogen bomb.
1957	The Soviet Union successfully tests an intercontinental ballistic missile.
1962	The Cuban Missile Crisis brings the United States and the Soviet Union closer than ever before to the brink of nuclear war.
1968	The Soviet Union invades Czechoslovakia, establishing the Brezhnev Doctrine of Soviet military domination over Warsaw Pact states.
1970-1979	During an era of détente, more stable relations prevail between the Soviet Union and the United States and their respective allies.
1985	Mikhail Gorbachev is chosen as the new general secretary of the Soviet Communist Party, and his reforms initiate a thaw in relations between the Soviet Union and the United States.
1987	U.S. president Ronald Reagan and Soviet general secretary Gorbachev sign the INF Treaty governing intermediate nuclear forces (INF) and calling for the destruction of U.S. and Soviet missiles and nuclear weapons.
1989	Gorbachev is elected state president in the first pluralist elections since 1917, and by the end of the year all Warsaw Pact nations had overthrown their communist leadership.
1991	After the Baltic States of Estonia, Latvia, and Lithuania are granted independence and other former soviets join the Commonwealth of Independent States, Gorbachev resigns as president and the Soviet Union is officially dissolved.

No matter how responsibility for the Cold War is distributed, it seems undeniable that neither the United States nor the Soviet Union achieved what they undertook to guarantee in the establishment of the United Nations: a respect for human rights everywhere and the establishment of a concept of collective security that would govern the world and prevent nations from acting unilaterally in war.

### ETHICAL QUESTIONS

With the fall of the Berlin Wall in 1989 and the dissolution of communist governments in Eastern Europe and of the Soviet Union itself, historians will continue to debate the extent to which each party was culpable in the Cold War. Was the Cold War necessary? If so, did it have to last as long as it did? Did the arms race itself bankrupt the Soviet Union and lead to its breakup? Did the actions of the Federal Bureau of Investigation (FBI) during the Cold War period, when it kept lists of so-called subversives, undermine individual liberties? Does a massive security state itself represent a threat to freedom at home and abroad? Is there a justification for the abrogation of certain human rights in the quest to combat what some regard as the absolute evil of communism? Did the United States and its allies “win” the Cold War, and if so, can it be deemed a moral victory?

*Carl Rollyson*

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SEE ALSO: Limited war; McCarthy, Joseph R.; Marshall Plan; Mutually Assured Destruction; North Atlantic Treaty Organization; Nuclear arms race; Potsdam Conference; Realpolitik; SALT treaties; Stalin, Joseph; Truman Doctrine.

## Collective guilt

DEFINITION: Corporate culpability that obtains when a collective or group causes harm to others

TYPE OF ETHICS: Beliefs and practices

SIGNIFICANCE: The debate over the nature of collective guilt has refined human notions of collective responsibility and has legitimized international efforts to seek reparations for grievous harms inflicted by groups.

When groups cause harm, the injured parties may seek restitution of liberty, social status, and property. They may also seek reparations in the form of money, public apologies, or revised histories. However, a difficulty arises in answering such questions as who is blameworthy and for how long. For example, is an entire group guilty or merely some of its members? After the Holocaust of World War II, survivors wondered if it were fair to hold all of Germany accountable for the atrocities committed by its Nazi rulers. If not all of Germany, who among the Germans were guilty: the nation's political leaders, members of the Gestapo police force, or the ordinary soldiers of the German army? Who among the millions of German citizens knew about their government's systematic efforts to exterminate other human beings and did nothing to prevent it? Another question is whether the guilt of the actual perpetrators of the Holocaust can be inherited.

Hannah Arendt, a political philosopher who had escaped Nazi Germany, wrote that collective guilt is not possible since true remorse must always be personal. Moreover, the harmful acts inflicted by groups are ultimately carried out by individual persons. On the other hand, all human beings, by virtue of their humanity, are collectively responsible for all harms inflicted upon other people. Arendt argued that shame, rather than guilt, is an appropriate response to human evil. Arendt's views regarding collective responsibility are similar to the Dalai Lama's belief in universal responsibility—although the Dalai Lama believes responsibility originates in universal consciousness.

At the other extreme, some people believe that *all* members of groups that harm others should be regarded as collectively guilty of the wrongdoing. For example, Christians who accept the doctrine of original sin believe that all humans are guilty because of the biblical Adam's disobedience to God. According to this view, even people living today—people who could not have contributed to Adam and Eve's expulsion from the Garden of Eden—are somehow guilty for being the descendants of Adam.

A related issue concerns involuntary membership. For example, one belongs to a family and an ethnic group not by choice but by birth. Should a person nevertheless be held accountable for harms inflicted by groups one cannot leave? Some thinkers, such as Karl Jaspers and Larry May, discuss the problem in terms of identity and choice. Personal identity is shaped by sharing beliefs and values with members of groups to which one belongs. Although one may not be personally guilty of harms committed by one's group, one may still feel shame or moral taint because of one's solidarity with the group. However, one can escape shame or taint by choosing to distance oneself. In the case of involuntary group membership, one can disavow the group publicly or privately. In failing to remove oneself either physically or symbolically, one chooses to share guilt and responsibility for harms committed by one's group.

*Tanja Bekhuis*

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SEE ALSO: Anti-Semitism; Apologizing for past wrongs; Dalai Lama; Gratitude; Guilt and shame; Mercy; Reparations for past social wrongs; Sin; South Africa's Truth and Reconciliation Commission.

## **College applications**

**DEFINITION:** Information that students seeking admission to institutions of higher learning provide so that their qualifications can be evaluated

**TYPE OF ETHICS:** Personal and social ethics.

**SIGNIFICANCE:** Obtaining a good college education is such a critically important matter to young people that many ethical issues arise from the process of applying—from the standpoint of both the applicants' honesty and the care and fairness with which colleges and universities treat their applications.

Formal applications are a standard feature of the admissions processes used by four-year American colleges that do not have "open admissions" policies that allow any high school graduate to enter simply by supplying a high school transcript. Most competitive four-year colleges require applicants to take national standardized tests, such as the Scholastic Aptitude Test (SAT) or the American College Test (ACT) and also require applicants to submit original essays on selected subjects to test their writing and thinking abilities. High school transcripts and national test results are considered to be so objective that they do not usually generate ethical issues, unless there is evidence of outright fraud.

Evaluations of application essays, by contrast, are more subjective and open the door to ethical issues, from the standpoint of both applicants and the institutions. Because most applicants to highly competitive colleges have strong transcripts and impressive national test scores, their essays may be the best opportunities they have to separate themselves from

other candidates. To enhance their chances of admission, many applicants turn to Internet services that promise—for a price—to help them write “winning” essays. Is it ethical, however, for applicants to have others write their application essays or to give them so much help that the essays they submit will misrepresent their true writing abilities?

Students who gain admission to competitive colleges under false pretenses may find themselves in academic environments whose challenges go beyond their own capabilities, thus ensuring their chances of failure. It would seem to be clearly unethical for such students to take admission spots that would otherwise go to more capable students who have not paid others to write their application essays for them.

Members of college application evaluation committees should be, and often are, aware of the availability of essay-writing services and may discount essays they judge to have been written by people other than the actual applicants. The possibility of making incorrect judgments increases the chances of unfairly rejecting qualified candidates. In fact, the process itself becomes an imperfect guessing game in which the essay-writing services look for ever more clever deceptions to fool admissions boards, such as giving the essays they provide a less polished look.

The entire process of college admissions raises serious ethical questions that can affect applicants’ entire futures. In their efforts to seek objective standards for admission or for finding new ways to evaluate applicants, colleges will continue to grapple with these serious issues.

*Richard L. Wilson*

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## **Colonialism and imperialism**

**DEFINITION:** Conquest and imposition of a nation’s rule over a foreign territory

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** Colonialism and imperialism involve political domination by alien powers, economic exploitation, and cultural and racial inequalities. The practice has often been defended in moral terms, however, as involving the “civilization” or “enlightenment” of “primitive” or “savage” peoples.

Colonialism and imperialism are two of the major forces that have shaped and influenced the modern world. Yet the two regions of the world that have been largely involved in colonialism and imperialism—the West and the “Third World”—have been affected differently by the two phenomena. The Western world has generally been the colonizer and beneficiary, whereas the “Third World” has been the colonized and the exploited.

Colonialism and imperialism are interrelated systems; both involve the conquest, settlement, and imposition of rule over a foreign territory. Hence, colonialism is not only often associated with imperialism but also typically results from a policy of imperialism. Whereas imperialism often involves the political and economic integration of the subordinate territories into the dominant nation to create a single imperial system, colonialism entails the territorial separation of colonies from the mother countries.

Historically, colonialism as a political-economic phenomenon was associated with Europe from the time of the so-called Age of Discovery in the fifteenth and sixteenth centuries. Various European nations explored, conquered or settled, and exploited other parts of the world. The major colonial powers were Spain, Portugal, England, France, and the Netherlands. In the nineteenth century, Belgium, Germany, Italy, the United States, Russia, and Japan also became colonial powers. The regions of colonial exploitation were the Americas, Africa, Asia, Australia, and the South Pacific.

Theoretical distinctions can sometimes be made between two broad types of colonialism: colonies of settlement and colonies of exploitation. In practice, however, these are distinctions of degree rather than of kind, since most colonial structures involved both



immigrant settlement and political control. Furthermore, colonial systems everywhere were essentially identical. They were headed by a representative of the sovereign nation, usually a governor or viceroy; their governments were nonrepresentative because legislative power was monopolized by colonialists to the exclusion of the native populations; and their underlying philosophies sought to pattern the colonies after the mother countries and assimilate the subordinate populations into the culture, language, and values of the metropolitan nations. In consequence, colonialism and imperialism entail not only political control but also economic and cultural domination.

Although the concept of empire and its practice have a long history going back to ancient times, it was not until about the 1870's that the ideology of imperialism was formulated and came into common usage. Among the earliest theoretical formulations was A. J. Hobson's *Imperialism* (1902), which established that imperialism served the needs of capitalism, such as the provision of raw materials, cheap labor, and markets. This thesis was further advanced by V. I. Lenin's *Imperialism: The Highest Stage of Capitalism* (1917), which held that capitalist expansion would lead to imperialist wars that would in turn destroy capitalism itself and pave the way for socialism. Critics have pointed out the weakness of this thesis in that imperialist expansion long preceded the rise of capitalism. Nevertheless, Marxist interpretations of imperialism inspired underdevelopment theorists such as André Gunda Frank to emphasize capitalist expansion as the root cause of "Third World" underdevelopment. To modern African nationalists such as Ghana's Kwame Nkrumah, imperialism was a powerful political slogan that fueled independence movements. What is clear is that imperialism has a variety of meanings.

Three phases in imperialism can be identified. The first is the early period from ancient times to the end of the fifteenth century. Early imperialism was characterized by the despotic rule of emperors. Examples of early empires included Egypt, Babylonia, Assyria, and the Greek, Roman, Ottoman, and Mongolian empires. The second phase of imperialist expansion spanned the period from the fifteenth to the early nineteenth centuries. It was ushered in by the European exploration of Africa and Asia and Christopher Columbus's voyages to the Americas, and it resulted in the colonization of the entire Western

Hemisphere and much of Asia by various European nations.

A number of motivations inspired imperial expansion. There was a strong drive to obtain gold and other precious metals as well as the desire for cheap colonial products such as spices, sugar, cotton, and tobacco. In some cases, imperialism was spurred on by appeals to religious zeal. Above all, however, the possession of colonies was linked to European political rivalries and prevailing economic doctrines, especially mercantilism. In this respect, chartered companies that received trading monopolies and the protection of the mother country became prime instruments in colonial expansion and exploitation.

The third phase, "New Imperialism," covers the period from about 1880 to 1914 and is marked by the subjugation of virtually all of Africa and parts of the Far East by Europe. As before, motivations were varied. Not only were colonies considered indispensable to national glory, but imperialism was fed by an atmosphere of jealousy in which one European nation grabbed overseas colonies in fear that another might do so first. Additional justification was found in racist theories regarding the presumed inferiority of some races and the belief in colonies as markets for the sale of surplus manufactured goods produced through the Industrial Revolution. At the same time, strategic considerations, missionary activities, and advances in European military technology were all linked to imperialist expansion.

In the decades immediately following World War II, the proliferation of democratic ideas around the world, the rise of self-determination in Africa and Asia, and United Nations condemnations did much to undermine imperialist concepts. With the advance of nationalism in Africa and Asia, most of the imperial regimes in these regions crumbled. Some manifestations of colonialism, however, persist. One of these is the phenomenon of internal colonialism, whereby one segment of the state that is politically and economically powerful dominates another segment in a subordinate, peripheral relationship; one example of internal colonialism is the system of apartheid in South Africa. Another is neocolonialism, the continued domination and exploitation of postcolonial independent states by the technologically advanced world, often through foreign investment capital, the provision of technical skills, and trade expansion, which tends to lead to an increase in

influence without actual political domination. A further legacy of colonialism, especially in Africa, is the artificially created political boundaries that do not conform to indigenous ethnic patterns, an issue that continues to undermine political integration.

*Joseph K. Adjaye*

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## Commission on Civil Rights, U.S.

IDENTIFICATION: Federal body formed to investigate charges that citizens have been deprived of their civil rights

DATE: Established in 1957

TYPE OF ETHICS: Civil rights

SIGNIFICANCE: The establishment of the Civil Rights



*President Dwight D. Eisenhower (second from right) oversees the swearing in of the Commission on Civil Rights that was authorized by passage of the Civil Rights Act of 1957. (Library of Congress)*

Commission in 1957 was the first federal civil rights action taken in eighty-two years in the United States.

The U.S. Commission on Civil Rights was formed as part of the demands of the Civil Rights Act of 1957. President Dwight D. Eisenhower had called for such a commission in 1956, and previous president Harry S. Truman's Committee on Civil Rights had called for a formal congressional committee as early as 1947. Southern senators and congressmen, however, blocked establishment of the commission until 1957.

The commission was initially charged with investigating allegations that American citizens had been denied equal treatment because of their color, race, religion, or national origin. In 1972, it also began investigating discrimination based on sex. It also acts as a national clearinghouse for information about discrimination. The commission does not prosecute offenders or pass laws protecting those who are discriminated against. It simply gathers information, investigates charges, and reports its findings to the Congress and the president. Still, recommendations made by the commission are often enacted. The commission played a major role in the passage of the 1965 Voting Rights Act. Important protections for minorities in the areas of education, housing, and economic opportunity have been signed into law because of its reports and recommendations.

*Cynthia A. Bily*

SEE ALSO: Civil Rights Act of 1964; Civil rights and liberties; Civil Rights movement; Discrimination.

## Common good

**DEFINITION:** Benefit to all members of society, or a good which is in the interests of everyone

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Belief in and commitment to the common good underpins some systems of ethics that encourage individuals to be less selfish and more concerned with the community or with humanity as a whole than with their own personal values and desires. It is anathema to systems which deny that there is a single set of values that is of benefit to all people.

The common good is, simply, a holistic, humanistic philosophy that considers the good of the whole or the good of all. It should be the first virtue of the state and its institutions, as well as the first virtue of society and of society's individuals. Its greatest manifestation would likely be worldwide "voluntary" socialism wherein people would abandon selfishness and act for the good of all humanity. For the common good, when personal goals collide with communal needs, sometimes personal goals must be sacrificed for the good of all. For example, when monopolistic corporations have a "stranglehold" on consumers, government regulations are necessary (and, depending on the amount of abuse, corporations may well need to be nationalized).

During the 1990's, after the collapse of the Soviet Union, socialism appeared to be waning, while capitalism was in the ascendancy. Ironically, the economic philosophy that apparently "won" is the only one worldwide that is based entirely on human greed. Many thinkers view the capitalistic "victory" as especially heinous because capitalism is completely unconcerned about the justice of its means and ends and, indeed, is unconcerned about the ends of human life, as well.

As opposed to selfishness, the common good is nothing less than the realization of the social, economic, and spiritual qualities inherent in the word "civilization." It is nothing less than the "goodness" of a community and goodness for the sake of all community members. The concept asks that individual liberalism as well as individual conservatism be laid aside; in their places come the common good and a form of communitarianism.

In small social groups, action that emphasizes the common good might well be simple friendship and fellowship, whereas on the political level that action might be the passage of reform laws that seem to help and protect all people; on the worldwide level, that action could involve the United Nations or another international agency that, for example, seeks to end war, which condones the practice of mass murder. A national or international group dedicated to saving the world's environment would also be working for the common good.

Another way to examine the common good is to consider its antithesis. For example, gender discrimination (degradation of women) is not the common good, nor is discrimination based on race or ethnicity.

Forever fouling the environment is not the common good, nor is insensitivity to world hunger and poverty; international terrorism, wars, and strife in general are not; anything that hurts human beings physically or mentally is not. Allowing older people to die because they cannot afford health care not only is not the common good but also is a disgrace.

Albert Camus, a noted twentieth century French philosopher and a Nobel Prize winner, seldom used the phrase “common good,” but he captured the essence of the term when he held that the worth of individuals could be measured by observing what they will allow other people to suffer. Likewise, Camus believed that the worth of a society could be measured by observing how that society treats its most unfortunate people. One might also add that the worth of any international agency, movement, or institution can be gauged by observing what that agency, movement, or institution allows any world citizen to suffer. Many other philosophers, past and present, have agreed with Camus.

#### INDIVIDUALS, SOCIETY, AND THE COMMON GOOD

To achieve the common good, individuals naturally must respect the rights of all others; however, individuals must also “put away” egotism and create a just society wherein all people have their basic needs—economic, social, political, and spiritual—met. Society must also examine itself and remove contradictions between what it professes and what it actually does—in other words, society should remove the contradictions between appearance and reality. So long as a society reproduces patterns of living that harm some of its members (poverty and discrimination, for example), the common good cannot be realized; instead, continuing alienation will take place until even the “in” group or the affluent are hurt.

As one example, in the United States of the 1990’s, 20 to 25 percent of the people lived in self-esteem-crushing poverty (with racial, ethnic, and gender minorities suffering disproportionately). Given such suffering, American society could not call itself just and certainly cannot say that the common good is being realized. Likewise, as the world entered the next

century, the United States—while bespeaking world peace—manufactured 50 percent of the world’s armaments, which were used to kill and maim human beings.

#### CONCLUSIONS

It is remotely possible that in the indefinite future American society might promote the common good. To do so, however, people must release selfishness and personal greed, because when people hurt others they eventually ruin their own society as well.

*James Smallwood*

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## Communism

**DEFINITION:** Theoretically classless society of equality and freedom in which private property has been abolished and replaced with communal ownership of material possessions, or, an actual society modeled to a greater or lesser extent upon the ideal of communism

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Classical communist theory envisions a society of perfect freedom and perfect justice in which all people live fundamentally ethical lives, free from social strife and oppression, within a community based on mutual human interdependence. Communist ideology, however, has been used to create and defend several repressive regimes.

The idea of a society based on communal rather than private property, communism was advanced long before the birth of Jesus Christ. There were elements of this idea present in some of the writings of ancient Greek philosophers. Plato, for example, argued in his *Republic* that ruling Guardians should be prohibited from owning property. Further, communism was raised by some radical critics of the status quo in the days of the Roman Republic. There is evidence that some of the slave insurgents involved in the slave rebellion led by Spartacus in 73 B.C.E. wanted their future “Sun Republic” to be without private ownership.

During the early years of Christianity, the followers of Christ practiced a type of communism based on communal ownership of material possessions. For the first Christians, private property was to be forsaken as a sign of their faith. Any number of Christ’s teachings appear to argue that private property was, at best, a dangerous distraction from the process of earning salvation and, at worst, a sin. When the son of God said, “It is easier for a camel to walk through the eye of a needle than for a rich man to enter the kingdom of heaven,” the early Christians took him at his word.

By the time of the collapse of the Western Roman Empire, the Christian Church had adapted itself to a world based on social classes and private property. Still, the ethical belief in communism as the truly Christian way of living persisted in various forms. During the era of feudalism, monasteries were based on a vow of poverty with monks held up as examples

of Christian rejection of material wealth. Within the monastery, the members were to practice a type of communism in the communal sharing of all possessions.

Toward the end of the feudal period, this tradition asserted itself in the sixteenth century in the work of Saint Thomas More. More wrote his famous *Utopia* (1516) to show an ideal society based on a common community of possessions. More’s views were in no way unique, since during the Reformation a number of religious rebels, such as the Taborites in Bohemia, came to the conclusion that God had meant the earth to be shared equally by all.

During the Reformation, a German priest named Thomas Münzer helped to lead a revolt of thousands of peasants. In 1525, Münzer formed the Eternal League of God, which was not only a revolutionary organization but also fought for a radically egalitarian Christian society. Basing his views on his interpretation of the Bible, Münzer preached that a classless society was God’s will and the princes should be replaced with democratically elected leaders.

Communism appeared again as an important idea during the French Revolution, which began in 1789. Some radical republicans believed that the revolution would not be complete until political freedom was complemented by social equality. The revolutionary Gracchus Babeuf organized a “Conspiracy of Equals” that sought unsuccessfully to establish a society in which all land would be held in common and all would receive equal diet and education.

With the Industrial Revolution, earlier theories of communism that had stressed common ownership of the land became updated to accommodate the new mode of production. During the 1840’s, the term “communism” became fairly well known as a result of the writings of Étienne Cabet, who favored the use of machinery on collectivized land as well as large communal factories. Despite such innovations, Cabet considered his theory of communism to be based on “true Christianity.”

With Karl Marx, the concept of communism was further modernized. Marx argued against what he deemed the primitive communism of past thinkers who would merely extend ownership of land to the entire population. Marx argued that a classless society had to be based on a cooperative economy, not merely a diffusion of private property. This future communist society would unleash the forces of pro-



duction to maximize efficiency and reduce the amount of labor necessary. In addition, it would eliminate the rigid division of labor so that people would be free to do both mental and physical work and rotate jobs. With the end of private property, humanity would no longer be alienated from work. Labor would be cooperative and technology would allow people to avoid unpleasant tasks. Therefore, people would be able to take pride in labor and the resulting self-fulfillment would increase the general happiness.

Marx saw these changes as creating a world in which authentic, moral relationships between people would exist. Moreover, humanity would be able to work with nature rather than being intent on conquering the environment. Freedom would be the basis of this new society, in which “the free development of each is the prerequisite for the free development of all.”

Marx’s vision was taken up by numerous later socialists, including V. I. Lenin, who outlined his views in *State and Revolution*. Following the Russian Revolution, Lenin attempted to implement some of these ideas, but the material conditions for the construction of a communist society were absent. By the late 1920’s, with the isolation of Soviet Russia, communism became an empty political slogan under the dictatorship of Joseph Stalin. Despite its popular association with the Russian dictatorship, the concept of communism remains appealing as an ethical concept that promises to free humanity from exploitation, poverty and oppression.

*William A. Pelz*

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SEE ALSO: Anarchy; Capitalism; Class struggle; *Communist Manifesto, The*; Lenin, Vladimir Ilich; McCarthy, Joseph R.; Marx, Karl; Marxism; Orwell, George; Revolution; Socialism; Stalin, Joseph; Truman Doctrine.

## *The Communist Manifesto*

IDENTIFICATION: Political tract by Karl Marx (1818-1883) and Friedrich Engels (1820-1895)

DATE: Published in 1848

TYPE OF ETHICS: Modern history

SIGNIFICANCE: *The Communist Manifesto* rejected private property and argued that class conflict would ultimately lead to a just and equal society for all.

Written by Karl Marx and Friedrich Engels for the Communist League, *The Communist Manifesto* has become a classic formulation of socialist political ethics. The authors based their work on the ethical belief that all people should live in a condition of equality and democracy. They contend that all previous societies have been marked by class struggle. This conflict between different social classes is rooted in the classes’ economic relationships to the means of production. Classes themselves are seen as an inherent result of the institution of private property. Thus, for Marx and Engels, some people have always owned property while forcing those without to work for them. Although the form of this exploitative relationship has changed over time from master/slave to lord/serf and then bourgeois/worker, the inequality has remained present. This injustice has led world history to be the history of class struggle.

With the rise of capitalism, the new ruling class (the bourgeoisie) constantly revolutionizes the way things are produced and exchanged. As capitalism

### Marxist Tenets in *The Communist Manifesto*

1. All societies since early communal times have been inequitable class societies.
2. All history has been the history of class struggle.
3. The institution of private property has exploited and oppressed the majority of people.
4. Capitalist societies, like other class societies, do not allow people to develop freely.
5. To create a just and ethical world, the institution of private property should be eliminated. Bourgeois society uses labor to increase capital, whereas the future society will use capital to benefit workers.
6. Individuals should be free to choose their social relationships, free of outside interference. Therefore, the family in its present form should be abolished.
7. Workers have no nation, and as exploitation ceases, so will the need for nationalities.
8. All instruments of production should be centralized in the workers' state.
9. Because workers are in the majority, they must rule themselves democratically.
10. Because no one should possess unearned wealth, there should be no right of inheritance.
11. Credit, communications, and transportation should be placed in the hands of the people.
12. Factories should be government owned, and the government should protect the environment.
13. All able-bodied persons should work.
14. The differences between cities and rural areas should be eliminated gradually by means of population redistribution.
15. Free public education should be provided for all children.

grows, the need for a constantly expanding market causes the bourgeoisie to expand borders until capitalism has engulfed the world. In the process of this ever-growing expansion, there is, of necessity, more economic and political centralization. This centralization of economic and political power further reduces the actual power of the majority of the population.

Marx and Engels note that this expansion is by no

means a smooth process and is constantly beset with crisis. Since workers as a whole produce more in value than they are paid in wages, there are periodic periods of overproduction. These crises of overproduction take the form of business downturns or depressions that the bourgeoisie can overcome only by mass destruction of productive property (such as war) or by conquest of new markets (imperialism). Even when a crisis has been surmounted, the seeds of a future disaster remain within the very nature of capitalist society.

Further, the workings of the capitalist economy exploit the vast majority of people who increasingly have only their labor to sell to the capitalists. Labor is a component of production, so it becomes a commodity that is bought and sold like any other on the market. Thus, the worker becomes subject to the whims of the market and may fall from employment and relative comfort into unemployment and poverty without warning. As labor becomes simplified by machines, there are more workers who are capable of any one job; therefore, the oversupply of labor causes a decline in demand and thereby a decrease in real wages. In addition, the ever-increasing reliance on machines means that work loses its individual character for the worker, who becomes a mere appendage to the machine. This is profoundly unjust, unfair, and undemocratic, according to Marx and Engels.

Even for small businesspersons and professionals, capitalism ultimately spells disaster, since they find themselves unable to compete with the always-growing big bourgeoisie. As these new social layers are forced into the working class, many people will help fight against this unjust system. Because the entire capitalist society is based on exploitation and oppression and promotes the values of greed and inequality, the increasingly large working class will

fight to destroy the dictatorship of the bourgeoisie. For Marx and Engels, this fight is historically unique because it is a movement of the vast majority against an ever-decreasing minority. Thus, only a workers revolution will allow true democracy to prevail.

### ACHIEVING A JUST SOCIETY

To achieve this just and democratic society, Marx and Engels believe, the most conscious workers should band together and fight for the interests of the world's people, regardless of nationality. While struggling against the bourgeoisie, these "communists" must always consider the interests of the working-class movement as a whole. The first step is to make the working class, which is a class in itself, a class for itself. Then, the now-united workers must combat the bourgeois control of society. Moreover, when fighting against any form of injustice, communists must always raise the property question, since private property is at the root of all oppression. Ultimately, workers will need to take power themselves, since the bourgeoisie will manipulate any system of government, even a parliamentary one, to maintain class rule. Thus, the abolition of capitalism and the establishment of workers' rule is the only ethical path according to Marx and Engels.

*William A. Pelz*

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SEE ALSO: Capitalism; Class struggle; Communism; Freedom and liberty; Marx, Karl; Marxism; Socialism.

## Communitarianism

**DEFINITION:** Ethical system that insists that the good of the community must not be subordinated to that of the individual

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Communitarianism rejects Western culture's traditionally one-sided emphasis on individual rights and seeks to balance rights with responsibilities. As such, it may represent the most powerful ethical challenge to individualism since the Enlightenment.

Communitarianism carries with it a sense of profound urgency. As one leader of the movement, Robert Bellah, has declared, society is no longer merely in crisis: It is in a state of emergency. The social fabric has deteriorated to the extent that morality has become a virtual impossibility. The communities, institutions, and social relationships that make morality possible are quickly succumbing to a pervasive individualism. Although this social deterioration may be most visible in poverty-stricken urban areas where gangs, violence, and homelessness are commonplace and children must attend school in fear for their lives, it is nevertheless rampant throughout American society. Important social institutions such as families, churches, community groups, and even towns and cities have been drastically weakened, leaving society as a mere collection of individuals who have nothing in common but self-interest and the fear of death. Ironically, these developments threaten individualism itself, for community is the very basis of individuality. Because of this emergency, communitarians believe that it is necessary to nurture and foster constructive communities wherever they can still be found.

Although communitarianism has roots that extend deep into the past, it has existed as a self-conscious school of thought and moral theory only since the 1980's. Two important books published in that decade, *After Virtue* (1984), by the philosopher Alasdair MacIntyre, and *Habits of the Heart* (1985), by the sociologist Robert Bellah, signaled the appearance of a new ethic that repudiated both modern individualist liberalism and the rejuvenated conservatism of the Reagan era.

A former Marxist who became a Roman Catholic, MacIntyre argued that moral discourse in the modern West has become incoherent and meaningless. He

traced this incoherence to the Enlightenment, which tried to develop a morality that was based entirely on individuality and reason. The attempt was bound to fail, MacIntyre argued, because morality requires the very things that the Enlightenment took away: community, tradition, and narrative. That is why Immanuel Kant, Søren Kierkegaard, and John Stuart Mill all failed to develop a genuine morality, and why all attempts that do not repudiate the Enlightenment concept will fail.

MacIntyre's book ends on a pessimistic note, concluding that there is little to do except to wait for a new Saint Benedict (the founder of Catholic monasticism) to lead society out of its predicament. *Habits of the Heart*, though influenced by MacIntyre, is more hopeful in tone. Robert Bellah gathered a team of researchers to investigate "individualism and commitment in American life." After interviewing numerous people about their lives and commitments, the researchers concluded that, while many forms of community were being undermined in American life, there were still signs of a remarkable resilience. The research focused in particular on "voluntary associations," or nonprofit institutions that embody various forms of community: churches and synagogues, community service organizations, youth organizations, activist organizations, charities, and the like (but not including political parties). This "third sector" of American society (as distinguished from the governmental sector and the for-profit business sector), according to Bellah and his researchers, is essential to democracy and human flourishing, and must be encouraged.

Communitarianism rejects ordinary political liberalism, which emphasizes personal freedom at the expense of community, but it also rejects political conservatism, which emphasizes personal property and wealth at the expense of community. Bellah and his coauthors issued a powerful call to reaffirm the importance of community in American life, to form anew a "culture of coherence." Similar calls have been issued by the religious historian Martin E. Marty and the political scientist Amitai Etzioni. (One of the most impressive things about communitarianism is its broad interdisciplinary base.)

### SPECIFIC ISSUES

Communitarianism as a self-conscious movement is in its infancy. Some communitarian posi-

tions, however, are readily apparent. In the realm of economics, communitarians are less interested in maximizing individual personal income and more interested in how economic production can foster and support human communities and relationships. With respect to children and the family, communitarians are less interested in the abstract "rights" of children and parents, and more interested in improving the human ecology of the family—including discouraging divorce. Communitarians point with alarm to the fact that, since the 1950's, all measurable indices of child welfare in America have declined—even during periods of economic growth. Similarly, with respect to women's issues, communitarians are less interested in simply maximizing women's freedom and more concerned with advancing women's well-being in the context of community and relationships, including relationships with men and children.

With respect to diversity and multiculturalism, communitarians support measures that would enable diverse communities to flourish, but they reject those measures that seek to divide society into separate cultural fiefdoms. A communitarian approach to the environment might likewise be skeptical of animal or species "rights" but would strongly emphasize the community of nature and humankind's important and dangerous part in it. With respect to the health care crisis, communitarians would recognize the impossibility of obtaining the "best" health care for every individual and would ask what types of health care would foster human flourishing in the midst of the natural trajectory from life to death. Communitarians generally also have more sympathy for a public role for religion in our common culture.

### CHALLENGES

Like any other movement, communitarianism faces numerous challenges and dangers as it works out its implications. Perhaps its greatest peril is nostalgia for a past that never was, or worse, for a past that embodied specific evils. Many communities embody racist and sexist practices and traditions that are morally outrageous. Communitarians who strongly reject the Enlightenment also run the risk of disregarding the Enlightenment's great achievements—abolition of slavery, establishment of civil liberties, freedom of the press, popular elections, religious tolerance, emancipation of women, human rights.

Much of the communitarian movement, too, has a strongly American focus, and needs to develop a broader international perspective. The collapse of Soviet-style communism may offer an opportunity to internationalize communitarianism; voluntary associations may be just the thing to fill the vacuum left by the collapse of communist parties.

Despite these challenges, however, communitarianism remains one of the most promising modern moral philosophies.

*Garrett E. Paul*

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SEE ALSO: Common good; Drug testing; Human nature; Individualism; Kierkegaard, Søren; MacIntyre, Alasdair.

## **Comparative ethics**

**DEFINITION:** Discipline that studies the various ways in which human morality and conduct are defined and practiced in different communities

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Comparative ethics can provide evidence to support almost any ethical system: Those who believe in human nature, the common good, or universal moral law will find fundamental similarities among different cultures. Those who believe in situational ethics, pluralism, relativism, and other nontotalizing systems will find irreducible differences between those same cultures.

Ethics incorporates the scope and purport of morality and associated conduct. Ideas of morality may be determined by rational judgments or by inspired transhuman monistic notions. When the moral worth of an action or a person is determined according to a conscious ideal in any society, rationally determined moral laws guide and define well-being, order, harmony, and security. Both the explicit formulation of and implicit obedience to normative laws, codes, and decrees ensure the maintenance of individual and community well-being. Thus, socially useful regulations, juxtaposed with morally right rationalistic ideals, become the operative ethical norm of the community. When morality and virtue are contextualized in the orderly harmony of the universe, however, and when human life and actions are recognized as factors of that order, the monistic element rather than the rational is given primary cognizance in the definition of ethics.

Generally, in societies that are not avowedly theocratic, ethical ideals are defined according to a rationally determined context. By contrast, in myriad religious communities, the essential ethical directives that govern religious adherents are both defined and enforced on the basis of a monistic ideal of its intrinsic worth. As a survey of various traditions will portray, ethics at a comparative level is essentially a construct of a society or culture or religion that defines and formulates particular moral norms and values. Evaluations of morality thus depend on the estimation of conduct or norms according to specific values and notions—hence the importance of comparative ethics.



### ANCIENT GREECE AND EGYPT

Although the ethics (both theoretical and practical) of ancient Greece has many trends and representatives, Plato, Socrates, and Aristotle may be regarded as thinkers who exemplify the norms, conduct, and values of their society. According to Plato, Socrates regarded moral obligation as a construct of rational insight. Plato himself identified morality and virtue as normative conduct that reflected heavenly prototypes or the eternal ideas of the good. In contrast, ethical norms for Aristotle were bound by the social and empirical character of people.

In ancient Egypt, the theory of the soul and its divisions dictated ethics and conduct. The norms for different strata of the society were varied; for example, priests, kings, and shepherds had specific criteria for their own ethical conduct.

### MONOTHEISTIC TRADITIONS

In diverse religious traditions, the ethical code that dictates the conduct of a moral agent and the compulsion that ensures its maintenance are regulated by injunctions that are presumed to originate not from rationality or societal utilitarianism but from a monistic or suprahuman transcendent source. Thus, in the monotheistic religious traditions, ethics is dominated by a theocentric ideology. The authority of divine law or God is both the source and the aim of the moral realm.

In the Judaic tradition, for example, the authority of the Torah as moral law is based on divine proclamation. The ought of actions is primarily associated with the appeasement of God, and individual or collective pleasure is incidental. Virtue and ethics become aspects of the nexus between God and humanity as embodied in the notion of a covenant. Although many detailed regulations have been codified and accepted over the centuries, in the main the Ten Commandments form the salient ethical grid for all other injunctions. To be conscious of the identity of God, to be aware of obligations to parents, to maintain the Sabbath, and to refrain from bearing false witness or being adulterous or covetous are some of the moral imperatives contained in the Ten Commandments. Over the centuries, prayer, neighborliness, generosity, dietary regulations, learning, and purity became the essential ethos that governed the lives of the adherents of Judaism.

In Christianity, the person of Jesus Christ is the

governing inspiration of all ethical norms. According to general Christian theology, Christ's descent and crucifixion represents love—God's love for humanity and the redemption of souls. The account of Christ, his passion and resurrection, become the standards for normative ethics. Thus, to imitate Jesus Christ is the moral goal and destination of devout Christians. Ideas of Christian fellowship, altruism, and humility are derived from the idea of the sacrifice of Christ in order to redeem humanity.

In Islam, the relationship of the human soul to God—to submit to God's command and gain peace—is the governing ethos of normative ethics. The Qur'ān situates the divine-human connection in a primordial covenant between God and human souls. Ethical imperatives (both practical conduct and moral intent) hence revolve around a transcendent authority that ought to be complied with by the core of one's being. Ethical obligations and responsibilities extend toward a transcendent power, the individual self, society, and nature, and they include personal qualities such as generosity, humility, and kindness. Sectarian differences aside, the five essential "pillars of faith" of Islam are testimony of acceptance of God's being and the prophecy of Muḥammad, prayer, charity, fasting, and pilgrimage, or *hajj*, to the Ka'ba (the Abrahamic shrine in Mecca).

### EASTERN TRADITIONS

In Hinduism, India's main religious tradition, the ideals of ethics are incorporated in the salient notions of dharma and karma that are mandated by a transcendent monist predicate. On an individual level, one's dharma, or sacred duty, is determined as a factor of birth by one's place in society. Accordingly, karma, actions and consequences, are evaluated according to individual dharma. Society is divided into four groups, each with a differentiated dharma—*Brāhmins* as priests, *Kṣatriyas* as warrior/rulers, *vaiśya* as traders or farmers, and *Śūdras* as performers of menial tasks. Merit was accrued to karma by fulfilling the moral imperatives of personal dharma. On a cosmic level, maintenance of individual dharma precludes chaos and causes harmonious balance.

The focal notion of Buddhist ethics is the "middle way," a way of conduct and morals that will enable the adherent to attain transcendent enlightenment, represented by the term *nirvāṇa*. These norms are monist in form, since their avowed purpose is a self-

ennobling conduct that maintains and designates the cosmic value of human existence per se, though, in content, the norms are apparently rationalistic. The suffering (*dukkha*) of life is presented as a given, and the purpose of conduct and ethics is to transcend it. One may achieve this transcendence by following the “eightfold path,” which includes right understanding, thought, speech, action, livelihood, effort, mindfulness, and concentration. Both monks and laypeople are to follow these general precepts, though the requirements are more stringent for the former.

In China, Confucian evaluations of morality and conduct are essentially governed by the ideals associated with the “sage.” The perfected virtues or ethics of the sage include benevolence, righteousness, propriety, sincerity, loyalty, reciprocity, wisdom, and filial piety. When inculcated and adhered to, these ethics of the sage lead to harmony and well-being. These virtues are evidently rationalistic, since the notion of a revealed transcendent source is not a basis for the ethical imperatives; however, millennia of traditional acceptance have conferred upon them a sacred monistic value.

#### TRANSTRADITIONAL WESTERN ETHICS

In modern secularistic communities, especially in the West, a humane rationalistic idiom provides the essential grid for normative ethics. For example, Ethical Culture is a movement that is dedicated to the ethical growth of the individual. The nondenominational New York Society for Ethical Culture was founded in May, 1876, by Felix Adler, son of rabbi Samuel Adler of New York’s Temple Emanu-El. He espoused the necessity of using morality and ethical regulation to address issues of societal malaise, such as inner city crime, education, welfare, health, and housing. In such a context, values and morals are generally based on a sense of the responsibilities of being human.

At the end of the twentieth century, issues such as abortion, euthanasia, capital punishment, race relationships, and gender relationships (in and out of wedlock) have ethical nuances which require resolutions. The solutions are proffered both by the monistically oriented religious traditions and by diverse forms of rationalistic secular thought. The normative moral resolutions so proffered are sometimes convergent but are frequently antithetical.

*Habibeh Rahim*

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## Compassion

**DEFINITION:** Emotion involving the feeling of others’ troubles or sorrows combined with a disposition to alleviate or, at least, share in them

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Compassion is generally taken to be a morally admirable trait, although an excess of compassion may lead to moral paralysis in the face of extreme suffering.

Compassion is a combination of emotional and volitional elements that are also referred to by such words as “care,” “sympathy,” “pity,” and “empathy.” Compassion refers not only to the emotional ability

to enter into another's feelings but also to an active will to alleviate and/or share in the other's plight.

The emotional element plays a large role in compassion. Theorists who, like Plato, Aristotle, and Immanuel Kant, argue that reason must rule over emotion in ethics give compassion at best a secondary role in their systems. Others, such as Joseph Butler, David Hume, and many utilitarians, argue that ethics is rooted in human emotion. They give compassion a larger role. Feminist theorists such as Carol Gilligan and Nel Noddings have argued that care and compassion should be at the center of moral reasoning.

Persons working in applied ethics have also often suggested that human emotions deserve focused attention in ethical decision making. Those who seek to apply ethical theories in everyday settings, such as clinical medicine, have often urged that the common human experience of compassion for others deserves a larger place in decision making. They suggest that without a focus on compassion, ethical theorizing is in danger of neglecting what is most human in favor of satisfying abstract rational standards.

Emotions such as compassion must nevertheless also be served by rational assessment of situations. Compassionate persons employ reason to assess the source and significance of the troubles that are to be confronted, to weigh alternative ways of alleviating those troubles, and to relate projected actions to other ethical considerations, such as those concerning justice and/or self-interest.

Compassion includes not only the feeling of others' troubles and sorrows but also an active will to alleviate and/or share in them. Thus, compassion also includes a volitional element.

### THE ORIGIN OF COMPASSION

Joseph Butler and David Hume both thought that compassion is a feature of human life that arises naturally. Using the word "compassion" as a verb, Butler wrote during the 1720's that human beings "naturally compassionate all . . . whom they see in distress." He also argued that concern for others is not motivated by self-interest. During the 1980's, Nel Noddings spoke of a foundational experience of "natural caring."

Sociobiologists, such as E. O. Wilson and Richard Dawkins, have argued that evolutionary natural selection may favor other-directed dispositions such as compassion. Behavior that is not in an individual's

self-interest can nevertheless be favorable to the survival of the species. Thus, an individual bird risks its own survival as it cries out to warn others.

Others suggest that, whatever natural basis there may be, compassion and concern for others must be nurtured. For example, health care professionals are advised to play the role of patient from time to time in order to develop compassion for patients' suffering. Some Christian thinkers claim that genuine compassion goes "against the grain." They assert that "compassion is not . . . the outcome of our hard work but the fruit of God's grace."

### ETHICAL SIGNIFICANCE OF COMPASSION

Human beings experience many different emotions, including anger, envy, and lust. Why should compassion be ranked as a primary human virtue and thus cultivated?

Plato, Aristotle, and Kant worried that the emotions generally are too unsteady and nonrational to be given first rank. Friedrich Nietzsche rejected the priority of compassion on the grounds that concern for others is often based upon a retreat from the higher discipline required to live a fully human life. He worried that compassion is too often expressed as concern for "the 'creature in man,' for what must be formed, broken, forged, torn, burnt, made incandescent, and purified—that which *necessarily* must and should suffer."

Other thinkers, such as Butler, Hume, Wilson, Dawkins, and Noddings, have based the ethical priority of compassion and care upon one or another type of appeal to nature. Alternatively, some religious thinkers appeal to what is revealed in the life of a person such as Jesus Christ or in God's revelation and gift of this virtue. While they may all agree with critics that reason is needed to guide one to effective compassion, they all also say that reason must be informed by compassion. They would agree with Nietzsche that compassion ought not to be a retreat from fully human living, but they assert that genuine human compassion arises from a positive sense of the meaning and purpose of one's own and others' lives.

### THE OBJECTS OF COMPASSION

Should compassion follow a path of care for those near at hand only or should it express itself equally in care for the far removed and unfamiliar? Some see a general and impartial compassion as the highest good,

while others argue that compassion is inherently partial and best focused on particular individuals. The word “object” itself suggests a difficulty. Many worry lest compassion reduce the individual being helped to the status of an object to be manipulated without concern for the individual’s dignity or autonomy.

Who are the appropriate others upon whom compassion should focus? Many discussions presume that the objects of compassion are fellow human beings. Some argue, however, that compassion should extend to animals and/or to the entire environment.

*James V. Bachman*

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## **Compromise**

**DEFINITION:** Arrangement for settlement of a dispute by mutual concession

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Negotiation by mutual concession may be based on recognition of the moral legitimacy of an opponent’s interests. Compromising

on matters of principle, however, may be seen as a moral fault rather than a virtue.

Negotiation is the process used by parties or groups to come to terms or reach agreement regarding issues about which they are in conflict. Compromise is a subprocess of negotiating that involves making mutual concessions to reach an acceptable agreement. Compromise implies conflict—either an open disagreement or a difference leading to a disagreement that must be resolved. Compromise requires all parties to alter their claims or positions in order to reach an accommodation. If only one party or group alters its position, the result is not compromise but capitulation; even if one of the parties eventually agrees with the other, it may constitute appeasement. Compromisable conflicts exist when there is a partial coincidence of interests resulting in a setting of both competition and cooperation between parties. Such a situation can occur only when there is a recognizable and relatively stable social order in which there are explicit rules about compromising that are known and accepted by the parties involved in the negotiations.

Compromising to resolve conflicts is not the same as bargaining, although both processes involve each party’s agreeing to give up something in order to get the other to give up something. At each stage of the negotiating process in both compromising and bargaining, one party proposes a resolution and argues for it. There is, however, a marked difference between bargaining and compromising that revolves around the attitude of the negotiating parties. In bargaining, each side assumes that the other will try to get the best for itself, and each knows that the other knows this, so the situation is mostly strategic.

In a compromise, the parties have a certain level of respect for each other and therefore are willing to agree to an accommodation rather than make the best deal for themselves that they can. The distinction between bargaining and compromise can be seen clearly where one negotiating party is more powerful than the other. If the more powerful party is able to impose on its opponent a solution that is favorable to itself and uses its power to do so, the two parties are bargaining. Also, the fact that a negotiation’s outcome may be equally favorable to both parties does not indicate that a compromise was reached; it merely demonstrates that the two parties shared rela-

tively equal bargaining power during the negotiations.

Compromise involves acknowledging the moral legitimacy of the interests of one's opponent. To reach a compromise, each party must give its opponent's interests due consideration during negotiation. If a party has no ground for assuming that its opponent is morally inferior, then compromise is morally possible. If both parties' interests are similar, neither party has grounds for not recognizing the moral legitimacy of the other. When opponents' interests are at odds, compromise is possible only if a plurality of interests can be recognized or some level of tolerance can be exhibited. Fanatics do not recognize a plurality of interests or an environment of toleration, and although fanatics may bargain and make deals, they do not compromise. By the same token, idealists, while not rejecting the existence of mutual interests, invariably regard some negotiating points as illegitimate and also are unable to compromise.

### NEGOTIATING COMPROMISE

Negotiating a compromise is more difficult when principles, rather than specific interests, of the opposing parties are in conflict. A compromise involving a conflict of interests means giving an opponent's interests due consideration in attempting to negotiate a resolution. When principles are in conflict, however, neither party can give due consideration to the other's principles, because at least one of the parties is presumed to be fundamentally wrong in its stance and hence entitled to no consideration. When a conflict of principles exists, there is no requirement to consider the opposition's principles as being as important as one's own in negotiating toward compromise. In many instances, cultural or philosophical principles may present insurmountable barriers to compromise. For example, a society's principles of right and wrong may limit what can be legitimately compromised; from a philosophical and moral standpoint, some points are thus nonnegotiable. It is usually the conflict of principles that limits the ability to negotiate compromises, but compromises can be achieved if the parties believe that their opponents are sincere and earnest about the principles they present to defend their negotiating position.

Negotiating in the spirit of compromise requires both parties to consider the legitimate interests of the opposition as morally equal to their own, and this

may depend either on the recognition of a plurality of interests or on simple toleration. Reaching a compromise also involves understanding the principles that formulate an opponent's negotiating position and trusting the sincerity of an opponent's stance regarding principles governing the ability to reach a compromise. If during a negotiation of compromise either party fails to acknowledge the legitimacy of the opponent's interest or fails to understand the basis for the opponent's commitment to guiding principles, the parties are not negotiating a compromise, but engaging in a morally questionable palaver.

*Randall L. Milstein*

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SEE ALSO: Conflict of interest; Conflict resolution; Self-interest.

## Computer crime

**DEFINITION:** Direct or indirect use of computer technology to break the law

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** Computer technology has provided both new tools and new targets of opportunity for criminals, spies, and vandals.

Computer crimes typically involve breaches of well-defined ethical issues, but one aspect of the nature of computers raises the possibility of new interpretations of these issues. This is true because computers represent and exchange information in the form of



digital electronic signals rather than as tangible objects. This distinction raises the question of whether copying programs or information from computers is really theft if the original programs and data remain in place after the illegal copies are made. Also, are people really trespassing if they remain thousands of miles away from the computer system on which they intrude?

### **MOTIVES**

The psychological motives of persons and groups who engage in computer abuse fall into three categories. The first set of motives include personal gain of money, goods, services, or valuable information. The second is revenge against another person, company, institution, government, or society at large. A variation on the motive of revenge is political motivation. The third type of motivation is to gain stature in one's own mind or those of one's peers by demonstrating mastery over complex technology.

These motivations serve as the bases for several types of activity, which include theft, fraud, espionage, vandalism, malicious mischief, and trespassing.

### **THEFT AND FRAUD**

Theft in computer crime takes many forms. Embezzlement is one of the most publicized. One type of scheme involves the transfer of small amounts of money from bank accounts over a period of time into accounts established by the thieves. One of the most notorious forms of computer crime in the early years of the twenty-first century was the so-called "Nigerian scam," through which con artists in developing countries had bilked citizens of wealthy countries out of millions of dollars. Thieves use e-mail to canvas millions of prospects at minimal cost. Offers of low-priced merchandise that buyers never receive, fraudulent investment opportunities, and false charitable solicitations, abound. Computers make unauthorized use of credit cards particularly easy. Criminals need only the card numbers, expiration dates, and names of the cardholders to order merchandise over the Internet. Such information is often available on discarded credit card receipts or may be procured from the victims through trickery.

Another common and well-known form of theft is software piracy, which is the unauthorized copying of proprietary programs. The scope of piracy is

broad. Well-organized groups mass-produce "bootleg copies" of popular personal computer programs. These are then sold to unsuspecting people as legitimate copies. At the other end of the piracy spectrum are isolated individuals who make copies of computer games for friends without even realizing that they are breaking any law.

Sometimes computers themselves are the targets of theft, either for their intrinsic value or for information they may contain. One celebrated case involved the theft of a staff officer's portable computer from his car in the Middle East late in 1990. The computer contained strategic plans for the impending U.S. Operation Desert Storm. The thief was evidently unaware of the computer's sensitive contents, however, and the act did not result in a serious breach of security.

### **VANDALISM AND MALICIOUS MISCHIEF**

Computer systems are often the targets of vandalism, either by disgruntled individuals or by organized groups. Some of the most serious cases of vandalism against computers were committed in France and Italy by the radical Red Brigades during the late 1970's. One of their attacks resulted in the loss of all computer records of automobiles and drivers' licenses in Italy.

Commercial sites on the World Wide Web have been vandalized and their contents altered. In August, 2000, for example, a British supermarket site was defaced with a hoax message announcing price increases and urging viewers to shop elsewhere.

Perpetrators of malicious mischief on computer systems have come to be known as "hackers." Hackers are motivated by a desire to demonstrate mastery over computer technology, especially among their peers. One of their methods is to write programs that, when executed, cause damage to other programs and data files or even cause other computers to crash. These programs vary widely in their nature and are variously known as Trojan horses, worms, and viruses.

Worms and viruses are usually programmed to replicate themselves on every computer system with which they come into contact. One of the most notorious was the Internet Worm, the work of a young computer scientist who placed it on the world's largest computer network in 1988. Within a matter of hours it spread to thousands of computer installa-

## The “Nigerian Scam”

During the 1990’s a new form of computer crime began sweeping the world—the so-called “Nigerian scam.” It takes its name from the West African nation of Nigeria, where it appears to have originated. However, similar scams are practiced in almost every country with lax banking laws. Whatever a scam’s form or origin, its essence is always the same: The perpetrators ask correspondents in wealthy nations for help in extracting large sums of money from bank accounts. The correspondents are to keep part of the money in return for their help; however, they must supply confidential information on their own bank accounts, with predictable unhappy results. Patently fraudulent though these pitches are, many people have taken the bait and lost fortunes for their trouble. The scams succeed because of the power of the Internet. They are, in effect, a form of spam. Messages go to so many millions of people, that a few people are likely to take the bait. By 2004, the frauds had become so prolific that numerous Web sites had been established to help combat the Nigerian scam. The sample below is remarkable only in its writer’s honest description of the scam’s negative effect on Nigeria’s international reputation.

From: The Desk of DR. Ibrahim Coker

Attn: MD/CEO

Sir,

REQUEST FOR URGENT BUSINESS PROPOSAL

I am DR. Ibrahim Coker 58 years old and a engineer contacting you based on the recommendation given to me by my international business associates. I was the chairman of the Nigeria Railway Co-operations contracts review committee (NRC CRC) of the Federal Republic of Nigeria. We were mandated to review all the contracts awarded by the defunct Nigeria Railway Trust Fund (NRTF) to Foreign Firms since the last five years. On completion of our job, we discovered that most of the contracts were grossly over-invoiced to the tune of One Hundred and Seventy-Seven Million United States Dollars (US\$177,000,000.00). In our report we arranged, recommended, and subsequently returned only the sum of US\$140,000,000.00 to the government leaving out the balance of US\$37,000,000.00 for our own use.

However, I feel highly inhibited to contact anybody for this type of transaction because of what we read in the daily newspapers about the incessant involvement of some undesirable Nigerians in the different kinds of scams and fraudulent practices. These acts have not only battered and tarnished the image of Nigeria, but have also drastically reduced the number of intending foreign investors in our country. Considering my international position and status and that of my colleagues involved in this particular transaction, please I would like you to give this transaction utmost confidentiality and sincerity it deserves. The said money (US\$37,000,000.00) is already in a security company abroad. Therefore all we require from you are your bank particulars so that we can file and facilitate the application process in your name, at Federal Ministry of Finance. Adequate arrangements are already on ground to give this project full substantial legal backing. So you have nothing to worry about. All the documents that will authenticate our claims are available. Our code of conduct forbids civil servants from owning or operating foreign accounts. This is exactly what informed my decision to contact you. We have agreed to give you the sum of US\$11,100,000.00 (Eleven million, one hundred thousand United States Dollars) which represents 30% of the total sum, the balance of 70% will be for us members of the committee.

If you are interested in the transaction, please reply immediately through my e-mail address: so that I can give you the particulars of the security company abroad. I will join you at the security company to assist you to receive the funds.

Best regards  
DR. Ibrahim Coker

tions, including those of the U.S. Defense Department and many universities, causing tens of millions of dollars in damage.

Later attempts have been even more disruptive. The Melissa virus in 1999 multiplied by e-mailing copies of itself to all names in recipients' Internet address books, thus reaching computers throughout the world at an astonishing speed. In the United States the Melissa virus disabled more than one million computers and caused damaged that cost hundreds of millions of dollars to correct. The Love Bug worm of May, 2000, shut down e-mail servers in a majority of American corporations, reportedly doing several billion dollars worth of damage.

In February 2000, a "Denial of Service" attack launched by a fifteen-year old Canadian high school student identified only as "Mafiaboy," rendered Web sites of major American corporations inoperable. Using automated tools and scripts easily available on the Internet, Mafiaboy planted Trojan horses within many innocent computers, using them to send a flood of simultaneous messages that overwhelmed service at such computer-savvy online companies as Amazon.com, eBay, CNN News, and Yahoo!.

### TRESPASSING

In the context of computer crime, trespassing is unauthorized access to a computer system. The most common form of trespassing is committed by hackers, who often have no intention of causing damage to the systems they break into but are lured by the challenge of overcoming another system's security measures. Once inside a system, they are often content to view its contents and exit without damaging anything. Some hackers, however, have been prosecuted for such acts as breaking into telephone company installations and circulating private access codes.

Spyware programs, which track the buying habits of computer users, are often installed on the computers of user who are downloading free music and game programs. Criminals try to sneak in less benign spyware as e-mail attachments that permit them to control other people's computer from a distance. The intruders can then read files and discover passwords, and Social Security and other account numbers. The acquisition of such information makes theft of the computer owners' identities easy.

Another form of trespassing is committed by per-

sons engaging in espionage. Companies engage in industrial espionage by breaking into rival companies' systems to look for trade secrets and other proprietary information. A rarer variation of espionage occurs when agents of one country break into the computer systems of another government. This occurred during the late 1980's, when West German hackers were discovered using the Internet to access classified information from the U.S. Defense Department.

### ONLINE HARASSMENT AND PREVENTION

Internet stalking may appear less threatening than physical harassment, but the emotional impact, and sometimes the tangible results, can be equally damaging. Stalking can include sending continual abusive, obscene, or threatening e-mail messages; placing victims' names on mailing lists so they will receive hundreds of unwanted messages every day; or impersonating the targets and sending fraudulent or abusive mail in their names. In one case a stalker posted a message purporting to come from a woman having unfulfilled fantasies of being raped, including her name, address, and telephone number. Her phone rang endlessly and six men came to her apartment.

Computer crime has become so widespread that most Western industrialized countries have enacted laws against it. In the United States, much of this legislation has been enacted at the state level. Most U.S. states had computer crime laws on their books by the late 1970's or early 1980's. Federal statutes on computer crime are printed in Title 18 of the United States Code, especially sections 1029 and 1030.

The rapidly developing countries of eastern Asia have lagged behind in efforts to police computer crime, and in many of those countries software piracy has become a flourishing business.

Attention to security by programmers, systems managers, corporate management, and government agencies is the single most effective method of computer crime prevention. Many recorded cases of computer crime have been committed by previously honest individuals who spotted opportunities created by lax security methods and succumbed to temptation. The trend of replacing large mainframe computer systems with networks of personal computers raises further problems, because networks and personal computer operating systems do not have security features as effective as those designed for large systems.

Personal computers are also the most vulnerable to attacks by viruses. Virus detection and “disinfection” programs are available from a variety of vendors, sometimes on a free trial basis. Firewalls have also become vital equipment for Internet users having broadband connections, either through cable or via telephone company dedicated subscriber lines (DSL). Because these connections are always open, they present tempting targets for criminals who continually test them to see if they can enter and take control of other computers.

It is generally recognized that if the ethics of computer use were routinely incorporated into computer science and vocational training, people would have a better understanding of responsible behavior. They should know it is wrong to duplicate copyrighted programs and that it is wrong to access other computer systems without proper authorization.

*Charles E. Sutphen  
Updated by Milton Berman*

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SEE ALSO: Computer databases; Computer misuse; Computer technology; Fraud; Identity theft; Internet piracy; Napster.

## **Computer databases**

**DEFINITION:** Collections of information electronically stored on computers and organized in systematic ways designed to facilitate information retrieval

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Rapid advances in computer technology have made it necessary for courts to set forth legal standards governing the use of the information contained in databases. In addition to the legal principles governing database information, general ethical imperatives also govern the use of this data.

In a modern computerized and technologically oriented society, information and the ability to rapidly and accurately retrieve data are of paramount importance. Names, addresses, medical and credit card information are among the kinds of sensitive data being stored for retrieval in computer databases. As technology progresses, the sophistication, size, and relative invisibility of information-gathering activities increases.

Among the general ethical principles that govern computer databases are the needs to respect the privacy rights and confidentiality of individual persons and groups. Ownership rights in data must be respected by the users of information contained in databases, regardless of whether the data are protected by copyright, patent, trade secret or other intellectual property law provisions. Another ethical principle, avoiding harm to others, is also important in this connection.

#### **PRIVACY AND CONFIDENTIALITY**

Many types of data in computer databases are inherently sensitive in nature. In order to obtain many goods and services, such as credit cards, mortgages, insurance, and even medical attention, much personal information must be provided. Compilers of such information are responsible for ensuring that its accuracy and privacy are maintained. When databases are integrated, information from various sources may become available to unintended recipients. When that happens, the unintended recipients of the data should be mindful of their ethical obligation to safeguard the privacy rights of others.

Related to the issue of privacy is the question of

maintaining confidentiality of information contained in a database. When information provided to a database is subject to promises to safeguard it from disclosure, it is the ethical obligation of the database maintainers to protect that information. From time to time, individuals or organizations, including the government, may demand access to the information contained in databases. The moral right to access to database information should certainly presuppose a need to know on the part of the requestor. If requests for information are granted, the recipients should be subject to responsibilities similar to those of the database maintainers.

#### **AVOIDING HARM**

Enormous amounts of information are contained in databases, and those amounts were increasing exponentially at the beginning of the twenty-first century. Since information can become obsolete quickly, constant updating and revising are essential. In the rush to update and revise data, errors are inevitable. Database maintainers should be required to ensure that the information contained in their databases is as error-free as possible. In the event that erroneous data find their way into databases, and innocent persons suffer harm as a result, the injured parties should have recourse to remedies.

*Gloria A. Whittico*

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SEE ALSO: Computer crime; Computer misuse; Computer technology; Electronic mail; Electronic surveillance; Espionage; Identity theft; Information access; Inside information; Privacy.

## **Computer misuse**

**DEFINITION:** Unauthorized use of computer hardware or software that may cause damage, regardless of intent, to persons, property, or services

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The presence of computers in the workplace, libraries and other locations is almost universal. Therefore, businesses may face loss of productivity as a result of the misuse of the equipment and their digital resources. Ethical issues arise when the misuse is not the direct or indirect cause of damage, such as unauthorized remote examination of records or files.

Because of the rapid pace of technological innovation in computer technology and use in the late twentieth and early twenty-first centuries, many activities have become commonplace that several decades earlier would have seemed impossible. As the technology continues to develop, handling ethical questions relating to computer use have become increasingly important.

In *Computers, Ethics, and Society* (1990), M. David Ermann, Mary B. Williams, and Claudio Gutierrez offered a theoretical framework for discussions about which behaviors may be considered as blameworthy. For example, should it be considered as unethical simply to gain access to the computer files of other persons, without their permission and knowledge, even if there is no intention to destroy or alter those files? The authors suggest that utilitarian theorists might conclude that such acts are neither morally wrong nor morally right. No measurable harm actually results from the unauthorized access. An alternative approach would involve analysis of the act from the perspective of Immanuel Kant. The Kantian categorical imperative, that people must always treat other persons as ends in themselves and never merely as means to an end, might suggest the act of gaining unauthorized access to the files of another is morally wrong. By committing such an act, the actor fails to take into account the right of privacy of the person whose files have been accessed.

#### **WORKPLACES, LIBRARIES, AND ACADEMIC SETTINGS**

Many activities in the workplace create opportunities for computer abuse. For example, an employee



may have access to a computer with an Internet connection that enables the employee to perform tasks as assigned by the employer. The employer's expectation is that the computer will be used solely within the course or scope of employment. From time to time, however, this is not the case. Instances of computer misuse present ethical questions regarding the moral implications of those misuses.

Computer misuses in the workplace fall into at least three broad categories. First, there are misuses of a relatively benign, personal nature. Misuses in this category might involve online shopping, downloading files or trading stock in personal brokerage accounts, sending non-business-related electronic mail to relatives and friends, and so on. A second category might include such activities as downloading copyrighted material such as music or software, thereby potentially exposing the employer to copyright infringement liability. A third, and most severe, category of misuse would include forwarding or receiving pornography, producing and disseminating computer viruses, threatening or harassing others, committing fraud, hacking, or mishandling confidential information of the business itself or of its clients.

The misuses in the second two categories, while certainly posing serious ethical issues, may additionally expose the perpetrator to legal liability, either civil or criminal in nature. The activities in the first category, while not of a strictly illegal nature, nevertheless present questions of ethical import. While employees are involved in personal activities, they are not performing tasks assigned by their employers and may also be tying up limited office resources. One ethical question arising from such behavior is how the blameworthiness of such activities be determined. Some might argue that these misuses should not be evaluated any differently than any other actions that decrease workplace productivity, such as arriving late to work, leaving early, and taking overly long lunch breaks. Others would suggest that because of the public nature of the latter forms of misbehavior, they are easier for employers to guard against. By contrast, computer misuse activities typically occur in the relative privacy of individual employee offices and cubicles, leaving much if not all of the policing of such activities to the individual employees. For this reason, questions of ethics and individual choice are of paramount importance.

In addition to the types of computer misuses that arise in the workplace, libraries and academic setting such as high schools, colleges and universities face additional potential for misuse. Computer users in such environments are frequently children or teenagers. The free access to the Internet afforded by library and school computers presents risks in the form of sites on the World Wide Web dedicated to pornography and pedophilia. As a result, librarians face ethical questions of whether access to such sites should be blocked completely, thereby protecting younger patrons. This action would also serve to deny access to older patrons, who might not feel that the library was receptive to their information needs.

In response to computer misuse, many companies, libraries, and academic institutions have developed written policies containing lists of authorized and unauthorized uses. These policies also set forth penalties for failure to comply with their requirements.

Gloria A. Whittico

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SEE ALSO: Artificial intelligence; Computer crime; Computer technology; Electronic mail; Identity theft; Internet chat rooms; Napster; Plagiarism.

## Computer technology

**DEFINITION:** Electronic devices for storing, manipulating, and retrieving data.

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** The advent of the Information Age and the proliferation of computers creates a wide range of ethical issues, from the personal conduct of individuals using computers to public policy questions involving the equitable distribution of technological resources.

Many computer professionals face ethical dilemmas in their work. These dilemmas relate to protecting people's privacy by guarding against unauthorized access to confidential data and preventing the misuse of personal data. Computer professionals are obligated to design and program systems that ensure the accuracy of data, since critical decisions are made based on the output of their systems. Inaccurate information can have grave economic consequences and in some situations can even place people's lives in danger.

Computer professionals have opportunities to enrich people's lives. Conversely, through the improper application of their knowledge and talents, they can have devastating effects on large segments of society. This reality makes clear the necessity of an ethics for computer technology.

### BACKGROUND

Traditionally, computers and their use were looked upon as value-neutral. By the late 1960's, however, some ethicists and computer professionals were questioning this assumption. By the late 1980's, computer ethics was being recognized as a legitimate academic pursuit and a professional necessity. As a field between science and moral studies, computer ethics has attempted to define the values inherent in computer technology. Pioneers in this field include Walter Maner, Donn Parker, Deborah G. Johnson, James H. Moor, and Terrell Ward Bynum.

### PRIVACY ISSUES AND SURVEILLANCE

Computers are used to store massive amounts of information, much of which is personal and the subjects of which are deserving of protection against misuse of these data. Computer networking over various communication facilities, including ordinary

telephone lines, allows electronic access to this confidential information. This environment requires a heightened awareness of the potential for political abuses of personal liberties and commercial exploitation through insensitive misuse and inappropriate manipulation of personal information.

Computers can and are used to monitor activities in the workplace. They track work done on computer terminals, monitor phone calls, and browse electronic mail without the individual's knowledge of this activity. While some of these activities may be historically grounded in efficient business management practices (Fred Taylor introduced time and motion studies at the beginning of the twentieth century), the intensity of monitoring activities with computers raises ethical issues. Awareness of monitoring produces stress and contributes to health problems; employees who know that they are monitored feel that they are in an electronic straitjacket.

The invasion of privacy threat posed by computer monitoring is real. Improperly applied, monitoring is nothing short of eavesdropping on individuals' private lives. Employers may argue that every act by an employee while "on the clock" is their concern. This ethical dilemma needs to be evaluated on the basis of principles of fairness and quality of life in the workplace.

### POOR SYSTEM DESIGN AND ASSIGNING RESPONSIBILITY

One of the greatest obstacles to the ethical uses of computers is caused by incompetent system designers, however well intentioned, who develop and program systems that do not accomplish the required tasks, create frustration and aggravation for the users of the systems, and even generate erroneous information. In terms of their cumulative cost to organizations, individuals, and society, poorly designed systems that fail to utilize properly the power of the technology create the greatest and most persistent ethical quandaries. Error-prone, inflexible, unimaginative, and insensitive systems are an ethical issue because of the toll they take on human well-being.

Computers themselves do not have values: They do not make independent decisions, they do not make mistakes, and they can do only what they are programmed to do. The utilization of computer technology, however, is not a value-neutral activity. Faulty programs, invalid data, or lack of proper controls cre-

ates computer errors. It is unethical for computer professionals and users to attempt to transfer blame for errors away from themselves. This constitutes denying responsibility and lying.

Also key to this issue is that ethical norms must be applied to situations in which the computer is essentially involved, not passively involved; that is, where computer technology is used, or misused, in the actual perpetration of moral wrongdoing. For example, using a computer to gain unauthorized access to company secrets essentially involves the computer; stealing computer equipment, wrong though it may be, only passively involves the computer.

Using computers to do dull, repetitious, non-creative tasks is useful. Using them to replace workers simply for the purpose of reducing payrolls raises serious ethical questions of fairness and obligation. Computer technology ought to be applied in the workplace in ways that allow time for and actually encourage the pursuit of more creative activities.

#### INTELLECTUAL PROPERTY

Computer technology focuses attention on the whole issue of intellectual property because computer software is often viewed as such. Some people argue that programmers who write software create in much the same way that an author or an artist creates. Others argue that programming is simply stringing together series of instructions and algorithms that are in the public domain. Therefore, programming is not truly creative, and the end product is not someone's intellectual property.

For those who subscribe to the argument that software is intellectual property, the question of ownership must be answered. Does the programmer, as creator, own the software? Does her employer, who is paying her to create the software, own it? Should those who work to develop software or pay others to develop it expect to be reimbursed by those who use it? Still others argue that all software is in the public domain, since it is nothing more than ideas and thoughts, actualized on a computer, and therefore is not intellectual property at all. Proponents of this latter view oppose exclusive "ownership" of any software.

If the ownership of software can be established, however, then unauthorized use of the software raises serious ethical questions.

*Edwin R. Davis*

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SEE ALSO: Artificial intelligence; Computer crime; Computer databases; Computer misuse; Internet piracy; Robotics; Technology; Virtual reality.

## Comte, Auguste

IDENTIFICATION: French philosopher

BORN: January 19, 1798, Montpellier, France

DIED: September 5, 1857, Paris, France

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Comte was a founder of the philosophical school of positivism, which he laid out in a six-volume course on positive philosophy (1830-1842). He also helped to create the nascent discipline of sociology, from which viewpoint he argued that "moral progress" was a fundamentally social phenomenon and a crucial societal responsibility.

A social theorist as well as a philosopher, Auguste Comte believed that the history of humankind passed through three distinct stages: a theological phase, a transitional metaphysical period, and finally the modern age. The primary focus of this historical evolution, and indeed of all human activity, was “moral progress.” Despite his broad societal framework, however, Comte was deeply concerned with the fate of the individual within modern society.

Comte recognized the problems associated with modern society and the impact of science and the industrial order. He searched for elements of a good and ethical society that could command a consensus in the midst of varying individuals’ beliefs. Further, he looked for a common ground for agreement on values in spite of the turbulent alterations in the structures of modern society. Finally, although Comte advanced the concept of a communal or societal order, he recognized the need for personal fulfillment in this ethical society. Comte has been criticized for his pro-Catholic and anti-Protestant statements and sentiments.

*William T. Walker*

SEE ALSO: Ayer, A. J.; Hart, H. L. A.; Humanism; Language; Morality; Santayana, George.

## Concentration camps

**DEFINITION:** Places in which groups of people are confined, tortured and killed by recognized governments advancing authoritarian, totalitarian, or racial supremacist policies

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** During the twentieth century concentration camps were used by nation-states to deny human, civil and political rights to individuals who were viewed as enemies or potential dangers to the states because they held dissenting political views or were members of racial or ethnic groups that were viewed as dangerous or undesirable.

Prisoner-of-war camps have been a part of history from antiquity; however, the use of concentration camps to confine political prisoners or “enemies of the state” has been largely an invention of the late

nineteenth and twentieth centuries. From the arbitrary confinement of Native American tribes in “reservations” by the United States government during the nineteenth century and the British treatment of enemy civilians by the British during the South African (Boer) War, through the death camps of Nazi Germany, the internment of Japanese Americans in the United States during World War II, the gulag camps of the Soviet Union, and the ethnic cleansing of the 1990’s in the former Yugoslavia, these concentration camps have violated basic human rights and freedoms with the sanction of the state.

Governments and societies that tolerate concentration camps usually are experiencing periods in which the prevailing political sentiment supports a cultural view that is based on the dominant interests of the group, not those of the individual. The fascist ideology that succeeded in Nazi Germany, Benito Mussolini’s Italy, Francisco Franco’s Spain, and Juan Peron’s Argentina, was based on a corporate philosophy of society in which the state’s interest was paramount and there were no individual human rights that were sacred.

### FASCIST STATES

Fascism has historically been characterized by authoritarianism, totalitarianism, militarism, organic views of the state as a “living” reality, and ethical systems that have been the antithesis to Western liberal democracy, which is predicated on liberty and the recognition of the value of the individual. During the 1930’s and 1940’s Adolf Hitler’s fascist regime in Germany used concentration camps to confine political and religious opponents—Jews, Roman Catholic clergy, Gypsies, homosexuals, prostitutes, and others. The victims were treated in inhumane ways; substandard housing and food were provided, little or no health care was available, forced labor was excessive, and torture and arbitrary executions were used.

Through fascist ideology and Nazi anti-Semitism more than eleven million people, including six million Jews, were killed during the Holocaust. The most notorious of the Nazi concentration camps were Auschwitz, Bergen-Belsen, and Lublin-Majdanek.

Joseph Stalin’s communist regime in the Soviet Union also maintained concentration camps before, during, and after World War II. These “corrective labor camps” imprisoned dissenters, farm leaders, edu-





*Bodies carted from a liberated Nazi concentration camp at the conclusion of the European sector of World War II. (National Archives)*

cators, intellectuals, and others who were viewed as threats to the Soviet state. While the systematic executions that occurred in Nazi camps were not replicated in the Soviet Union, millions of Russians and others died because of Soviet mistreatment. The system of Soviet camps has been called the gulag and included five major camp clusters. The Soviet rationale for these concentration camps and the terrors that they witnessed was based upon the Marxist view of history in which the state viewed individual human rights as expendable. As was the case in fascist ideology, Soviet communism was fundamentally focused on a group or collective view of history; individualism, and therefore individual human rights, was not of value.

### OTHER STATES

Concentration camps have also appeared in societies that were not fundamentally authoritarian. For example, the U.S. government established concentration camp-like devices in handling Native American tribes, including the Sioux, Apache, and Cherokee peoples. The federal government also established internment camps for Japanese Americans during World War II. In early 1942, President Franklin D. Roosevelt signed an executive order that authorized interning Japanese Americans in camps for the duration of the war against Japan. Fearing that the large number of Japanese Americans living along the Pacific Coast would betray the United States and contribute to its defeat, Roosevelt's administration set up camps in remote regions of the western part of the country. Internees lost much of their property and virtually all their legal rights during the period from 1942-1945. Nearly a half-century later, the federal government formally apologized and paid cash settlements for the hardships experienced and the abrogation of the rights of the Japanese Americans.

After the late 1980's and early 1990's political revolutions in Eastern Europe and the collapse of the Soviet Union, concentration camps appeared in the former Yugoslavia when the Serbs introduced a policy of ethnic cleansing in order to gain control of Kosovo and expel non-Serbs. These camps resulted in the deaths of hundreds of Albanians and others. The United Nations intervened and the Serb nationalist leader Slobodan Milošević was removed from power in 2000 and was later tried as a war criminal.

The United Nations issued the Universal Declaration of Human Rights in 1948 as a reaction to the horrors of concentration camps and the denial of human and political rights. While it is hoped that concentration camps will never again reappear, Human Rights Watch, Amnesty International, and other groups remain vigilant in the defense of individual rights.

*William T. Walker*



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SEE ALSO: Bosnia; Choiceless choices; Ethnic cleansing; Fascism; Genocide and democide; *Gulag Archipelago*; Holocaust; Japanese American internment; Nazi science; Nazism; Nuremberg Trials; Wiesel, Elie.

## Confidentiality

**DEFINITION:** Expectation that disclosures made in certain relationships will remain private

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The confidentiality of communications between lawyers and clients, doctors and patients, and those in similar relationships, is generally deemed to be necessary for the good of society, but there are times when adherence to that principle can pose ethical and legal dilemmas.

Many professions have ethical rules requiring their members not to disclose confidential communications—roughly the same thing as keeping a secret—under most circumstances. A secret is information that is told to someone else with the reasonable ex-

pectancy that it will be private. Anything disclosed when other people can overhear it is not confidential. The ethical rules do not attempt to control general gossip. They cover only secrets revealed to professionals during professional work. Some laws (privileges) protect professional confidences. Other laws (exceptions to privilege and reporting statutes) permit or force the betrayal of confidentiality. These laws create new ethical dilemmas.

The concept of professionals having an ethical obligation to maintain confidentiality dates back to writings known as the *Corpus Hippocraticum*, attributed to the Greek physician Hippocrates about 400 B.C.E. Hippocrates is credited with stating: “Whatever I shall see or hear in the course of my profession . . . if it be what should not be published abroad, I will never divulge, holding such things to be holy secrets.” This rule of confidentiality became a core concept in the medical ethics of the sixteenth century, when physicians discovered that infectious diseases were being spread by diseased persons who feared that disclosure of their condition would cause them to be punished by social isolation.

Physicians continued to apply the rule of confidentiality and, with time, the ethical codes of all mental health-related professions incorporated it. In the twenty-first century, it is a universal ethical concept in the helping professions and is seen as vital to promoting the full client disclosure necessary for effective treatment.

### CONFIDENTIALITY AND THE PROFESSIONS

Psychotherapy is assumed to require the honest communication of clients' secret private feelings and the subsequent treatment of clients' symptoms. Clients will not reveal such matters if they do not trust the professional to keep them secret. Such trust, which is assumed to be essential for effective treatment, requires firm rules requiring that things that are said in confidence be kept confidential. Violating the client's expectations of privacy violates professional ethical rules, the client's constitutionally based civil rights, and most state laws that govern professional conduct. Violations can give rise to lawsuits.

Hippocrates' basic insight that physicians can best perform their duties if their clients trust them enough to reveal sensitive information also applies to other nonmedical professions. Legal clients will not discuss sensitive details of their cases if they do not

trust their attorneys. Penitents will not bare their souls to clerics if they fear gossip about their confessions. News sources will not speak to reporters if they fear that their lives will be disrupted by disclosure of their identities. Business clients are reluctant to allow accountants access to sensitive business data without assurances of privacy. Therefore, all these professions have also developed ethical traditions of confidentiality to reassure clients that it is safe to speak freely with members of these professions.

**LEGAL PRIVILEGE AND ITS EXCEPTIONS**

All traditions of confidentiality in the ethics of professions thus arise out of utilitarian considerations. Many of these considerations are considered so important that laws have been passed creating legal rights (privileges) for some professions to protect some types of confidences even against court orders. The attorney-client privilege, the oldest such privilege, is universal in the Anglo-American legal tradition. Most U.S. states also recognize the physician-patient, cleric-penitent, and psychotherapist-client privileges. The psychotherapist-client privilege does not apply to all mental health professions in all states. Communications with other professionals, such as divorce mediators and accountants, are privileged in some states. Members of professions having a privilege are ethically required to assert that privilege to protect confidential information when they are served with subpoenas. Communications in certain nonprofessional relationships, such as marriage, may also be privileged.

In recent years, courts and legislatures have decided that the social benefits of privileges are not as important as access to information in some types of situations, and they have created exceptions to privilege (preventing protection of information) and reporting statutes (requiring disclosures). Examples of exceptions to privilege include a therapist’s duty to disclose threats made by a client against another person. Further, both medical and mental health professionals are legally required by reporting statutes to violate confidentiality when the subject matter is child abuse.

These exceptions to privilege and reporting statutes create new ethical dilemmas for professionals and for professions. Jail terms and fines have been used to punish the defiant. Obeying has put professionals in opposition to the ethical standards of their professions. The professional associations have retreated after fierce opposition. Today, the ethical codes of most professional groups say that the professional must protect confidentiality to the extent allowed by laws and legal duties. The Principles of the American Psychological Association (APA) state that confidentiality should be maintained unless to do so would clearly increase danger to the client or to another person or unless the client or the client’s legal representative has given consent to disclose. The American Counseling Association (formerly the AACD) requires members to take reasonable personal action or to inform responsible authorities when they are faced with clear and imminent danger to the client or others.

**Areas of Professional Confidentiality**

<i>Professional field</i>	<i>Confidential subject matter</i>	<i>Exceptions</i>
Physicians	Patients’ medical information	Signs of child abuse and information about certain contagious diseases
Lawyers	Almost all client information	Information regarding future crimes
Journalists	Identities of news sources	
Mental-health professionals	Almost all patient information	Information regarding potential dangers to patients or others or to child abuse
Clerics	All parishioner information	
Accountants	Clients’ business data	Blatantly fraudulent tax information

Although the new flexibility in the ethical rules solves one set of problems, it also creates another set. Clients may feel betrayed when a professional discloses confidential information for legal reasons. Required disclosures can violate professional ethical duties to help clients (beneficence) and not to harm them (nonmaleficence). Revealing a client's past child abuse because of a reporting statute may betray that client's trust and make further therapy impossible. One solution is to have the professional explain to the client, in advance of any professional services, what is confidential and what is not. Many professionals reject this approach because they believe that prior warnings make the therapy process seem too legalistic and inhibit client trust.

Another approach is to keep required disclosures as limited as possible. Ethical guidelines for school counselors call for reporting information disclosed by pupil clients that reveals circumstances that are likely to have negative effects on others without revealing the identity of the student.

*Leland C. Swenson*

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## **Conflict of interest**

**DEFINITION:** Situation in which two or more interests are not mutually realizable

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The irreducible conflict of different kinds of interests, between people and especially within a single person, is often resolved by recourse to morality as a "trump value." In the absence of any other principle for deciding between competing interests, the most moral choice is usually assumed to be the appropriate one.

In pursuing their lives, individuals must establish goals and put into practice plans to achieve them. A goal to which an individual is committed is commonly called an "interest" of that individual.

Not all goals can be achieved. Many people set impossible goals, goals that conflict with the nature of reality—for example, the goal of discovering the secret of instantaneous interplanetary travel. Individuals can also set goals that conflict with each other—for example, a student of below-average intelligence setting the goals of getting A's in all of his courses while working a full-time job and playing a sport. Individuals can set goals that conflict with the goals of other individuals—for example, a burglar's goal of stealing a television conflicts with the owner's goal of keeping it.

Conflicts of interest can also arise in professional agent/client relationships. An agent can be hired by two clients with conflicting interests or can have a personal interest arise that conflicts with his or her professional role. An example of the former is a cor-

porate director who is offered a job in a government agency that regulates her corporation. An example of the latter is an attorney who is hired by the plaintiff in a case in which the defendant turns out to be an old school friend.

Professional agent conflicts of interest raise moral concerns because such conflicts make it more difficult for the agent to be objective in evaluating the interests of both sides; thus, the clients are less certain that the agent will act in their best interests.

The above cases present no intractable moral problems, since all of them arise either because of ignorance (instantaneous travel), unrealistic expectations (the student), illegitimate goals (the burglar), or happenstance that makes objectivity more difficult but not impossible (the attorney and the director). Throughout most of the history of philosophy, however, the standard view has been that conflicts of interest must necessarily exist. This thesis is a conclusion derived from premises about human nature and the creation of values.

### HUMAN NATURE

In dualist theories of human nature (such as those of Plato, Christianity, and Sigmund Freud, to take three influential examples), one part of the self (for example, the appetites, body, or id) is said to have innate interests that are absolutely opposed to those of another part of the self (for example, reason, the soul, or the superego). Intractable conflicts of interest are thus built into human nature.

Reductive materialist theories tend to necessitate conflicts of interest among individuals. In Thomas Hobbes's theory, for example, human nature is constituted by drives for gain, safety, and glory that can be satisfied only at the expense of others. In the absence of social mechanisms created to mediate these conflicts of interest, life is "solitary, poor, nasty, brutish, and short."

In economics, the premise that someone's gain is always balanced by someone else's loss is called the "zero-sum" premise. Competitive games are often offered as zero-sum metaphors for life. Someone wins and someone loses; both parties want to win, but a conflict of interest exists since only one can.

### ETHICAL IMPLICATIONS

If conflicts of interest are fundamental to human social relationships, then ethics is about resolving

conflicts. Since such fundamental conflicts of interest can be settled only by someone's interests being sacrificed, however, it follows that ethics is about deciding whose interests must be sacrificed.

Against the standard view is the position that all conflicts of interest are a result of error, not of human nature or zero-sum theory. The harmonious thesis holds that human nature is at birth a set of integrated capacities rather than an aggregation of innate, conflicting parts. The capacities exist to be developed so as to be able to satisfy one's needs, and it is by reference to one's needs that one's interests are defined. Since one's ultimate need is to maintain one's life, one's interests are defined by reference to maintaining one's life. Because life is a long-term endeavor, it follows that one must adopt long-range principles by which to guide one's actions.

Many principles are involved, but of special relevance to the question of conflicts of interest are the principles that life requires individual effort and that each individual's life is an end in itself. If these principles are true, then since other individuals are not one's property, one's interests must be specified by what one can do by one's individual effort. In a society based on the division of labor, this means that one must produce goods for trade. Since trade is a voluntary exchange, the long-range social principle is to interact with others on a mutually voluntary basis. If this broad, long-range context is established as the framework for defining interests, then social cooperation rather than conflict is a consequence of pursuing one's interests.

### WIN-WIN

The zero-sum account of production and distribution can also be challenged. If one purchases gasoline, the exchange is win-win for oneself and the gas station owner. Michelangelo's sculptures and Thomas Edison's inventions were not produced at the expense of those who did not create them; therefore, the sculptures and inventions are a net gain for everyone.

If legitimate interests are not in conflict, then it follows that personal and social harmony are possible without the sacrifice of legitimate interests. Accordingly, the task of ethics will not be to decide who must be sacrificed, but rather how to identify and fulfill legitimate interests.

*Stephen R. C. Hicks*

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SEE ALSO: Compromise; Ethics in Government Act; Hobbes, Thomas; *Leviathan*; Nietzsche, Friedrich.

## Conflict resolution

**DEFINITION:** Set of nonadversarial techniques for the satisfactory adjudication or mediation of struggles and disputes

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Conflict resolution embraces an egalitarian ethic which rejects zero-sum models of competition and seeks a conclusion which will benefit all parties in a dispute.

Arguments, yielding, yelling, stalling, threats, coercion—these are all images of conflict. It is understandable that some people try to avoid dealing with any conflict. Yet there are techniques for resolving conflict productively and ethically. Many people are familiar with the concept of "win-win" negotiation, but few actually practice it. It seems, however, that "principled conflict management," as some call win-win negotiation, is finally moving into the mainstream. Universities are granting advanced degrees in conflict management and creating advanced centers of study such as the Harvard Negotiation Project. Nonadversarial, alternative dispute resolution methods, such as mediation, are now required in many

contracts. Empowerment management styles such as Total Quality Management and Self-Directed Work Teams require win-win conflict management to be successful.

Authors Joyce L. Hocker and William W. Wilmot, in their book *Interpersonal Conflict*, find that "One of the most dysfunctional teachings about conflict is that *harmony is normal and conflict is abnormal*." Some people think of conflict as the result of "personality clashes." In fact, however, conflict is a natural process that is inherent in all important relationships. Conflict is here to stay. No one can change that, but people can change their perceptions of conflict and the ways in which they manage it.

**AVOIDANCE AND COMPETITIVE NEGOTIATION**

There are three basic styles of conflict management: avoidance, competitive negotiation, and principled negotiation. Many people use more than one style, depending on the situation. Avoidance is very common when people perceive conflict as a negative and conflict resolution as an unpleasant problem. Avoidance can be useful when open communication is not possible, when the issue or relationship is not important to one—something one regards as trivial and not worth the energy required to reach a mutually agreeable solution—and when the costs of confrontation are too high. Continual avoidance of conflict, however, can be highly destructive.

Competitive negotiation is the familiar win-lose style. In this approach, each party pressures the other to change. Control, coercion, threats, walkouts, and lying are techniques that are employed. One pursues one's own concerns at the expense of another. Competitive negotiations work with set positions or predetermined solutions. Each party comes to the negotiations with a "solution" to the conflict and attempts to get the other to change or give up something. With this style someone always loses. Someone is disappointed. Someone may leave angry and wish to "get even" the next time. Competitive negotiation can be useful if the external goal is more important than the relationship or if the other party really has one's detriment at heart; for example, when there has been physical abuse in a divorce case. Relationships are rarely enhanced by competitive negotiation. The goal has to be so important that one is willing to sacrifice the relationship.



### Guidelines for Principled Negotiation

1. Attack problems, not people.
2. Build trust.
3. Start discussion and analysis of the interests, concerns, needs, and whys of each party—the essence of principled negotiation. Begin with interests, not positions or solutions.
4. Listen.
5. Brainstorm. Suggesting an idea does not mean you agree with it. Solve problems. Develop multiple options.
6. Use objective criteria whenever possible. Agree on how something will be measured.

#### PRINCIPLED NEGOTIATION

Principled negotiation, also called collaborative negotiation, is the win-win style. With this model, one strives for a mutually favorable resolution to the conflict by inducing or persuading the other party to cooperate. While competitive negotiations start with positions or solutions, in principled negotiations the parties do not come with predetermined solutions. Instead, they come with interests, specific needs, or underlying concerns that may be met in several ways. The parties may have ideas about solutions, but they are not attached to them. They are open to different solutions, provided that their key interests, concerns, and needs are met. Principled negotiation takes the approach that the parties have both diverse and common interests and that, in the end, both parties will have their interests satisfied. The needs of each party are revealed, and both work to find mutually agreeable, and often new, solutions.

Although principled negotiation can be empowering for both parties and can lead to a long-term solution to the conflict, it has some disadvantages. It requires keen perception, good communication skills, and creativity. It also takes time and requires trust.

#### COMMUNICATING EFFECTIVELY

Conflict is more often than not a product of communication behavior. Therefore, resolving conflict starts with improving communication skills. For most people, listening is “waiting to talk” rather than lis-

tening and validating (not necessarily agreeing with, but acknowledging) what the person is saying. Listening is more effective when the listener demonstrates that he or she understands by using phrases such as “I hear you saying that . . .” It is also effective to ask questions and to speak from the “I” position, saying what he or she thinks, rather than attacking the other party. It is more effective to say “I feel discriminated against” than it is to say “You are a racist.” When one party takes a stance and “attacks” from a positional view, it is wise for the other party to break the cycle by refusing to participate in that destructive style of conflict management. In such a case, it is often effective for the party who is being attacked to express his or her own interests, to ask why the other party has this view, and to listen to the response. Of-

ten, when people are “heard,” they soften their positional stands. Understanding need not imply agreement. When one party understands the other, then that party can calmly explain his or her concerns, needs, and interests, inviting the other party to cooperate to find a solution. It should be kept in mind that the two parties have a relationship and that it is better for both parties to resolve the conflict in an agreeable manner.

Principled negotiation is not appropriate for all conflicts, but it is a technique that deserves to be used more widely. It is the only style of conflict management that gets results and maintains and even enhances relationships.

*Kathleen D. Purdy*

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## Confucian ethics

**DEFINITION:** Maxims and prescriptions for social and political behavior based on writings by Confucian philosophers

**TYPE OF ETHICS:** Classical history

**SIGNIFICANCE:** In addition to their continuing relevance to modern ethics, Confucian moral principles have influenced Asian and world history, serving as guidelines for personal and professional conduct for rulers, officials, and the upper classes in China, Korea, Vietnam, and Japan.

First postulated during the feudal period in China (771-221 B.C.E.), Confucian ethics sought to effect peace and harmony in Chinese society. Starting with simple maxims, the school gradually developed into a comprehensive system of ethics that was primarily political but also emphasized social and religious conduct. Never a popular religion, its rites and ethical dictates were practiced by elites in several East Asian countries.

### HISTORY

The first thinker in China to address the problem of the wars and uncertainty that characterized the breakdown of the feudal system was Confucius (Kongfuzi), who lived from 551 B.C.E. to 479 B.C.E. His solution to the problem of societal breakdown was to return to an idealized form of feudalism. Such a system would be based on the family; the king would act as father and role model for his subjects, who in turn would behave like filial children. While emphasizing hereditary rights, Confucius also called upon kings to act in a kingly fashion and upon noblemen to act with noble integrity. If this were done, laws would be unnecessary.

The next major Confucian, Mencius (371-289 B.C.E.), in response to the accelerated decline of feudalism, added to the responsibilities of the king welfare projects and the requirement to hire officials on the basis of merit and education rather than birthright. Mencius stipulated that those who worked with their minds were entitled to be the ruling class, thus creating the idea of a literocracy rather than a hereditary aristocracy. A ruler who did not provide for his people should be replaced by another member of his family.

The next major Confucian, Xunzi (298-238 B.C.E.) expanded on Confucian themes, but unlike Confucius and Mencius, who either implied or asserted that human nature was good, Xunzi argued that human beings were born evil. It was human nature to seek to be good in order to protect oneself, thereby engaging in a form of social contract with the state. All three philosophers considered that human beings could be good. To Confucius, the ruler and the nobility had to provide the proper role models. Mencius added the obligation to provide education and welfare to the weak and needy. Xunzi's ideal ruler, however, could also mete out rewards and punishments in order to weed out incorrigibles and promote social harmony.

During China's Eastern Zhou and Qin Dynasties (771-210 B.C.E.), the Confucian school was neither large nor powerful. In fact, the prime minister of the Qin (221-210 B.C.E.) persecuted Confucians despite the fact that he had been Xunzi's student. During the Han Dynasty (206 B.C.E. to 9 C.E.), Emperor Han Wudi (140-86 B.C.E.) made Confucianism the official school of China. This action was primarily the result of efforts of the emperor's minister Dong Zhongshu (179-104 B.C.E.), who combined Confucianism with other schools and also suggested that a ruler was a cosmic figure who coalesced the forces of Heaven, Earth, and Humanity. No doubt the prospect of having well-behaved citizens who were loyal to the throne also contributed to the emperor's decision.

By the end of the seventh century C.E., there was a regularized examination system that required prospective officials to know the Confucian canon by memory. In this way, the imperial throne sought to ensure that its officials would all adhere to the high moral standards of Confucianism. Subsequent neo-Confucian thinkers cemented the symbiotic relationship between the absolute throne and the Confucian literocracy by assuming responsibility for many of

the failures of any given monarch or dynasty. Confucians accepted the displacement of one dynasty by another, ascribing such changes to the moral deficiencies of dynastic family. They did, however, fight tenaciously against any efforts to alter the system itself.

In 1911, when the last dynasty fell, an already weakened Confucian literocracy fell as well, although the religious and social practices of Confucianism have survived to some degree in many places in Asia.

### ETHICAL PRINCIPLES

In addition to requiring a monarch to set a proper moral example for his subjects, Confucius stressed that all humans should strive to be *ren*, which generally means “humane.” Expressed by the character combining the meanings “man” and “two,” this concept called for people to be considerate and compassionate toward one another. One method of developing one’s *ren* was to observe the proper rituals and ceremonies. It was essential that people be obedient and loving toward their parents and superiors, who, in turn, should be kind and nurturing. Other concepts presented by Confucius and developed by his disciples included *li* (“principle”) and *yi* (righteousness), both of which connoted acting in accordance with ancient precedents.

Mencius and Xunzi further developed the concept of the five cardinal human relationships. These involved affection between father and son, respect between husband and wife, hierarchy between the old and the young, propriety between ruler and minister, and loyalty between friend and friend. All three of the Eastern Zhou philosophers stressed ritualistic behavior in order to achieve discipline and nurture moral principles.

With the syncretism of Dong Zhongshu and of later neo-Confucians, other concepts of ethical behavior were incorporated from Daoism and Buddhism into Confucianism. Concepts such as *qi* (“inner spirit”) crept into Confucian theory and practice. Nevertheless, the basic principles of Confucian morality were evident by 250 B.C.E. and have remained fairly consistent to this day.

*Hilel B. Salomon*

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## Confucius

IDENTIFICATION: Ancient Chinese philosopher

BORN: Kongfuzi or Kongzi; 551 B.C.E., state of Lu (now in Shandong Province), China

DIED: 479 B.C.E., Qufu, state of Lu (now in Shandong Province), China

TYPE OF ETHICS: Classical history

SIGNIFICANCE: The founder of one of the world’s most influential systems of philosophy, Confucius integrated governing with the teaching of morality. He developed the moral category of the “elite scholar,” the moral principles of *ren* (humanity) and *li* (rites), and advocated basic virtues such as “filial piety.”

Confucius lived at a time when the ancient empire of China was being broken up into numerous feudal states, whose struggles for power or survival created an urgent need for able state officials. For the first

time in Chinese history, it became possible for a commoner to attain high court position and to effect political changes. A new class of literati was thus formed in Chinese society. As one of the forerunners of that class, Confucius was greatly distressed by the chaotic situation of his time, which was characterized by corruption, conspiracy, and usurpation in courts; harsh measures of oppression carried out against the people; and aggressive wars between states. He believed that this was a result of the moral degeneration of the rulers and that the only way to correct it was to teach and to practice morality.

Unable to persuade the rulers of his time to listen to his morally oriented political advice, Confucius devoted his life to teaching a large number of private students, in order to foster a special group of elite scholars (*junzi*, or superior people) who would serve the needs of the time and realize his political ideals. His teaching was made authoritative by the Han emperors in the second century B.C.E. and became the official Chinese ideology until the beginning of the twentieth century. The earliest biography of Confucius was written by Sima Qian in his *Records of the Historian (Shiji)* at the beginning of the first century B.C.E.

The *Analects (Lunyu, late sixth or early fifth century B.C.E.)* is a collection that consists mainly of Confucius's teachings, comments, and advice, along with some contributions from his main disciples. Also included are short records and descriptions of issues that concerned Confucius. The work was compiled and edited by the students of Confucius's disciples a century or so after his death. It was beautifully written, and many of the sayings contained in it became proverbs and everyday maxims. It is one of the most reliable texts among the Chinese classics, and it provides the most accurate information about Confucius and his teachings. The primary text of Confucianism, the *Analects* was the most influential book in China until the early twentieth century.

### JUNZI AND SELF-CULTIVATION

*Junzi* originally meant the son of a nobleman. Confucius used the term to mean a person with a noble character. It means an elite, superior man in a moral sense. The way to be a *junzi* is not by birth but



Confucius. (Library of Congress)

by self-cultivation, which for Confucius is a synonym for learning. A *junzi* is a true scholar—that is, an elite scholar.

Confucius was famous for not discriminating on the basis of the social origins of his students. Anyone could choose to engage in learning, and thus to cultivate himself and become an elite scholar. It was not Confucius's aim, however, to turn everybody into *junzi*. He was characteristically practical and accepted the fact that his society was a hierarchical one. The majority belonged in the category of the inferior man, who was not required to espouse the high morals of the *junzi*. In fact, to be a *junzi* means to sacrifice one's own interests for the benefit of others. It is only natural to allow the majority to concentrate on their own interests instead of asking them to sacrifice themselves for morality's sake, given the social condition that the majority was governed by the rulers through the hands of elite scholars.



**REN AND LI**

*Ren* (humanity or benevolence) is the leading principle for self-cultivation. To be *ren* is to love others, though one should still differentiate in the degree of love among different social relationships. The love that is advocated is ultimately, however, and in its highest sense, directed toward the majority. In other words, one should never do to others what is undesirable to oneself.

*Li* is the principle of acting in accordance with custom, of preserving a special code of ceremony, and of performing the rites appropriate to one's social status. The emphasis on *li* is not only a way of guiding one's moral behavior for self-cultivation but also plays an important role in integrating governing with the teaching of morality.

**GOVERNING BY MORALS RATHER THAN BY LAW**

For Confucius, the ideal government is a moral government. It does not govern by rules, regulations, or laws, but by taking care of people's interests and teaching people to be moral. The rulers themselves must act morally, in order to set a good example for the people to follow. *Li* dictates the norm of proper social behavior for both rulers and the people. Observing *li* keeps all people in their social positions and thus makes the society stable. Confucius believed that a stable society would naturally become prosperous.

*Weihang Chen*

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SEE ALSO: Confucian ethics; Daoist ethics; Mencius; Mozi; Wang Yangming; Zhuangzi.

**Congress**

**IDENTIFICATION:** Legislative branch of the U.S. federal government that comprises the House of Representatives and the Senate

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Throughout their histories, both houses of Congress have struggled to codify and implement ethics rules for their members.

The U.S. Constitution gives each house of Congress the authority to discipline its own members. Consequently, each house has established an ethics committee. These committees have equal numbers of members from each major party, for a total number of four members in the Senate Select Committee on Ethics and ten in the House Committee on Standards of Official Conduct.

Upon committee recommendations, a two-thirds vote of the House of Representatives can expel a member. It takes but a simple majority vote to censure a member as well as to reprimand a member, a lesser penalty. In some cases the committee itself simply sends an offending member a letter of reproof. However, the committees may also fine members, order restitution in appropriate cases, suspend a member's voting rights, or inflict other penalties. On some occasions, no penalties are imposed.

**A CASE OF EXPULSION**

In 2002, Representative James A. Traficant of Ohio was expelled from the House of Representatives for bribery, racketeering, and tax evasion. His offenses were matters of individual ethics, not institutional ethics. (While he was still in the House, his daily one-minute speech before the House usually ended with "Beam me up, Scotty, there's no intelligent life down here.") His case could have been treated as a breach of institutional ethics, as his



behavior appeared to cast aspersions on Congress, thereby lowering the public's confidence in the body. However, institutional ethics are rarely seen as a problem in Congress, although the House rules, for example, stress the institutional. Personal ethics are almost always the focus in ethics cases, even though institutional ethics tend to be more serious. Misbehavior such as taking a bribe is more concrete and thus easier to deal with.

Traficant's case was not typical of either kind of ethics. It was only the second time that the House voted to expel a member since the Civil War. The expulsion was voted only after Traficant had been convicted of the same charges in a court of law. Membership in an ethics committee is not something that congresspersons typically seek. It is difficult to sit in judgment on colleagues with whom one has worked closely and still remain objective. When does one's party affiliation play a legitimate role? In Traficant's case, it was a matter of a Democrat who usually voted with the Republicans. It simplified things for the committee when a court earlier found him guilty of criminal acts, leaving the committee to recommend expulsion by an unanimous vote prior to the vote of the whole House.

Is it a good idea to let the courts decide ethics cases? Some believe it is. Others hold that ethical and legal matters should be decided separately as the criteria are different. Besides, court cases are not likely to deal with institutional corruption, such as the short-circuiting of the democratic process or aiding in bringing Congress into disrepute, even if only giving the appearance of doing so. The appearance factor is taken seriously in Congress.

### **PERSONAL CORRUPTION**

The practice of accepting cash payments (honoraria) has been common among senators and representatives. The abuse of this practice became public information in the cases of Minnesota's Republican senator David Durenberger and Speaker of the House Jim Wright during the 1990's. Both men also sold their own books at their speaking engagements. Other charges were leveled as well. Durenberger, for example, was using public funds to maintain a residence in Minneapolis. This was technically legal; however, he owned the residence himself and was thus paying rent to himself. In July, 1990, he was unanimously denounced by the Senate but retained

his seat there until 1995. In May, 1989, Wright resigned from his House speakership, and a month later he resigned from Congress. Congress has since banned its members from accepting honoraria for public speeches. It has also set out in detail rules about what is legal and what is not in the writing and selling of books and articles.

### **OTHER CASES**

During the early 1990's, five U.S. senators from different states were involved in aiding financier Charles H. Keating, Jr., in his attempt to bail out Lincoln Savings and Loan Association of Irvine, California. A Senate investigation found that the most culpable senator involved in the scheme was California's Alan Cranston, who had received campaign donations from Keating while pressuring an independent regulatory commission on Keating's behalf. That Cranston gave most of the money to charity did not save him from a reprimand. The other four senators were given lesser penalties.

In 1991, Senator Alphonse D'Amato was rebuked for allowing his brother to use his office to lobby the Department of the Navy. In 1983, two representatives were censured for sexual misconduct with House pages. Several members of Congress have been cited for drug use with none censured. The franking (free postage) privilege has been abused by some. Taking illegal campaign contributions that were really bribes happens now and again. The point of all this is that it is difficult to deal with ethical infractions in Congress and ethics committees are reluctant to do so. That there must be a better way is a common comment. However, Congress seems to want to keep it this way.

### **PUBLIC MISUNDERSTANDING**

Not all congressional scandals are actually scandals. The so-call House Bank scandal of the early 1990's is a case in point. The public did not understand that it was not a bank in the usual sense of the term. Some representatives wrote checks on the bank while not having deposited sufficient funds to cover them. However, that in itself was not an offense. The members paid back the money when it was convenient to do so. The institution had been established for that purpose. However, the media did not make it clear that such was the case. Many House members lost their seats due to the consequent mis-

understanding—a case of outrage fueled by uninformed opinion. It can be viewed as a case of institutional corruption by the entire House for failing to consider the possible appearance of corruption and not remedying it.

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SEE ALSO: Civil Rights Act of 1964; Equal Rights Amendment; Ethics in Government Act; Lobbying; National Labor Relations Act; Politics.

## Congress of Racial Equality

IDENTIFICATION: Organization that, looking to Africa for inspiration, seeks the right of African Americans to govern and educate themselves

DATE: Founded in 1942

TYPE OF ETHICS: Civil rights

SIGNIFICANCE: From its origin as a broad-based organization with white and black membership, Congress of Racial Equality (CORE) evolved into one of America's first important black separatist groups.

CORE was founded in 1942 by James Farmer and a group of University of Chicago students. Its membership included African Americans and whites, and its primary purpose was to combat segregation. CORE used various peaceful but confrontational techniques to achieve its aims. In 1943, its members began sitting in at segregated lunch counters, demanding to be served and willing to face arrest. CORE moved into the national spotlight in 1963, when the freedom rides challenged southern segregated bus stations. Freedom riders rode public buses to southern cities,

where white riders entered the “coloreds only” waiting areas and black riders entered “whites only” rooms. Although they sat quietly and peacefully, the demonstrators were met with mob violence time after time.

CORE also worked for voter registration in the South through the early 1960's. In 1966, CORE leadership adopted the new slogan “black power” and began a shift toward black separatism that alienated many of its members, both white and black. The organization struggled through the next decades but during the early twenty-first century was still operating a national office and several local groups, with a budget of over one million dollars.

*Cynthia A. Bily*

SEE ALSO: Civil disobedience; Civil rights and liberties; Civil Rights movement; National Association for the Advancement of Colored People; Segregation.

## Conscience

DEFINITION: Subjective awareness of the moral quality of one's own actions as indicated by the moral values to which one subscribes

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Since a person always chooses either against or in accord with the dictates of conscience, such dictates may form the immediate basis for the moral evaluation of intentional human actions.

Although they may not be explicitly aware of doing so, human beings everywhere and always have evaluated their own actions in the light of their own moral values. The earliest attempt at a philosophical analysis of this type of self-assessment—that is, of conscience—is found in the *Tusculan Disputations* of the Roman orator Cicero (first century B.C.E.). The most famous early casuistical employment of this notion is found in the letters of the apostle Paul (first century C.E.). It was not until the Middle Ages, however, that the understanding of conscience that is still employed was articulated.

In their commentaries on St. Jerome's exegesis of scripture, Philip the Chancellor, St. Bonaventure,

and St. Thomas Aquinas developed an analysis of conscience that made explicit several crucial distinctions. Awareness of the moral quality of one's own actions involves two aspects: first, the awareness of an act, and second, the awareness of one's values as exemplified (or not) by the act. This general knowledge of one's own values was distinguished by medieval moral theologians from conscience proper. "Conscience" itself was regarded as the activity of one's mind in bringing those values to bear upon one's own individual actions. It is thus a species of self-consciousness or a way of being aware of oneself.

### DEVELOPMENT OF CONSCIENCE

A person's disposition to engage in this type of self-reflection develops as part of his or her general moral upbringing. People are taught how to identify their acts as examples of types and are taught that certain types of acts are good, bad, or morally indifferent. After a certain point in the person's development (the precise age varying greatly from culture to culture and from individual to individual) the individual becomes aware of this labeling process and of the good, bad, and other types in terms of which the labeling is carried out. From this point on, the person's general values are reflected upon and either endorsed or rejected. In this developmental sequence, the conscience of the person becomes a mental activity that is distinct from the functioning of the "superego" (which contains unreflected-upon and repressed prohibitions, injunctions, and so forth). The mature conscience of an adult involves applying values of which the individual is fully aware.

People differ greatly, however, with regard to the degree and extent of their awareness of the moral qualities of their own actions, just as people differ with regard to the degree and extent to which they are self-aware in general. Someone who is "hyper-aware" of the moral quality of all of his or her actions is said to be "scrupulous." Such a condition can become very problematic if the person becomes incapable of acting without severe apprehension that he or she is doing something wrong or scrutinizes the most trivial action for its possible moral significance. The opposite condition is exemplified by the "lax" person. Such an individual consistently fails to concern himself or herself with the morality of his or her own actions. The point at which scrupulosity or laxity be-

comes immoral in itself depends upon the moral values to which the particular individual subscribes: Some moralities demand strict solicitousness, while others allow for much greater lack of moral concern.

### ACTS OF CONSCIENCE

The acts of a person's conscience have traditionally been divided into four types. First is the mental act of "command," whereby one senses that an act is "to be done." Second is the act of "forbidding," whereby one senses that an act is "not to be done." Third is the act of "permitting," in which one regards an act as "allowed" by one's own moral values. Fourth is the activity of "advising," in which one is aware that an act is either probably better to do or probably worse to do (the act is not sensed as being strictly required or strictly forbidden). Furthermore, the specific actions of the person to which these states of mind are directed can be in the future (in which case the act of conscience is referred to as "antecedent conscience"), in the past ("consequent conscience"), or in the present ("occurrent conscience"). If the past or current action is in accord with the dictates of conscience, the person is said to be in "good conscience" (or "to have a good conscience" or to be "acting in good conscience"). This state of mind is characterized phenomenologically as one of peace, quiet, self-contentment, and ease. If the past or current action is not in accord with the dictates of conscience, then the person has a "bad conscience." This condition is characterized subjectively as apprehensive, conflicted, anxious, and ashamed.

Two points are crucial with regard to these various activities of the mind. First, in all these acts, the dictate of conscience pertains only to one's own actions: "Conscience" does not refer to evaluations of other people's acts. Second, the "voice of conscience" must be distinguished from other ways of evaluating one's own actions (other "voices," as it were). Conscience is most often confused with self-admonitions of a merely prudential nature. For example, people may admonish themselves for stealing simply because they are in trouble after being caught. A sure indication that it is not their conscience that is bothering them is that if they were not caught, they would not admonish themselves. In effect, they are berating themselves for being caught, not for stealing.

In these various acts of moral self-reflection, the individual may be either "certain" or "doubtful" con-

cerning the moral quality of the deed at issue. Since a person only performs a deed on the basis of her awareness of what she is doing, if the individual is assured that the act she is contemplating has a particular moral quality, then she is morally required to act on that assuredness. If what is truly or objectively wrong appears to be the right thing to do, one must do it. In such a case, assuming that one does the deed, the act is objectively wrong but subjectively right (one performed in “good conscience”). A primary and purely formal rule of all morality, then, is to “do what conscience demands.” This rule is the only guarantee that people will choose rightly when their beliefs about right and wrong are accurate. All people are under an obligation to ensure that the evaluation of their own actions is accurate. Hence, an even more important purely formal rule of morality is to “ensure that conscience is accurate.”

### THE DOUBTFUL CONSCIENCE

If one is in doubt about the accuracy of the dictates of one’s own conscience, then it is morally imperative to eliminate the doubt before acting. If one acts although uncertain of the morality of one’s own act according to the values to which one subscribes, one thereby expresses a lack of concern for those values. Acting while in doubt is tantamount to disdain for those values even if one happens to do what those values demand. The problem is how to move from doubt to certainty about the morality of a contemplated act.

When one is uncertain about the moral value of an anticipated act, one must first attempt to remove the doubt directly, perhaps by pausing to think about what one is doing, by consulting “experts” (people of practical wisdom), or by reading about similar cases. Often, such attempts fail or are not possible because of time constraints. In order to resolve remaining doubts about the right thing to do, people employ what moralists refer to as “reflex principles” of conscience, which stipulate what is required of one in such a condition. Although there is disagreement among moralists about the degree of probability required to ground the shift from doubt to certainty, most people in Western culture adhere to principles of roughly the following nature. If not doing something would result in grievous harm to oneself or to others or would result in failing to fulfill some other important moral obligation, then it is certain that one

must do the deed regardless of how improbable the outcome might appear to be (this improbability is the source of the doubt about the morality of the action).

A traditional example of this is the pharmacist who thinks it is possible that a deadly poison has been accidentally mixed in with some medicines. Most people in such a situation would regard themselves as bound to refrain from dispensing the medicines. Another such principle is that if not doing something would *not* result in harm, then it is certain that one must do the deed only if there is an overwhelming probability that so acting is morally required (in other words, only an overwhelming probability is sufficient grounds for acting).

Finally, if the moral reasons for doing something are as good as the reasons for not doing it and no grievous harm is involved either way, then it is certain that either course of action is morally acceptable. What is to be avoided through the use of such guidelines for becoming certain of acting correctly while under conditions of uncertainty are the extremes of “laxism” and “rigorism.” Laxism results from adopting the attitude that if there is any doubt about the morality of the matter at hand, then moral considerations may be completely ignored. Rigorism results from adopting the attitude that if there is the slightest chance that one’s morality demands that one act in a particular way, then it is certain that one must act in that way. The problem with rigorism is that there is always a possibility, however slight, that one is required to do something in any situation. This attitude leads immediately to extreme scrupulosity.

### THE ERRONEOUS CONSCIENCE

The distinction between a certain and doubting conscience is different from the distinction between a “correct” and an “erroneous” conscience. An erroneous or false conscience is the state of mind of someone who believes an action to have a moral quality that in fact it does not have. If such an error is culpable, then the person can and should “know better” and is held accountable for whatever wrong is committed (because the person is held accountable for being in error about the act’s morality). For example, the person could have easily found out that the item taken belonged to someone else. If the error is inculpable, then the person cannot know better and is not held accountable for whatever wrong is done. These

errors, which lead the person into wrongdoing, are either factual or moral. Factual errors concern simply the facts of the situation or action. For example, the person is unaware that the suitcase taken from the conveyor belt at the airport belongs to someone else. Moral error is about morality itself—that is, the moral rules that apply to the situation (about which there may be no factual misunderstanding). For example, one knows that the suitcase belongs to another, but taking other people's belongings is not something the individual regards as wrong. People tend to regard inculpable error about basic principles of morality as being simply impossible (assuming no mental abnormality). For example, no adult is regarded as being ignorant of the immorality of killing people for utterly no reason. With regard to the application of principles in specific situations and with regard to less-general principles, however, inculpable error is quite possible. In other words, people can in good conscience disagree about the morality of certain types of actions or about the morality of a particular act in a specific situation even if they are in complete accord concerning the basic principles of morality.

If the "other" party to a moral dispute is regarded as *not* acting in "good conscience," then he or she is taken to be either acting in culpable moral error or acting unconscientiously. In the former case, the other person's difference of opinion is regarded as being caused by negligent ignorance for which he or she is held accountable. If the dissenter is regarded as being unconscientious, then in effect the person is held to be a moral fraud who is merely using the profession of conscience as a rationalization for acting out of sheer self-interest. Hence, in conditions of moral dispute, the virtue of conscientiousness becomes of paramount importance. These disagreements are about issues of vital moral importance, and the sincerity of others' moral allegiances determines the response to their dissension. If those with whom I disagree are not being sincere—that is, if they do not really believe in the morals in terms of which they justify their opposing point of view—then I have no reason to respect their merely apparent moral stand on the issue. In fact, if they are unconscientious, then their morals may not really differ from mine: They might "really" agree with my moral evaluation of the issue and merely invoke (in bad faith) different "morals" in order to justify their self-interest.

### CONSCIENTIOUSNESS

If the possibility of disagreement in good faith is accepted, then it becomes vitally important to clarify the distinguishing marks of being in good conscience. How can one tell that someone else is sincere when he or she takes a moral stand on an issue that differs from one's own? A common instance of this problem is that of the "conscientious objector" to military conscription. Insincerity of an objector's moral appeal to exemption from military service means that the individual does not really "believe in" the moral values in terms of which the exemption is being demanded.

Two general characteristics of sincerity (or conscientiousness or "really believing") are a willingness to make sacrifices for the sake of adherence to one's values and a willingness to make an effort to abide by the values professed. If no effort is forthcoming or no sacrifice is willingly undergone, then that counts as evidence that the person is not acting in good faith. Someone who is willing to face a firing squad rather than serve in the military is most certainly quite sincere in his or her moral dissension from conscription. Another individual who would rather serve in the military than be forced to spend the same amount of time in prison is probably not dissenting in "good conscience." Therefore, the general virtue of conscientiousness involves a disposition to do what one judges ought to be done regardless of the sacrifice of other interests that may be entailed by so acting.

What must be kept in mind, however, is that this virtue is compatible with at least occasional failure to live by one's moral ideals. It is true that if one is not conscientious then one will fail to abide by one's own moral convictions. It is *not* true that if one has the habit of abiding by the dictates of conscience one will never fail to do so. The difference between conscientious failure and unconscientious failure to act according to the dictates of one's conscience is that the former is followed by repentance and a renewed effort to abide by those dictates, whereas the latter is not followed by such acts. Failure to live according to one's moral convictions may be the result of the fact that the person has established moral ideals that are too "high" for any human to achieve. Furthermore, consistent success in living according to the dictates of one's conscience may be indicative of establishing moral standards for oneself that are too "low."



**CONSCIENTIOUS DISSENT**

These distinctions plus the formal principles of conscience previously noted create an intractable dilemma. Since one must act in accord with the dictates of an assured conscience, it is wrong for others to coerce someone into acting against the dictates of his or her conscience. In order to test the moral sincerity of dissenters, however, it is necessary to observe how they respond when prompted to act in a way that is contrary to the dictates of their conscience. The assumption in this situation is that if the person caves in to very little pressure, then his or her moral conviction is insincere. Thus, to ensure that a person's moral objection to conscription is conscientious, society must, in effect, prompt the individual to act against the dictates of conscience. Because of increasing sensitivity to the fact that coercing people in this manner is actually a species of scandal, conscientious objection is no longer severely punished in most countries.

Nevertheless, there are limits to what can be tolerated in the name of respecting conscientious action. If an individual's conscience dictates that he harms the innocent, then others are justified in protecting the innocent by forcing that person to act against the dictates of his conscience. The classic historical example of this is the outlawing of the practice of *thuggee* by the British colonialists in India during the nineteenth century. The Thugs believed that they had a moral obligation to waylay and murder travelers. The general principle in terms of which the British occupying force justified punishing the Thugs was (roughly) that "it is wrong to coerce someone to act against sincere moral conviction unless allowing the person to act according to the dictates of conscience would result in harm to the innocent."

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SEE ALSO: Bad faith; Casuistry; Conscientious objection; “Everyone does it”; Guilt and shame; Intention; Moral education; Motivation; Responsibility; Self-deception.

## Conscientious objection

**DEFINITION:** Refusal on moral or religious grounds to perform an action (usually military service or participation in warfare) demanded or required by an external authority

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Recognition by the state of the right to conscientious objection constitutes a decision that citizens should not be compelled to act contrary to deeply held personal beliefs, nor punished for refusing to act in such a fashion.

Conscientious objection establishes a moral relationship between the individual and external authority. The key element of the relationship is the claim that authority is not absolute; it cannot demand total obedience, especially when obedience would violate the individual’s conscience. Conscientious objection, then, stands as a limit to the extent of the power of the state. In claiming conscientious objection, an individual seeks to justify opposition to an action or demand that the state deems necessary and may require of others.

### HISTORY AND SOURCES

One of the major concerns of the ancient Greek philosophers Plato and Aristotle was that of the relationship of the individual to the state. They noted that human life was fundamentally social, which entailed duties to the state. It was possible, however, for the demands of the state to come into conflict with an individual’s own moral values. The source of the conflict was the assertion that the state did not totally control the conscience of an individual. Conscience was a person’s moral self-understanding, the combination of values and ideals that provided the individ-

ual with a sense of ethical self-definition that also demanded loyalty. Violating an individual’s moral integrity could lead to a crisis of conscience. A person might want to serve the state, but in this particular case could not without violating the sense of self.

The play *Antigone* (c. 441 B.C.E.), by Sophocles, offers an explicit example of the conflict between the individual and the state. Antigone follows her conscience and refuses to obey King Creon’s orders concerning the burial of her brother. In moral terms, the tension between the individual and the state rests on whether the state should recognize the demands of conscience when an individual cannot in good conscience obey the state’s demands. In order to avoid breaking the law, the conscientious objector often seeks an exemption from obedience. The exemption would grant legal recognition to the disobedience, and the individual would escape punishment. For Antigone, escape was not an option, and the play serves as a stark reminder of the tension between individual conscience and the demands of the state.

The question of loyalty and obedience to the state became more acute with the rise of Christianity. Given the pacifist views of some early Christians and the resulting opposition to war, many refused to serve in the military. The refusal to participate in war on moral grounds rested on the teachings of Jesus. The conscience of the Christian, formed by the values associated with Jesus and out of loyalty to those values, would not permit military service or participation in war. Yet not all Christians were pacifists or conscientious objectors, and military service became more likely as Christianity became the dominant religion in the West. Still some Christians steadfastly refused to serve in the military. During the Protestant Reformation, the Anabaptists held to a pacifist view and sought exemption from the state’s demands to participate in war. These exemptions, when granted, were only at the pleasure of the prince or ruler in whose territory the exemption seekers resided.

### AMERICAN DIMENSIONS

There have been examples of conscientious objection throughout American history. People fled Europe during the colonial period to escape persecution, and many were pacifists. As a result, conscientious objection entered into American wars and politics. James Madison wanted to add recognition of conscientious objection to his version of what was to

become the Second Amendment to the U.S. Constitution. He wanted to allow persons with religious and moral objections to bearing arms the freedom not to serve in the military. Madison's suggestion was not approved in later debates, but it did serve to provide a basis for the legal recognition of conscientious objection in U.S. law.

The Selective Service Act of 1917 established guidelines for conscientious objection; specifically, the requirement that an applicant needed to show membership within a religious tradition that upheld conscientious objection as part of its teachings. This rule made it difficult, if not impossible, for those outside the pacifist church tradition to be granted conscientious objector status. Although the guidelines were more flexible during World War II, the insistence on a religious basis for conscientious objection remained. The refusal of military service was not recognized unless an applicant equated moral and religious reasons. Two U.S. Supreme Court decisions, handed down during the Vietnam War, changed the basis for asserting conscientious objection. In *United States v. Seeger* (1965) and *United States v. Welch* (1970), the Court ruled that sincere and strongly held moral beliefs were a sufficient basis for granting an individual status as a conscientious objector to military service. While the requirement for opposition to all wars remained, there was no longer a religious test for conscientious objection.

#### TYPES OF CONSCIENTIOUS OBJECTION

There are two major types of conscientious objection with reference to the opposition to war. The first is absolute or universal conscientious objection (ACO or UCO). Usually based on a pacifist perspective, it leads to the moral conclusion that all wars are wrong. The ethical argument centers on the immorality of war and killing. The nature and purpose of the war are irrelevant to the moral opposition to the war.

A second type is selective conscientious objection (SCO). The focus of selective conscientious objection is on the particular war, hence the notion of selection. An individual may not be morally opposed to all wars as such, but to a specific war. The moral basis for selective conscientious objection is just war theory, which is designed to differentiate between wars that are just and those that are unjust. This selection equates just with moral and unjust with immoral.

An individual would hold that it is wrong to fight in an unjust war. Selective conscientious objection rarely, if ever, receives legal recognition. It is possible for both absolute conscientious objectors and selective conscientious objectors to accept military service as noncombatants such as medics. The moral opposition would center on the refusal to bear arms, not on military service itself.

Ron Large

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SEE ALSO: Civil disobedience; Conscience; Pacifism; Private vs. public morality; Thoreau, Henry David; Vietnam War; War.

## Consent

DEFINITION: Agreement, freely given, by one party in response to a proposal by another party

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Consent is fundamental to the concept of autonomy; in giving consent, a party exercises free choice and should be accorded due respect in the bargaining.

Consent is one means by which social arrangements are regulated. Through consent, persons agree to conform their actions to the expectations of others. Following consent, individuals can act cooperatively

as wife and husband, teammates, club members, or parties to a contract.

Consent obtained through coercion is no consent at all. What constitutes coercion, however, may be difficult to define. On the one extreme, a highwayman's demand of "Your money or your life!" is coercive. By contrast, if a man lost in the desert meets a shepherd who offers to lead him to safety for a thousand dollars, the man's only alternative is to wander off on his own and eventually die. To him the shepherd's proposal seems coercive—much like the highwayman's demand. However, to the shepherd, who did not cause the man's predicament, the proposal is merely an offer for a voluntary exchange.

Political philosophers such as John Locke and John Rawls have suggest that consent of the governed is the basis of all legitimate government. That consent is theoretical, however, as individual citizens are never truly allowed to choose, point by point, the scope of any government's full powers. Libertarians, including Robert Nozick, therefore have concluded that all governments are coercive and illegitimate, except those of extremely limited powers. In contrast to the libertarians, communitarian philosophers contend that humans are not single-minded, autonomous decision-makers but are bound by shared values to the community at large. The libertarian idea of consent, with its focus on free choice and rights, flies in the face of this web of shared values.

Many social scientists tend to avoid bright-line distinctions between consensual and coerced acts. To such theorists, cultural norms can impose such pressure to conform that choice is effectively eliminated. So, it is argued, cultural pressures cause women routinely to make workplace decisions that elevate their families above their careers. These women neither wholly "consent" to trading career for family, nor are they "coerced" as that term is traditionally used.

Concern over the relationship between consent and coercion is not new. In the early Greek philosopher Plato's *Protagoras*, Socrates and Protagoras debate whether virtue is teachable or such teaching amounts to inappropriate coercion of the will of the pupil. That debate is largely theoretical, but the difference between consent and coercion does have important practical significance, especially in the law. If the shepherd leads the lost man from the desert, he will expect payment of the thousand dollars. Modern courts of law have tended to find such agreements co-

ercive and unenforceable. Eventually, however, the pendulum may swing back in response to cultural trends that promote personal responsibility.

Robert L. Palmer

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SEE ALSO: Coercion; Constitutional government; Diagnosis; Electroshock therapy; Experimentation; Institutionalization of patients; Libertarianism; Physician-patient relationship; Rights and obligations; Therapist-patient relationship.

## Consequentialism

DEFINITION: Belief that the rightness or wrongness of an action is determined by the goodness or badness of its result

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Consequentialism constitutes a moral standard in which the end justifies the means, while rejecting intention- or virtue-centered ethical systems.

As a moral standard, consequentialism can be divided into two varieties: In the first, the desired end is the long-term self-interest of the individual; In the second, the desired end is the greatest happiness of the greatest number. The first variety is called the theory of ethical egoism, and Thomas Hobbes and Ayn Rand are associated with it. The second is called utilitarianism, and it is associated with Jeremy Bentham and John Stuart Mill. Ethical egoism claims that before making a moral decision, one should consider the end of long-term self-interest, and if by using a reasonably moral means the long-term self-interest can be achieved, then that action should be performed. This means that short-term self-interest should be

sacrificed for the sake of long-term self-interest. Utilitarianism, however, considers the desired end to be the greatest happiness of the greatest number of people; an action that achieves this end by using a reasonably moral means should be performed.

*Krishna Mallick*

SEE ALSO: Bentham, Jeremy; Biodiversity; Dominion over nature, human; Environmental movement; Hobbes, Thomas; Mill, John Stuart; Rand, Ayn.

## Conservation

DEFINITION: Prudent use of natural resources

TYPE OF ETHICS: Environmental ethics

SIGNIFICANCE: As increasing amounts of the earth's resources are used up, conservation for many people ceases to be merely a prudent course of action and acquires the status of an ethical imperative. At the same time, the involuntary imposition of strategies of conservation upon individuals, corporations, or governments may be seen as an ethical violation of their rights or freedoms.

The conservation ethic has its American roots in colonial times with the imposition of game limits at Newport, Rhode Island, in 1639, the limitation of timbering in Pennsylvania in 1681, and many other similar regulations that were intended to protect resources for the future. Later, authors such as Henry David Thoreau and Ralph Waldo Emerson emphasized the ethical interrelationship of humankind and nature.

At the beginning of the twentieth century, Theodore Roosevelt and Gifford Pinchot wrote extensively on the conservation ethic; they are widely considered as the founders of modern conservationism. Their programs, such as the Reclamation Act of 1902, the Inland Waterways Commission of 1907, and the massive expansion of National Forest lands, reflect their emphasis on wise use of resources. They also were concerned with the preservation of natural and cultural assets, as in passage of the Antiquities Act of 1906. Harold Ickes, Henry Wallace, and their associates continued the advocacy of the wise consumption ethic during the 1930's, emphasizing land planning and soil management. Again, wise use was

the principal concern. Preservation of unique natural entities, however, continued to be part of the mainstream conservation ethic. Preservationism as a part of conservation, however, has been more heavily promoted since World War II, leading to the vigorous re-evaluation of many conservation-for-use programs.

*Ralph L. Langenheim, Jr.*

SEE ALSO: Deforestation; Ecology; Environmental ethics; Leopold, Aldo; Muir, John; National Park System, U.S.; Sierra Club; Sustainability of resources; Thoreau, Henry David.

## Conservatism

DEFINITION: Approach to politics and society that emphasizes continuity and change.

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Skeptical that humanity has the moral or rational capacity to rule itself, conservatives argue that one's duty is to conform to natural law by dutifully following time-honored practices based on the wisdom accrued through the ages

American conservatism takes a variety of forms. Neoconservatives, for example, tend to be former liberals who, after World War II, saw most liberals as crossing the line from liberalism to a form of socialism that held equality, rather than liberty, as its major motivating principle. Neoconservatives also held that liberals failed to appreciate the dangers of communism. Libertarians too, have often been viewed as conservatives, whereas their roots are in classical liberalism. Many classical liberals do see themselves as conservatives. Some scholars see conservatism as an ideology; others hold that it is not an ideology at all, but rather a reaction to liberalism and radicalism. It appears, however, to contain elements of both.

### ORIGINS

Traditionalist conservatism, according to most observers, began with Edmund Burke, who reacted vigorously to the very earliest stage of the French Revolution, and, in 1790, in his *Reflections on the Revolution in France*, quite accurately predicted the consequences of what was then a quite mild event. He predicted tyranny if the French continued to



throw away their past and begin anew. He also, in fact, laid down the basic tenets of conservatism.

Burke saw the state as divinely ordained and worthy of reverence. He believed that the law of God reigned and that natural law, which emanated from it, was superior to manmade law, taking precedence if the two conflicted, still a principle of conservatism. Consequently the tenets of conservatism are its ethical norms.

The role of the state is important, unlike the libertarian view, which borders on anarchism. Its major function is to preserve order and oversee orderly change in accordance with tradition. Change is necessary if society is to be preserved. Conservatism, therefore, is not a status quo ideology as is often maintained.

### ETHICAL NORMS

Conservatism holds to the belief that there is a contract between the present generation, those of the past, and those not yet born. Attempting to put abstract theories into practice contrary to the wisdom of the ages leads to disaster. Revolution is thus to be avoided, unless its aim is to regain lost rights, as with the American Revolution. Fostering too much dependence on the state through unnecessary governmental programs is also wrong.

A hierarchical society is natural. Attempts to impose equality on this earth means leveling down to the lowest common denominator. At the same time, one should never look down on those who do lowly jobs. It takes all kinds to maintain a society. A harmonious society, with its varied parts acting in unison is the best attainable. Moreover, private property is a natural right and the state has no right to appropriate one's property unless society would be harmed by not doing so. The good of society takes priority over that of the individual, even though the individual has natural rights, including the rights to life, liberty, and property. This is tied in with an organic concept of society. Some scholars hold that Burke did not hold to this notion. He did, indeed, sound as if he did. However, whether he did or not is not the point; the point being that organicism became embedded in traditionalist conservative thought.

Loyalty to family, friends, and institutions is basic to conservatism. Moral absolutism, not liberal moral relativism, is also fundamental; some values do not change with the times. Cooperation between church

and state is welcome; a strict separation of the two, as liberalism demands, is seen as detrimental to society.

Subsidiarity also belongs in this list. Issues should be settled on the lowest level possible. In other words, people should not try to make "federal cases" out of everything. Within the United States, this literally means that if an issue can be addressed on the state level, the state, not the federal government, should deal with it. Moreover, if an issue can be addressed on an even lower level, that is where it should be resolved

### AMERICAN CONSERVATISM

One might argue that American conservatism antedates Burke by several years by noting that John Adams published *A Defense of the Constitutions of the United States of America* in 1787-1788. Adams himself was little read, but his ideas were influential. Adams was much like Burke in that both saw religion as necessary for upholding a society. They were also alike in citing the flaws of human nature, thus denying the validity of the French *philosophes* of the Enlightenment, who held to the perfectibility of human beings and the related idea that an ideal society was capable of being constructed. In other words, they favored common sense over abstract theory. Moreover, both men put society above the individual. Burke and Adams laid the foundations of modern or traditionalist conservatism. Although there have been numerous offshoots and variations down through the years to conservative thought and practice, their foundations have endured.

### PRACTICAL APPLICATION

It would be incorrect to view all twenty-first century Republicans as conservatives and all Democrats as egalitarian liberals. Family, local tradition and political advantage are also important in determining one's political orientation. It would appear that in the modern United States classical liberalism tends to overshadow the traditionalist factor in most conservatives. Government involvement in the economy and excessive regulation of society are rejected by conservatives of all sorts.

*Robert W. Small*

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## Consistency

**DEFINITION:** Coherence and non-contradiction of the various rules and principles of an ethical system

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Consistency is a necessary component of any rationally based ethics, but is irrelevant to nonrational approaches to morality.

Given that the discipline of ethics involves reasoned reflection upon moral issues and that consistency is a necessary condition of any system, theory, or activity that is governed by reason, consistency must play an important role in the development of ethical theories. The two most important respects in which reason's commitment to consistency manifests itself in the development of an ethical theory are systematic consistency and nomothetic consistency.

### SYSTEMATIC CONSISTENCY

Systematic consistency is a characteristic of any ethical system whose fundamental principles may all be true. Put negatively, systematic consistency does not apply to a system that has two or more principles that are contradictory. The reason that ethical systems must exhibit this property is that one can prove absolutely anything from an inconsistent set of pre-

misses. An inconsistent set of ethical principles would therefore counsel both for and against every action and thus offer no guidance to the morally perplexed.

### NOMOTHETIC CONSISTENCY

If a particular course of action is said to be morally permissible, it would be arbitrary and irrational to claim that the action would not be permissible on a distinct occasion when all the relevant factors were the same. In this way, reasoned reflection on morality implies a commitment to general rules that specify classes of morally correct and morally incorrect behavior. The presupposition that moral judgments apply universally gives rise to the requirement of nomothetic consistency, the demand that a specific moral judgment can be coherently transformed into a general law.

The importance of nomothetic consistency to ethical theory is seen in the fact that one of the oldest and most prevalent of moral principles, the "golden rule," demands that one treat others as one wants to be treated, a requirement that imposes a certain degree of generality on one's moral judgments. Although concern with nomothetic consistency thus goes back at least as far as the sixth century B.C.E. Confucian formulation of the golden rule, it was in the eighteenth century that German philosopher Immanuel Kant focused attention on it to an unprecedented level by arguing that it alone is sufficient to generate an entire moral code.

The primacy of nomothetic consistency to Kant's ethics is clearly expressed in that version of his fundamental ethical principle (the "categorical imperative"), which commands that one should act only according to that plan of action that one can will at the same time to be a universal law. According to Kant, a sufficient test of the moral permissibility of a specific action is found in the attempt to will that the action be universalized. If willing such universality can be consistently achieved, then one knows that the action is morally permissible. If the attempt to will the universality of some plan of action leads to an inconsistency, however, then one knows that the action is impermissible.

To grasp the full force and scope of this version of the categorical imperative, it is important to note that there are two ways in which a plan of action can fail the test of universalizability. The first occurs when the content of the law that results from the attempted

universalization is internally inconsistent. A standard Kantian example to illustrate this kind of inconsistency is found in the attempt to universalize the activity of promise-breaking. When one wills that all promises be entered into with the intent that they be broken, one also wills that there can be no promises insofar as one wills the impossibility of trust, a necessary condition for the practice of promising. In this way, willing that promise-breaking be a universal law entails both the existence and the nonexistence of promises.

The second way in which some proposed plan of action can fail the universalizability test does not involve an inconsistency within the content of the universal law that is willed. Instead of the conflict being internal to the universalized plan of action, the conflict in these cases obtains between the universalized plan of action and the very activity of willing. The possibility of this second kind of inconsistency depends upon Kant's conviction that willing is an inherently rational activity and his acceptance of the fact that it would be irrational to will certain universal laws even though these universal laws are not internally inconsistent. A standard Kantian example used to illustrate this second type of inconsistency involves the intention to neglect the development of all of one's talents. It is, says Kant, possible to conceive that all human beings neglect the development of their talents without contradiction; however, it is not possible to *will* that this be the case, for willing is an activity that affirms one's rationality, an affirmation that conflicts with the fact that the universal law being willed is one that it is irrational to will.

*James Petrik*

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## **Constitution, U.S.**

**IDENTIFICATION:** Foundation document that established and regulates the national governing system of the United States

**DATE:** Written in 1787, ratified in 1788

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The U.S. Constitution was framed to ensure political and economic liberty for American citizens by defining and limiting the powers of a resilient democratic republic.

The design of governments depends on the political values and interests of the people who hold power. Individuals' desires for political liberty, civil rights, and democratic elections within a country may be thwarted by the will of militarily powerful dictators or by ethnic, religious, or geographic conflicts that divide a nation. The Founders of the nation sought to avoid both divisive conflicts and the risk of dictatorship by drafting the Constitution in 1787. By electing officials to a government of limited powers and by guaranteeing representation to each geographic subdivision within the nation, the founders sought to create a governing system that would ensure political liberty and social stability for years to come.

#### **HISTORY**

After the North American colonists' Declaration of Independence from Great Britain in 1776 and the concomitant revolutionary war, the newly independent American states attempted to govern themselves through a document called the Articles of Confederation. The Articles of Confederation established a

weak national government that depended on the cooperation of the various states for economic and military matters. Because each state retained the primary power to govern itself, there were frequent disagreements between the states. Their failure to fully cooperate with one another made the new nation economically and militarily vulnerable.

The failure of the Articles of Confederation led representatives from each state to meet in Philadelphia, Pennsylvania, during 1787 to draft a new document that would provide a fundamental structure of government for a cohesive nation. The Constitution, produced in Philadelphia, was the product of extensive debate and compromise among men who feared the prospect of granting too much power to government. They had fought a war of independence against Great Britain because they believed that the British king had trampled on their civil rights and prevented them from effectively participating in democratic decision making concerning taxation, tariffs, and other policies. They sought to diminish the risk that any individual or branch of government would accumulate too much power and thereby behave in a tyrannical fashion.

The Constitution provides the basis for the governing system of the United States. Although specific aspects of the Constitution have been changed through the enactment of amendments, the basic words and principles of the Constitution remain the same. As American society changed over the years, the U.S. Supreme Court interpreted the words of the Constitution to give them applicability to new and changing social circumstances.

### **ETHICAL PRINCIPLES**

The Constitution seeks to avoid the risk of governmental tyranny through the principle of separation of powers. The legislative, executive, and judicial branches of government are separate from one another, and each possesses specific powers that enable it to prevent excessive actions by the other branches of government.

Political liberty and democratic decision making are guaranteed through the Constitution's provisions mandating elections for representatives in the legislative branch (Congress) and for the president and vice-president in the executive branch. The Constitution also grants the broadest list of specific powers to the legislative branch so that representatives from

throughout the nation can enact laws rather than having one person be responsible for authoritative decision making. The legislative branch is divided into two chambers, one providing representation according to each state's population (House of Representatives) and the other providing equal representation to each state (Senate) in order to prevent the largest states from dominating all decisions.

The Constitution sets specific terms in office for elected officials in the legislative and executive branches. The voters have the opportunity to select new officials every two years for the House of Representatives, every four years for the president and vice-president, and every six years for the Senate. This mechanism helps to preserve political liberty by holding individuals accountable to the citizens.

### **ETHICAL ISSUES**

As it was drafted in 1787, the Constitution did not specifically address several important ethical issues. Some of these issues were addressed later through amendments added to the Constitution. For example, the Constitution did not address the issue of slavery except to say that any congressional decisions on that issue must wait until twenty years after the document first went into effect. Slavery was eventually abolished through the Thirteenth Amendment in 1868 after a bloody civil war was fought over this unresolved issue. The original Constitution also did not guarantee specific civil rights for citizens. Freedom of speech, freedom of religion, criminal defendants' rights, and other civil rights were guaranteed in 1791 when the first ten amendments to the Constitution, known as the Bill of Rights, were ratified.

Although the Constitution's design for a representative democracy was intended to protect citizens' political liberty, several aspects of the Constitution are undemocratic. Because the drafters of the Constitution feared that the voters could be swayed by a charismatic demagogue, citizens do not elect the president directly. They vote instead for electors, known as the Electoral College, who can select someone other than the leading vote getter as president if they believe that the people have made an unwise choice.

In addition, because representation in Congress is determined by state, people who live in the District of Columbia, although they outnumber the populations of several small states, do not have voting representa-

tion in Congress. The citizens residing in the nation's capital city lack the basic political liberty to elect representatives to the national legislature. Thus, although the Constitution has been effective in creating a stable democratic governing system, it remains imperfect as a document seeking to guarantee political liberty and participation in decision making for all citizens.

*Christopher E. Smith*

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SEE ALSO: Bill of Rights, U.S.; Civil rights and liberties; Constitutional government; Declaration of Independence; Democracy; Geneva conventions; Political liberty; Supreme Court, U.S.

## Constitutional government

**DEFINITION:** Political system regulated by a formal contract between the governors and the governed which explicitly apportions and limits political power

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Constitutional government is based on the principles that government must be limited and that leaders and citizens alike are governed by the rule of law.

The idea of constitutional government is that the social contract, or that system of social relationships that constitutes the origin of any community, is given concrete manifestation in a constitution. In sum, the legitimacy of a constitutional regime is based on formal agreement between the rulers and the ruled. Government accepts limitations based on citizen consent and the rule of law will govern all. In modern politics, few governments maintain legitimacy without a constitutional foundation. A constitution guarantees that the government rules in the name of the many (not the few or the one, as in dynastic or despotic regimes) and is limited in scope by agreement on the rules and structure of governance. Nevertheless, in practice a constitution is only as valid and effective as the citizens and leaders believe it to be and make it.

### HISTORY OF THE CONCEPT

Constitutions can be considered power maps that give form to the distribution of power within a political system. Although this conception emphasizes institutions, these power maps also reflect the political culture and the ideologies that undergird a society. In ethical terms, the constitutional idea expresses an ideological principle itself—that of government limited by law, government that emanates from the culture, customs, and mores of a community.

The principle of government founded on code and law can be traced back to antiquity. The covenant of the Hebrew people was one expression of this idea. The legal codes of Hammurabi (1792-1750 B.C.E.), the Athenian laws of Draco (c. 621 B.C.E.) and Solon (594 B.C.E.), and the Byzantine Roman emperor Justinian's legal code (529-533 C.E.) were also forerunners of the constitutional principle. In fact, the Greek concept of the polis lies at the heart of the ethical ideal of constitutionalism. From the experience of ancient Athens in particular, Western culture had inherited the ethical value of the rule of law, the ideal of the polis, and the immanent legitimacy of the state that governs in the name and by the consent of the citizens.

### THE GREEKS

The concept of the polis as a spiritual identification of the individual with the community was the hallmark of Greek civilization. Most important, in the evolution of Athenian democracy, the Greeks emphasized the superiority of the rule of law as opposed



to the “rule of men” in the forms of monarchs and tyrants. Law and constitution create a sphere of political discourse, freedom, and dignity for the citizen that is absent in the rule of another human being, no matter how benevolent a despot.

Freedom under the law became the highest moral principle for the Greek polis, and in the Greek mind it distinguished Greek civilization from barbarian civilizations. This idea was the point of departure between Aristotle’s *Politics* (335-322 B.C.E.) and Plato’s *Republic* (386-367 B.C.E.). Plato presented a constitution in the *Republic* that was based on the governance of picked individuals whose legitimacy was based on knowledge. Aristotle preferred constitutional rule founded on law, which preserved human dignity and participation. Only later in life did Plato rediscover the importance of this principle, as can be seen in *Laws* (360-347 B.C.E.). The connection of constitutional government to rule of law is the most significant political inheritance from the Greek experience.

### THE SOCIAL CONTRACT

After the sixteenth century in Europe, through the age of Enlightenment, there emerged a movement for democracy and constitutionalism that was associated with the ideas of the social contract. This movement, which presaged the rise of the modern secular state, is descended from the ideas of Thomas Hobbes, John Locke, Jean-Jacques Rousseau, David Hume, and many others.

Although there are many differences in the ideas of these authors, at their core was agreement about certain principles concerning constitutional government. In essence, they argued that a social contract preexists the contract of government. An original community must exist, and grounded upon established social relations, a contract of government may be created. This contract is the formal agreement of all within the community to accept laws and limitations on government, and hence government is legitimated by consent. Ultimately, no government is legitimate unless it governs in the name of the people.

### THE MODERN STATE

Modern states rule in the name of their people. Most modern states do not rest their legitimacy on rule by a person, a dynastic family, or a theocracy. Even the most authoritarian regimes of the twentieth

century claimed to rule in the name of the people. In this sense, modern states are constitutional governments. In fact, most modern states perceive themselves as “founded nations” and thus have required a founding document. Because most modern nation-states are large and complex, and require participation by masses of citizens in their projects, constitutional government and consent evolved as the fundamental form of legitimization. The ideological basis of the secular state is supported by constitutionalism and law, and constitutions perform many functions.

Constitutions express the ideology of founded nations in their rules and structures. For example, the Constitution of the United States not only preserved private property and a free market but also reflected a desire for limited government in its separation of powers. Constitutions embody basic laws and rights of the people. These vary with the culture and experience of a people, and are influenced by the ideological origins of the state. Formally recognized rights and liberties are a major reason for establishing constitutional government. Constitutions define the organization of government and the distribution of powers. Herein lies the specific way in which governments submit to limitation. They must abide by the contract or be overthrown. Finally, constitutions hold the promise that people may change them as necessity requires. Because a constitution reflects the consent of the governed, the ability to amend a constitution may safeguard liberty and regime longevity.

Ultimately, these functions require qualification. This is how constitutions should function. Perhaps the greatest ethical problems in constitutional government are the importance of belief and the fact that it requires the participation of human beings, citizens and leaders, to make constitutions work on behalf of the people. Many authoritarian regimes have constitutions that espouse the values of consent, guarantees of rights, and rule of law. In fact, the rule of law is the ethical core of constitutional government. The essential promise of constitutional government is that no person, institution, or party may be above the law.

*Anthony R. Brunello*

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SEE ALSO: Constitution, U.S.; Hammurabi's code; Jefferson, Thomas; Law; Locke, John; Rousseau, Jean-Jacques; Supreme Court, U.S.

## Consumerism

**DEFINITION:** Movement aimed at improving the status and power of the consumer relative to the seller in the marketplace

**DATE:** Began during the late 1960's

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Consumerism is strongly associated with the introduction of morality into the otherwise amoral marketplace, since it emphasizes the responsibilities of manufacturers to consumers in such areas as product safety, fair pricing, and honest advertising.

The publication in 1965 of Ralph Nader's book *Unsafe at Any Speed*, which criticized the dangerous design features of the Chevrolet Corvair, is often viewed as the birth of modern-day consumerism. Since that time, Nader and others have founded such consumer organizations as the Center for Auto Safety, Public Citizen, the Health Research Group, and various buyers' cooperatives to promote safer products, lower prices, and full and honest disclosure in advertising.

Two important trends have encouraged the growth of consumerism: the fact that sellers (manufacturers and retailers) increasingly tend to be giant corpora-

### Warning Label on Alcoholic Beverages

In response to public concerns, the federal government began requiring manufacturers of alcoholic beverages to put this warning on their products in 1989:

Government warning: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.

tions with whom individual buyers have little influence; and the growing complexity of many consumer products, which prevents buyers from making informed judgments. Consumerism has led to the passage of such legislation at the federal level as the Child Protection and Safety Act, the Hazardous Substances Act, and the Fair Credit Reporting Act, as well as the creation of the Consumer Product Safety Commission. The movement has been unsuccessful, however, in lobbying for the establishment of a federal cabinet-level consumer protection agency.

*D. Kirk Davidson*

SEE ALSO: Advertising; Boycotts; Business ethics; Infomercials; Nader, Ralph; Price fixing; Product safety and liability; Sales ethics; Warranties and guarantees.

## Conversion of one's system of beliefs

**DEFINITION:** Comprehensive change in one's understanding of the world and one's place in it

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Exemplifying the complexity and drama of human thought, individual conversions have left a major legacy in every system of beliefs.

Conversions represent a long-standing and memorable drama in the intellectual and spiritual history of humankind. All major systems of belief have, to a greater or lesser extent, sought and obtained converts, although Christianity perhaps places the most

emphasis on the individual conversion experience, as most famously illustrated by the apostle Paul's being knocked off his horse while on the road to Damascus.

Conversion of one's system of beliefs generally entails a complete change of one's life. The values and perspectives of the individual experiencing the conversion undergo major shifts, often resulting in dramatic changes in the person's way of life. Old relationships may be severed, while new ones are created; allegiances may be transferred from one community to another; career, home, friendships, family ties, all may hang in the balance.

The conversion experience has been much studied, particularly from a psychological point of view. A notable example can be found in psychologist William James's book *The Varieties of Religious Experience* (1902). Other similar studies typically fall into the danger of simplifying and subjectivizing complex ideas and ideologies by reducing all conversion experiences to matters of psychology. Entire peoples and communities have been converted, although distinctions must be made between true individual conversions of beliefs and the changing tributes paid to external rulers.

History and literature are filled with famous conversions, from Saint Augustine's late fourth century *Confessions* to the Buddha's awakening under the Bodhi tree to V. I. Lenin's adoption of revolutionary Marxism after the czarist execution of his brother. A modern narrative of a conversion experience is *Turning* (1982), by Emilie Griffin, whose chapter titles—"Turning," "Desire," "Dialectic," "Struggle," "Surrender," and "Afterward"—manifest some of the stages, both turbulent and peaceful, that are typical in the conversion of one's system of beliefs.

*Howard Bromberg*

SEE ALSO: Augustine, Saint; Bodhisattva ideal; Buddha; Calvin, John; Edwards, Jonathan; Holy war.

## Copyright

**DEFINITION:** Legal protection of intellectual property giving the copyright holder exclusive right to publish, reproduce, and sell or lease the property for a set period of time

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Finding a satisfactory ethics of copyright requires striking a balance between the rights of copyright owners and the rights of the public.

Throughout American history, copyright law has protected the rights of authors to control their own works. The Framers of the U.S. Constitution included a passage in the very first article of the document expressing the wish to encourage creativity by promoting "the progress of science and the useful arts." The original U.S. copyright law gave authors fourteen years of protection, followed by an additional fourteen years if the authors were still alive. After copyright of a work lapsed, the work fell into the public domain and could be freely used by anyone without payment to the authors or their estates. By limiting the duration of copyright protection, American law avoided the kind of hereditary monopolies that had stifled the creativity of other nations.

Over the years, the U.S. Congress gradually extended the duration of copyright protection. The copyright law enacted in 1976 significantly lengthened ownership duration but also introduced new fair-use guidelines that exempted nonprofit organizations from having to secure permission to use reasonable portions of copyright-protected material.

### CHANGES IN COPYRIGHT LAW

Modern digital technology has made it easier than ever before to reproduce materials. In the modern digital environment, the original intent of the U.S. Constitution still serves as a basis for ethical debate on copyright. Among the new questions being asked in the twenty-first century is whether authors and other creative persons need added protections of their works to guard against digital piracy. Additions to U.S. copyright law in 1976 and 1998 were designed to support copyright owners for much longer periods than original constitutional guidelines allowed.

Before 1976, the burden of securing copyright protection for work was on the owners of the copyrightable material who had to take steps themselves to register individual items to ensure protection. After 1976, all original materials that exist in tangible form are automatically protected by U.S. copyright and do not require individual registration. Amendments to the federal copyright law enacted in 1998 criminalized the unauthorized use of all Web resources. A 2002 amendment to copyright law limited

nonprofit organizations to use copyrighted materials only under very stringent limitations, with heavy fines and jail sentences for infringements. The implicit philosophical shift from predigital interpretation of the law to the postdigital world view is from a philosophy that assumed central importance for protection of the public domain to a philosophy that centers its main focus on protection of owned property.

#### **COPYRIGHT HOLDERS' PERSPECTIVES**

Owners of copyright-protected material maintain that piracy of their material is simply a form of property theft. Owners point out that the Constitution's Framers could not have anticipated modern digital environments, which make piracy of exact reproductions easy. Among the methods that copyright owners employ to enforce their rights in a digital environment include pay-per-play and licensing agreements, expanding duration of protection, making it a crime

to circumvent software protection, campaigns targeting illegal file sharing and pressuring schools and other institutions that provide Internet service to detect and punish infringing users.

Some copyright owners view a commitment toward a good faith compliance with the law on the part of users as a firm basis on which to balance needs of private enterprise with society's need to have access to a public domain that supports further invention and creativity. Such corporations return good faith by becoming partners with scholars and by backing initiatives to create rich public domain resources that will contribute to national security and prosperity.

#### **PUBLIC PERSPECTIVES**

Some people argue that the delicate balance between public interest and private good has been compromised by corporate pursuit of short-sighted efforts that shrink the public domain, threatening education

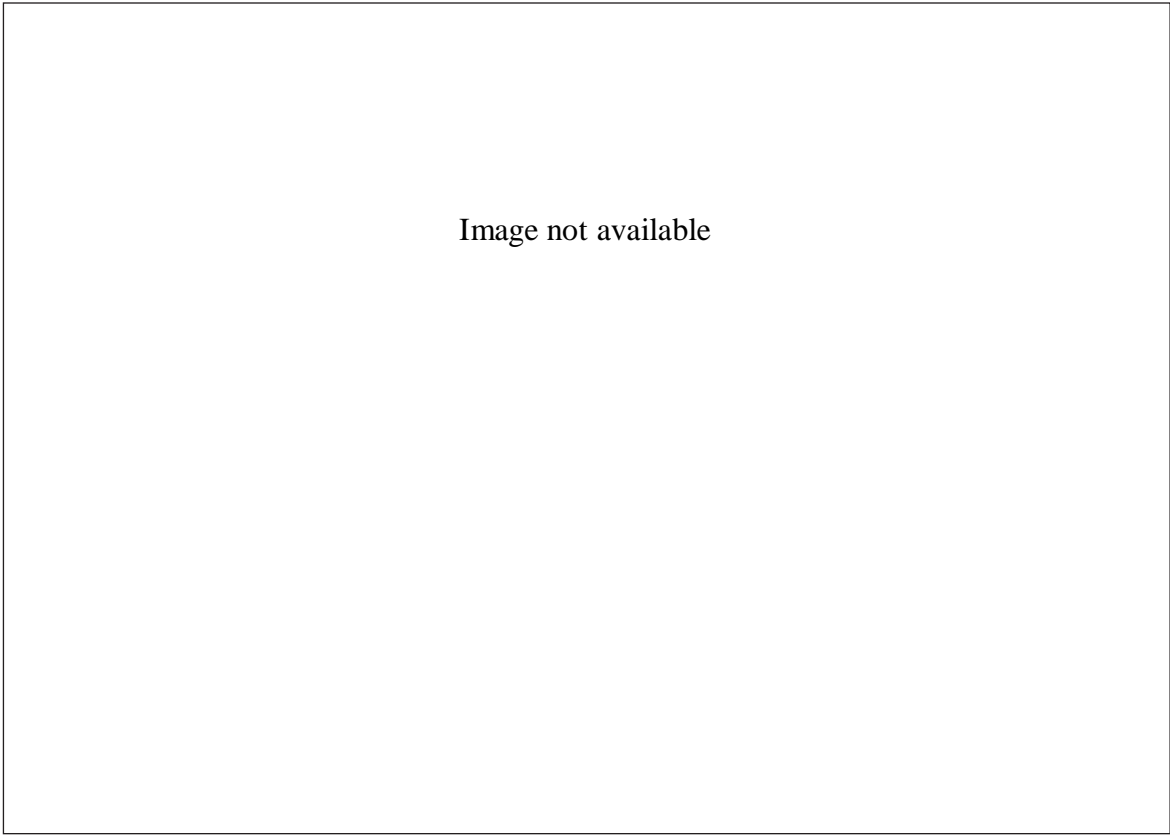


Image not available

*Japanese music fans using camera phones at a music awards event near Tokyo in May, 2003. (AP/Wide World Photos)*

### Camera Phones and Copyright

In 2003, Japan led the world in camera cell phones, with an estimated 25 million instruments in private hands. With no traditions in ethical behavior to guide them in the use of this new technology, many camera phone owners were using them to do such things as copy pages from books and magazines in shops, thereby obtaining copyrighted material free of charge. Bookstore owners claimed that this form of theft was cutting into their sales, and a magazine publishers association urged consumers to buy their magazines and not use camera phones to photograph the magazine pages.

In an ironic twist, Samsung, a leading manufacturer of cell phones, was evidently afraid of the camera phones itself. It required its own employees and visitors to its research facilities to cover their camera phone lenses with tape to protect trade secrets from being photographed.

and the cultural heritage by making many cultural indicators unavailable for reinterpretations except through owner approval, which may carry prohibitively expensive use fees or restrictions on how the work is to be reinterpreted. In the view of public domain advocates, intellectual property is not ordinary property; it is the basis of intellectual freedom and prosperity due to recycling of cultural wealth. On this side of the debate are many representatives of educational and nonprofit institutions, who feel that instead of being rewarded for safeguarding the nation's cultural commons, they have been financially, legally and politically penalized.

There is also a rationale among some users, especially among computer hackers, that their circumvention activities strengthen society in the digital age by exposing weaknesses in security systems. However, in the view of many nonprofit advocates of public domain, good faith should be to be able to report weaknesses in the system without fear of reprisal from overly zealous owners on one hand and without attempting to cause economic strain or chaos on the other hand.

A practical ethics responds in a balanced manner to these issues, helping to preserve the cultural heri-

tage and supporting long-term prosperity. Groups such as NINCH (The National Initiative for a Networked Cultural Heritage), SPARC (The Scholarly Publishing and Academic Resources Coalition), Open Source, and also freeware offerings by private citizens and corporations all seek equitable compensation for scholars and artists, helping to retain a shared cultural heritage through approaches that remain within the law.

*Suzanne Araas Vesely*

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SEE ALSO: Art; Computer misuse; Intellectual property; Internet piracy; Napster; Plagiarism; Property.

## Corporate compensation

DEFINITION: Salaries, stock options, bonuses, and other benefits received by top corporate officers

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: Many people think it unethical that chief executive officers (CEOs) and other high officers of many American corporations receive immense salaries, huge bonuses, the right to purchase company stock below market prices, and



extravagant perquisites (“perks”); however, there are arguments on both sides of the issue.

Many people believe that huge gaps in income levels between corporate CEOs and their employees are unethical. An early twenty-first century analysis of corporate compensation found that the average CEO received slightly more than 280 times the amount earned by the average worker. In 2002, the highest-paid executives among Standard and Poor’s five hundred top firms received compensation worth as much as \$20 million apiece.

In addition to their salaries, many CEOs receive “golden parachute” packages at retirement or exit-compensation packages that enable them to land safely in the event they get fired from their companies, or their companies are taken over or fail. CEOs also usually have unusually strong job security through multiyear contracts and the close relationships they enjoy with members of their boards of directors. By contrast, most employees work under “employment-at-will” conditions and can be dismissed at any time and for any reason. The ethics of these distinctions can be considered from the perspectives to contrasting philosophical theories: libertarianism and distributive justice.

Libertarian philosopher Robert Nozick holds the view that since Americans live in a free market society, they should be willing to compensate people for goods and services they provide based on supply and demand, thereby maximizing individual rights. Inequalities in incomes are natural products of differing natural abilities and should not be subjected to moral or ethical judgments. It is natural that large and complex corporations are willing to offer CEOs high salaries and extravagant compensation packages in return for the rare and valuable skills that CEOs bring to their positions. Corporations must compensate their CEOs with extraordinary financial and other inducements if they expect to hire and retain them. In most cases corporate compensation is pegged to overall organizational performance and corporate organizational health, and serves as a baseline in calculating compensation for other employees.

Philosopher John Rawls, a proponent of the theory of distributive justice, represents a contrasting school of thought. He asks whether it is ethical for CEOs to receive high salaries and other corporate compensation schemes, while their employees face

## Disney Chief Michael Eisner

Michael Eisner, who became chief executive officer of the Disney Company in 1984, has long ranked among the highest-paid corporate executives in the world. During the five years leading up to 2001, he received, in salary and benefits, approximately \$737 million—a sum that *Forbes* magazine estimated was nineteen times greater than the average chief executive officer’s income. While Eisner’s income was widely criticized for its sheer magnitude, the steady income increases that he was receiving confounded laissez-faire economic theories because the net income of the Disney Company itself declined through the same period by an average of 3.1 percent per year. To compensate for this decline in early 2001, Eisner laid off four thousand employees—3.3 percent of the company’s total full-time work force. The amount of money the layoffs saved the company each year was estimated to be less than the compensation Eisner alone had received over the previous five years.

Image not available

(AP/Wide World Photos)

the possibility of losing their jobs through corporate downsizing. Huge disparities in income levels between management and ordinary employees make the lower-level employees cynical, foster morale problems, and cultivate feelings of inequality.

*Joseph C. Santora*

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SEE ALSO: Business ethics; Corporate responsibility; Corporate scandal; Distributive justice; Downsizing; Greed; Income distribution; Minimum-wage laws; Professional athlete incomes.

## **Corporate responsibility**

**DEFINITION:** Moral accountability of corporations for their actions, including but not limited to their duty to conform to the laws of the state

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Corporate responsibility raises important issues for ethics in regard to the nature of collective action and the division between personal and group morality. The disjunction between the ethical responsibilities and the legal accountability of large corporations may lead some to question the level of social justice available within late capitalist society.

Business corporations are collectivities of persons that are granted legal personhood and limited liability by the state for the purpose of carrying on commerce. The purposes for which a general corporation is created—primarily to make profit from commerce for its shareholders—raise questions about whether corporations ought to undertake supererogatory actions for the public good. This issue is further complicated by the issue of minority stockholders' rights, since there are few noncontroversial issues of public

policy and the unanimous agreement of stockholders is scarcely to be anticipated in large, publicly traded corporations.

Nobel laureate Milton Friedman has argued eloquently for restricting the moral obligation of corporations to obeying the laws of their respective nations. In this view, minority stockholders' rights are a prime consideration, but the economic efficiency of the market is another desired aim of this policy. The purely economic arrangement of the market, this theory argues, would be damaged by the noneconomic behavior of altruistic corporations. The lessening of the profitability of some enterprises, the potential for boycott, counter-boycott, and so forth, threaten the normal functioning of the capitalistic market economy, in this view.

The contrary view would hold that it is absurd to separate financial profitability from questions of the general quality of life: Would it make sense for a businessman to indulge in some as-yet legal form of polluting if that pollution would significantly shorten his life and/or that of his family? Would it be "profitable" for one to make money by legally selling weaponry to a potential enemy who might be expected to use those weapons to conquer or to destroy one's nation?

*Patrick M. O'Neil*

SEE ALSO: Accountability; Boycotts; Business ethics; Consumerism; Corporate scandal; Duty; Employee safety and treatment; Leadership; Sales ethics; Self-regulation.

## **Corporate scandal**

**DEFINITION:** Highly publicized legal and ethical misconduct of corporate leaders

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** During the first years of the twenty-first century, a long string of financial frauds in public American corporations cast public doubt on the ethics of even untarnished corporations. Such trust, once lost, is slow to return. The immediate measure result was a slow down in the financial markets.

President Theodore Roosevelt is credited with saying that to "educate a person in mind and not in morals is

to educate a menace to society.” Rarely has the truth of that observation been more apparent than in the early years of the twenty-first century, when numerous corporate scandals, perpetrated by highly educated and highly paid corporate officers, dominated the news media.

Corporate financial scandals are not new; they have been around since the dawn of the corporate form of business in the late nineteenth century. They have been called the “agency problem.” As agents of their companies’ stockholders, corporate officers utilize corporation assets on behalf of the stockholders. At the same time, the officers have a vested interest in maximizing their own well-being. The result is that stockholders need some form of governance over the officers of the corporations. Such governance is supposed to be provided by corporate boards of directors, audit committees, and internal auditors who oversee the activities of management. However, during the early years of the twenty-first century, several corporations, including Enron, WorldCom, Global Crossing, HealthSouth, Tyco, and others, were driven into bankruptcy or other financial embarrassments due to the overly greedy activities of their high-level executives.

In some cases, corporate stock options—the right to purchase shares of stock at a certain price—were the cause of the financial fraud. In other cases, opportunities to receive year-end salary bonuses were the incentive. After exercising their options to buy stock at low prices, corporate officers could then manipulate their companies’ financial reports to make reported income appear to be higher than it actually was, thus raising the value of their own stock. The result was that many corporate officers benefitted at the expense of stockholders. In instances in which employees were offered bonuses for achieving specific income goals for their companies, officers used various methods to report greater revenues or lower expenses, or both. These actions were clearly unethical acts on the part of the officers, but the practice was widespread enough to dampen all stock market activity severely.

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*Former Enron chief executive officer Jeffrey Skilling (right) listening to his defense attorney after pleading innocent to three dozen federal charges in February, 2004. Skilling resigned from his job a few months before the giant communications company was shattered by revelations of insider trading and other scandals. (AP/Wide World Photos)*

#### **ENRON AND WORLDCOM**

In most cases of corporate scandal, external auditors were blamed, either for agreeing to the questionable practices of the corporate officers, or for failing to uncover the illegal activities. One of the most highly publicized scandals, which affected the Enron Corporation, was uncovered in late 2001. After Andersen & Company (formerly Arthur Andersen & Company), the external auditor that had approved some questionable Enron transactions, was discovered to have shredded thousands of documents related to its audit of Enron, that venerable auditing firm was destroyed. By the spring of 2002, Andersen

essentially ceased to exist—not merely because it had failed in conducting an audit, but because it attempted to hide its audit coverage by shredding key documents.

As the news coverage of the Enron scandal waned, a new fraud was uncovered at WorldCom, a major telecommunications firm in Clinton, Mississippi. Internal auditors at WorldCom discovered that the company's chief financial officer, controller, and other accounting employees had recorded expenses as assets, which resulted in ostensibly higher income and the consequent awarding of huge bonuses to top-level employees. The WorldCom scandal was essentially the straw that broke the camel's back. Investors prevailed upon Congress to do something about the unethical acts of corporate executives. The result was the passage on July 31, 2002, of the Sarbanes-Oxley Act, which limited the types of nonaudit work that external auditors are allowed to perform for their clients. The law also required corporate executives to certify to the accuracy of their company's financial statements.

### INTERNAL AUDITORS

One of the reasons that the Sarbanes-Oxley Act limited the types of work done by external auditors was that large audit firms were selling consulting services to their clients as well as conducting audits. Since auditors are supposed to be independent of their clients, their providing consulting services was regarded as a conflict of interest that inhibited their independence. This practice was particularly noted at Enron, where Andersen had either designed or approved the use of subsidiary organizations that would absorb losses that would otherwise have appeared on Enron's books.

Internal auditors are considered the first line of defense against questionable corporate ethics, but at Enron there were no internal auditors. Andersen had convinced Enron's board of directors that it could also handle the company's internal auditing duties. This concept of outsourcing the internal audit function to the external auditor had become a common American business practice during the late 1990's. However, the breakdown at Enron led to the prohibition against the practice in the Sarbanes-Oxley Act.

### CORPORATE FRAUD IN HISTORY

The perpetration of fraud by corporate insiders is not a new phenomenon. During the 1870's, half of the railroads in the United States were in receivership, many because of the immoral acts of insiders. In 1932, the bankruptcy of the Swedish financier Ivar Kreuger's scandal-ridden empire following his suicide led to a national outcry that resulted in Congress's passage of the 1933 Securities Act. During the 1980's, hundreds of financial institutions failed because of insider fraud, leading to a congressional investigation.

In many respects, Enron, WorldCom, and their ilk are merely extensions of the nineteenth century railroads and the Kreuger debacle. In every case, the governance system broke down or did not exist, and unethical individuals succumbed to greed. Laws cannot make individuals ethical, but by reducing opportunities for personal enrichment through the use of internal auditors, audit committees, and other forms of governance, unethical persons will have fewer opportunities for gain.

*Dale L. Flesher*

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SEE ALSO: Business ethics; Corporate compensation; Corporate responsibility; Corruption; Ethical codes of organizations; "Everyone does it"; Insider trading; Private vs. public morality; Stewart, Martha; Whistle-blowing; White-collar crime.

## Corruption

**DEFINITION:** Impairment or dissolution of integrity, virtue, and moral principles

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Corruption generally denotes a pervasive or potentially pervasive weakening of moral principles throughout a given institution or segment of society.

While a number of factors account for individual corruption, one important factor is contempt for humanity. A threshold of corruption has been crossed when a person comes to despise other people. Furthermore, most corrupt individuals share an overwhelming desire for power (control and domination) over others and a lust for wealth, and they will try to corrupt or ruin all those who stand in their way. Such a corrupt individual adapts easily. He or she can “move” and change stratagems quickly. Having an immoral or amoral approach to life (and ethics), such a person becomes a liar as needed, manipulates others as needed, uses the law as needed, and finds loopholes in laws and uses them to advantage as needed. Many corrupt people also exploit and hide behind religion.

Because of their contempt for others, corrupt persons become unscrupulous in addition to being utterly ruthless, while also becoming consciously and deeply aware of their ruthlessness. Other traits include their absorption with their own affairs to the exclusion of all else, as well as secretiveness and extreme sensitivity to real or imagined insults. Such persons become conspirators who are “positive” that others are conspiring against them. They then develop rationales for their actions, which include “punishment” of others. The truly corrupted eventually become criminals. For example, the Watergate scandal and U.S. president Richard M. Nixon’s White House tapes revealed that Nixon and many of his aides had become corrupt and committed criminal acts.

### CORRUPT SOCIETIES

Just as individuals become corrupt, so, too, do societies. Corrupt societies are usually ruled by dictators or by cliques of lawless and ruthless people. However, government under such rulers is mediocre at best. The cliques and the people they rule become

intolerant and develop contempt for foreign peoples. The leaders become something of father-figures and near worship of them develops. Rights—such as those found in the U.S. Constitution’s Bill of Rights—are curtailed, and censorship becomes the order of the day. In the economy, extremes develop between fabulously wealthy people and the poverty stricken, with much of the wealth being amassed by the ruling clique. Furthermore, social mobility of any kind is restricted to certain elite groups.

Corrupt societies also exhibit decisiveness, instability, and senseless murders that devalue life, but turn cynical when such wrongs are committed. Furthermore, the state gives only minimal assistance to the needful young, old, and sick. Corrupt societies use religion as a type of “window-dressing,” with most people who appear to be “saints” on their day of worship reverting to cold-blooded ruthlessness on the other days of the week. As a consequence, ethics are ignored, immorality replaces morality, sexual mores change for the worse, and families become weak to the point of almost ceasing to exist. Additionally, if the state has a heritage of “multiculturalism,” the “in” groups eventually persecute and suppress the “out” groups, as was the case in Nazi Germany.

### THE UNITED STATES

Many signs of corruption became evident in the United States, as the nation moved into the twenty-first century. Everywhere, it seemed, were signs that elites expected and demanded too much. In the savings and loan scandals of the late 1980’s and early 1990’s, when bankers took billions of dollars, there was corruption. When defense contractors cheated on their government contracts from the 1940’s to the present, again there was corruption.

When college football coaches or their “boosters” bribe the impressionable young, all parties become corrupted. When ministers commit immoral and perhaps illegal acts while continuing to beg for money, they become corrupt and may well corrupt all those around them, including their own congregations. When college students cheat on examinations, they become corrupt and may influence others to cheat, thereby spreading their corruption.

People who abuse relatives violently, sexually, or psychologically, become corrupt and may also “warp” the beliefs of the persons so abused. When



the friendly neighborhood policeman takes his first bribe, the policeman becomes corrupt. When physicians treat the poor and charge them more than they can pay, the physicians become corrupt. Perhaps worst of all, corrupted individuals and societies have no sense of shame when such wrongs are committed.

It thus appears that the United States—like many other countries—may not measure up to the standards set by the French Nobel Prize winner Albert Camus, a philosopher who held that the worth of an individual could be measured by observing what that individual would allow others to suffer and that a society's worth could be measured by observing how it treated its most unfortunate people.

*James Smallwood*

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SEE ALSO: Cheating; Corporate scandal; Dirty hands; Ethics in Government Act; "Everyone does it"; Honesty; Lobbying; Lying; Morality; White-collar crime.

## **Cost-benefit analysis**

**DEFINITION:** Method of deciding between alternative courses of action that weighs economic costs and benefits in order to ensure that net benefits outweigh net costs

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Cost-benefit analysis is a tool especially valued by environmental and regulatory agencies that must make choices in proposals for public land use. The ethical challenge is determining whether the assumption that preferences for such issues as wilderness and clean air protection can be measured in economic terms is valid.

Cost-benefit analysis was developed by economists in the early 1950's as a test for the desirability of government policies and projects. Just as a corporation maximizes profits, good government should maximize the benefits for society. Cost-benefit analysis is a procedure for decision making that emphasizes consequences. The procedure is simple: Given alternative courses of action, policy makers should choose the course that maximizes public benefits after subtracting associated costs, which are expressed in dollars.

Economists have touted cost-benefit analysis as an especially useful and rigorous way of thinking about issues such as health care and environmental and regulatory policies. Common sense seems to dictate a preference for choices that maximize benefits and minimize costs. However, cost-benefit analysis is not without its critics, notably environmentalists and philosophers who are concerned about the ethical implications of this thinking.

#### **ESTIMATING VALUE**

Preferences for health care, clean water, environmental beauty, and safe consumer products, can be affected by regulation and policies. Cost-benefit analysis requires that such preferences be expressed in dollar amounts. For example, in a case in which the installation of pollution control equipment will result in the savings of human life, it should be easy to estimate the equipment costs. However, it is notoriously difficult to assign dollar values to the benefit of saving human lives. How can such costs be measured? For example, should the baseline be the annual salaries of the people whose lives are saved?

Critics also argue that cost-benefit analysis raises

serious fairness issues by implying that people with higher incomes are more important than those with lower incomes. If society thinks of workers in terms of their incomes, because low-income workers cost less than higher income workers, they might consequently be afforded less protection because they are cheaper to replace.

### MAKING DECISIONS

Cost-benefit analysis offers a procedure for resolving disputes between competing interests to everyone's benefit. An example might be one in which two parties disagree over the use of a piece of land—one party wishes to develop it, and the other to preserve it. To resolve the dispute one could ask what the parties are willing to pay to develop or to preserve the land. Analysts claim that the party willing to pay more money is the party that desires the property more and consequently will benefit more from its acquisition.

That line of reasoning seems to be intuitive—if one party is willing to pay more for something, then one must want it more. The “losers” in the bidding war could then be compensated for their losses, and no one would be worse off. However, this result is also controversial. If willingness to pay is equated to what a party can actually pay on demand, then the losing bidder must desire the outcome less. However, what if one party just has fewer financial resources than the other? It does not follow that that party wants the property less. Furthermore, financial compensation for “losers” may be irrelevant if their interest in the land is noneconomic and cannot be measured in dollar amounts.

*Edward W. Maine*

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SEE ALSO: Choice; Economic analysis; Free-riding; Future-oriented ethics; Health care allocation; Incommensurability; Medical insurance; Outsourcing; Pollution permits; Utilitarianism.

## Courage

**DEFINITION:** Mental or moral strength to stand firm in the face of difficulty or danger

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Courage is one of the cardinal virtues, a trait indicative of strong moral character.

Courage, along with prudence, justice, and temperance, is one of the four cardinal virtues (states of character) of ancient Greek moral philosophy. Some authors and translators call it “fortitude” or “bravery.”

In book 4 of his *Republic* (c. 390 B.C.E.), Plato describes what he believes would be the ideal city-state. It would include courageous soldiers who would go to war on its behalf. These soldiers would be taught what to fear and what not to fear. Furthermore, they would be trained to act in accordance with this knowledge when on the battlefield. Plato compares the courageous soldier to fabric that is dyed in such a manner that it retains its color when it is washed. The courageous soldier's “dye” must withstand the “lye” of pleasure, fear, and pain.

Plato's student Aristotle discusses the virtue of courage in book 3 of his *Nicomachean Ethics* (c. 330 B.C.E.). For Aristotle, many of the virtues are states of character that fall between opposing vices. Courage is a virtuous mean between the vicious extremes of cowardice on one side and rashness and excessive fearlessness on the other. The courageous person stands firm in the face of what is frightening. Although many things are frightening, courageous persons distinguish themselves most clearly from those who lack the virtue of courage by standing firm in the face of death, and it is in standing firm and fighting with confidence in the face of death on the battlefield that the virtue of courage is exercised to the fullest degree.

Aristotle's account of courage is more complicated than are his accounts of many other virtues, because it is a mean of two feelings: fear and confidence. Of the two, fear is the more important. The coward, who is both excessively fearful and deficiently confident, is distinguished most clearly by excessive fear of frightening things and fear of things that should not be frightening at all. There is no name (or was not in the Greek of Aristotle's day) for persons who have too little fear, because they are so rare. They are, he says, like madmen. Persons who are ex-

cessively confident about frightening things are rash, and they sometimes prove themselves to be cowards. Genuinely courageous persons do not seek danger. Rash persons, in attempting to imitate the courageous, wish for dangers but often retreat when they arrive.

While many of the Aristotelian virtues are means between extremes, they are not necessarily mid-points. Courage lies closer to excessive fearlessness and rashness than to cowardice. In other words, cowardice is the vice that is most directly opposed to the virtue of courage.

Aristotle identifies five states of character that are distinct from genuine courage but are often called “courage.” The “courage” of the citizen-soldier is really desire for praise and honor, combined with fear of reproaches and legal penalties. Also included in this category are citizen-soldiers who stand firm and fight only because they are less afraid of their enemy than of their own officers. Experienced soldiers sometimes appear to be courageous when, in fact, they are standing firm only because their experience tells them they are not in great danger. When they learn that they actually are in great danger, they turn and run. Emotion is sometimes called “courage” but is not genuine courage. For Aristotle, persons act virtuously only when their rational faculties govern their emotions. Courageous soldiers fight with passion, but not all passionate soldiers are courageous. In addition, those soldiers who are optimistic only because they have been victorious many times in the past are not courageous. When they learn that their lives are in danger, they are no longer confident. Finally, soldiers who give the appearance of courage only because they are ignorant of their situation do not possess the virtue of courage.

Among the most significant developments in the history of courage between Aristotle’s day and the twenty-first century is that in the medieval synthesis of the classical and Christian traditions, while courage was still understood to be chiefly about death on the battlefield, martyrdom also came to be understood as an act of courage. Josef Pieper’s *The Four Cardinal Virtues: Prudence, Justice, Fortitude, Temperance* (1965) provides a concise introduction to courage in the Christian tradition.

In early twenty-first century ethics, justice receives far more emphasis than do the other cardinal virtues. One area in which this imbalance of emphasis is most striking is that of the ethics of war and peace. Many writers address the questions of whether there can be just wars and, if so, what criteria should be used to distinguish just from unjust wars. Relatively little, however, is written about the courage of soldiers fighting in just wars. There is far more interest in the ethics of killing than in the ethics of dying.

David Lutz

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SEE ALSO: Aristotelian ethics; Character; Heroism; Military ethics; *Nicomachean Ethics*; Platonic ethics; *Republic*; Socrates; Virtue ethics.

## Covert action

**DEFINITION:** Gathering of proprietary information or the taking of physical action by clandestine means

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Covert actions are generally secret not merely from their target but also from most members of the corporation or government undertaking them. This raises important ethical concerns involving the limits of political or business leaders' rights to undertake actions in the name of their constituents without the knowledge or consent of those constituents.

In democratic, free, and open societies, the use of clandestine methods to achieve political, military, or industrial gains is the focus of argument. The argument is based on the question of whether it is moral and ethical to spy and engage in clandestine operations for the safety of the nation and its way of life or to obtain commercial advantage over a competitor. If it is decided to use secretive methods, what lengths and means are justified in pursuing particular goals? To what extent must the public be informed regarding the success or failure of the actions taken?

In totalitarian states, the morality of the governing power is the morality of the dictator or ruling group. In such states, the use of covert action is dictated by the goals and agenda of a single person or a small group of empowered individuals, without the consent or knowledge of the citizenry. In a democracy, a consensus is usually formed through elections, and national agendas reflect the morality and ethics of the majority of the population. As a result, government, military, and law-enforcement agencies must not violate the morality of the citizens, as understood by their elected representatives, in the pursuit of goals or information. This is an idealistic view. The perceived morality of a nation's people may vary greatly, depending on the extent of the governing mandate and the judgment of those who interpret the prevailing moral trends, and these trends may quickly shift direction depending on the public's views of and responses to perceived national threats, outrages, and insults, or to changes in elected officials.

In the case of industrial covert actions, the morality and ethics of engaging in secretive methods in business are clearly linked to financial gain and

competitive survivability, and as in totalitarian governments, the decision to use covert methods reflects the ethics and morality of corporate leaders. Most industrial covert action involves theft or sabotage. Government-sanctioned covert action is more complicated.

### DANGERS OF COVERT ACTION

Societies of all types are most vulnerable to threats that are held in secret from them. For this reason, it is vital to be able to detect, identify, evaluate, and react to secret threats. To this end intelligence-gathering agencies exist. Collected intelligence data can be assessed to determine whether and how secret threats should be met, preferably by overt means if feasible, but when necessary and appropriate, by covert action. Covert actions are usually undertaken by one government to influence the affairs or policies of other nations by secret and unattributable means. The rationale for such actions is dictated by national interest, and national interest is defined by the moral and ethical values of totalitarian leaders or by a majority of a democratic nation's population.

It is important to remember that when a democratic government takes covert action in the national interest, it does so under the umbrella of public consent. In either instance, covert actions are intended, at least in concept, to support broader national policy goals and to advance national interests. To this effect, covert actions are methods that support a nation's foreign policies and intent and that provide options located somewhere between diplomacy and military force. Whether in a totalitarian state or a free society, covert actions are ultimately "official" government-sponsored activities, despite being planned and conducted in a manner that hides or disguises their official sanctioning.

### NATIONS AND COVERT ACTION

Covert actions are not a modern phenomenon. They have existed as long as groups of people have found points of disagreement and wish to influence the actions of others in a manner more favorable to themselves. As a result, the ethics of covert actions are reflective of the society that initiates them. If a nation can justify covert actions as a means to ensure its security or to further its national interests, or if a corporation can justify covert actions to ensure its commercial viability, then there is little posed in the way

of a moral or ethical dilemma. When covert actions take place, they express the goals adopted by a nation and the values expected, or tolerated, by its society. Covert actions reflect national behavior in the same manner as do other external actions, such as trade agreements, foreign aid, and military posturing. Because of their clandestine nature and their danger for those directly involved, covert actions are hidden from direct public knowledge and involvement.

In many societies in which an open flow of information on government activities is available for public scrutiny, however, certain elements of society often express open disagreement over principles and beliefs that are related to both the ends and the means of their government's covert activities. Some democratic nations go so far as to define "covert actions" legislatively, in effect defining, or attempting to define, their national attitude toward the ethics of clandestine operations. In any case, the role and the extent of covert actions used as an instrument of a society's governmental or industrial policies reflect the ethics and morals of that society.

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SEE ALSO: Assassination; Corporate responsibility; Democracy; Dictatorship; Electronic surveillance; Espionage; International Monetary Fund.

## **Criminal punishment**

**DEFINITION:** Unpleasant consequence, such as a fine, imprisonment, or death, that a state imposes on an individual for violation of a legal rule

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Moral philosophy has traditionally been closely concerned with the justifications and purposes of criminal punishment in general, as well as the principles for determining which punishments are appropriate for particular crimes.

Each society is ordered through various laws, which represent that society's understanding of what is important for the general welfare and what is right and wrong. When laws are violated, the society must take measures to minimize the violations in order to preserve itself and its values. This minimization is usually achieved by means of punishment.

Early human societies often viewed crimes as offenses against deities or ancestral spirits. They believed that the community would experience adversity if the violators were not punished. Death was a widely used form of punishment. One of the oldest codes of laws in existence, the Code of Hammurabi (Babylonia, c. 1700 B.C.E.), prescribed death for about thirty different offenses, including incest, swearing, casting a spell, burglary, and (for women) drinking in public.

#### **JUSTIFICATIONS FOR CRIMINAL PUNISHMENT**

Some people argue that punishment promotes social solidarity by reinforcing foundational social values, while others argue that punishment is usually imposed by the ruling economic and political class on the lower class to maintain the status quo. Still others reject punishment entirely, arguing that crime is a disease and should not be treated by inflicting pain upon criminals.

Attempts to address the issue of the moral justification of punishment have mainly fallen into two broadly opposed groups: utilitarian and retributive theories of punishment. The retributivist stresses guilt



and desert, looking back to the crime to justify punishment. The basic characteristic of the utilitarian theory of punishment is that it is oriented toward the future, insisting that punishment can be justified only if it has beneficial consequences that outweigh the intrinsic evil of inflicting suffering. Retributivism holds that the justification for punishment is found in the fact that a rule has been broken—punishment is properly inflicted because, and only because, a person deserves it. The offender’s desert, and not the beneficial consequences of punishment, is what jus-

tifies punishment. This is the “eye-for-an-eye” view, according to which a wrongdoer deserves to be punished in proportion to his or her crime.

The history of retributive punishment, which begins with biblical and Talmudic ethical and legal ideas, has been the most prevalent form of punishment. The most important and influential classical retributivist is Immanuel Kant. The classical form of retributivism holds not only that the guilty should be punished but also that there is a duty to punish the guilty. In knowingly breaking the law, the criminal declares, for example, that he or she has a license to steal, thus putting those who respect property rights at a disadvantage. The criminal weakens the fabric of justice and must be punished to vindicate justice. Failure to punish not only condones the wrongful act but also is unfair to those who practice self-restraint and respect the rights of others. Thus, punishment is imposed for the sake of justice.

Retributivists hold that wrongful acts and harms can be ranked in order of their moral gravity and that the proper amount of punishment is proportionate to the moral gravity of the offense. In its most complete form, the retributive theory of punishment contains the following tenets: The moral right to punish is based solely on the offense committed; the moral duty to punish is grounded solely on the offense committed; punishment should be proportionate to the offense; punishment annuls the offense; and punishment is a right of the offender.

#### UTILITARIAN THEORY

The utilitarian theory of punishment also has had a long history, beginning with Plato (c. 428–348 B.C.E.) The most comprehensive formulation of the theory is found in the writings of Jeremy Bentham. The utilitarian theory jus-

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*In September, 1971, the bloodiest prison revolt in U.S. history occurred at New York’s maximum security prison at Attica, where twelve hundred inmates rose up to protest the facility’s harsh conditions by taking hostage thirty-nine guards and civilian employees. After forty-three lives were lost in the brutal suppression of the uprising, a need for prison reform throughout the United States was widely recognized. (AP/Wide World Photos)*

tifies punishment solely in terms of the good consequences that it produces. For a punishment to be justified, it should have at least some of the following good effects. First, the punishment should act as a deterrent to crime. It should sway the offender not to commit similar offenses in the future and serve as an example to potential offenders. Second, the punishment should be a means of reforming or rehabilitating the offender. The offender is reformed in the sense that the effect of the punishment is to change the offender's values so that he or she will not commit similar offenses in the future because he or she believes them to be wrong. A third good consequence should be the incapacitative effect of the punishment. When an offender is in prison, he or she is out of the general social circulation and thus does not have the opportunity to commit offenses. Finally, the punishment should act as a means of moral education in the community. It should demonstrate the moral wrongness and unacceptability of an offense and strengthen moral beliefs that curb criminal inclinations.

The utilitarian theory of punishment can be summarized in the following propositions: Social utility is a necessary condition for justified punishment; social utility is a sufficient condition for justified punishment; and the proper amount of punishment is that amount that will do the most good or the least harm to those who are affected by it.

Attempts have been made to mix the utilitarian and retributive theories in order to combine the positive elements of each. One such attempt maintains that the aim of punishment is to prevent or reduce crime, a utilitarian idea, but insists that only those who have voluntarily broken the law be punished and that the punishment be proportionate to the offense, which are retributive ideas.

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## Critical theory

DEFINITION: Fundamentally interdisciplinary approach to the study and critique of culture and society

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Although the various practitioners of critical theory hold radically different beliefs on almost every subject, most of them would agree that there is a primary ethical imperative to understand one's own culture, the power structures operative within that culture, and one's relationship to those structures.

"Critical theory" is an umbrella term that is used to define a range of social theories that surfaced in the nineteenth century and continued through the latter part of the twentieth century. A critical theory is characterized by strong opposition to the traditions of all disciplines. These traditions have existed for the purpose of articulating and advancing "timeless" truths, "objective" facts, singular interpretations of texts, and so on. A critical theory posits that these universal truths, objective facts, and singular interpretations in all disciplines lack any sort of philosophical or theoretical grounding that could not be effectively challenged, and that to present them as if they are objective is a politically destructive act.

Theories are usually removed from political practice, interpreting the world rather than prescribing a solution to whatever ills are discovered. Critical theory differentiates itself from other theories on this point; it has a very different view of the relationship between theory and practice. Striving to do more than define how society is unfair, critical theory attempts to turn the status quo upside down and offer a solution. This connection between social theory and political practice is critical theory's distinguishing characteristic.

Those who espouse critical theory believe that the traditional disciplines must attempt to change the world in a way that gives those who have been "marginalized," or placed on the fringes of society, the insights and intellectual understanding they need in order to empower and eventually free themselves. In his book *Critical Theory in Political Practice*, Stephen T. Leonard articulates three criteria that must be met if critical theory is to bring about self-emancipation. A critical theory must first of all provide a coherent explanation of how the self-conceptions of the marginalized are largely responsible for the reality of the situations of those people. Second, critical theory must provide a completely different perspective of social relations that the oppressed can adopt for their own vision. The third criterion is that the first two actions will be successful only if critical theory manifests a sufficiently deep understanding of itself that in the end, it can translate its theory into a language that is comprehensible to the very people it wants to empower.

### JUDGING CRITICAL THEORY

Unlike other theories, critical theory is not judged simply by its ability to give an account of the world; instead, it is judged by its ability to show the oppressed how their institutionalized beliefs and conceptions of themselves help sustain their marginalization. Critical theory is successful when the oppressed act in their own interest to free themselves from their dependence upon the mainstream.

There have been several influential attempts at developing a critical theory, the first of which was the work of Karl Marx. Marx argued from a philosophical perspective that the point is to change the world, not simply to interpret it, and because of this view, Marx is considered by many to be the founding father of critical theory. Marxism has presented many prob-

lems in the twentieth century, however, so even though Marx has had a tremendous influence upon defining critical theory, critical theory has not easily identified with Marx. His critique of nineteenth century capitalism has been difficult to apply to the capitalism of the twentieth century. Consequently, Marxist theorists have reinterpreted his theory, and those reinterpretations have been even more problematic. The most widely known of these interpretations has been orthodox Marxism, which has been used to support authoritarian regimes.

Other theorists have attempted to learn from the mistakes of the orthodox Marxists and have chosen to concentrate on the antiauthoritarian elements of Marx's theory. The most influential of these has been the Frankfurt School, which includes Max Horkheimer, Theodore Adorno, and Herbert Marcuse, as well as Jürgen Habermas. The Frankfurt School was interested in Marxism's insights but wanted to use them in a way that would be relevant to the twentieth century, without falling into a dogmatic theory of authoritarian social structures and political institutions.

"Western" Marxism, the Frankfurt School's theory, agrees with Marx that it is possible for modern society to overcome oppressive domination. It disagrees with both Marx and traditional Marxists, however, regarding the traditional Marxist theory that overcoming this domination can only be achieved through a revolution by the working class.

Marx, the Frankfurt School, and Jürgen Habermas are considered part of the modernist movement of critical theory, of which Western Marxism has been the most influential element thus far. Modernist theorists are characterized by their belief that the current forms of thought and action in society are neither critical nor reflective. They believe that critical theory is possible only if serious critical thought can be recaptured, which they believe is entirely possible.

Modernist critical theory has been followed by "postmodernist" critical theory. Most influential postmodernist thinkers have been French, and the historian Michel Foucault has been the most prominent postmodernist. Postmodernist critical theory shares with modernist critical theory a commitment to a social theory that is politically engaged and is opposed to domination as a political solution. Both schools of thought have been opposed to orthodox Marxism. What is distinctly different between the

two is the postmodernist assertion that the recovery of critical reason in the modern world is not possible; therefore, emancipation cannot be achieved through the recovery of critical reason. Foucault argues that the recovery of reason is impossible because of the limitations of language.

Modernist and postmodernist theory have had an enormous influence in shaping critical theory. United on many fronts, these schools of thought have established good reasons for the necessity of a theory that incorporates both social and political theory. Much of the discourse between the two in the latter part of the twentieth century, however, has centered on their essential difference—the question of whether modern society holds the possibility of reason and critical thought—and little of it has concentrated upon articulating the theory to the oppressed for their empowerment.

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## Cruelty

**DEFINITION:** Intentional, malicious infliction of physical and/or psychological injury on another person or animal

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Cruelty is often taken to be the greatest moral transgression: Those crimes committed out of cruelty are usually deemed the most evil and the least forgivable.

Although cruelty has existed at virtually all stages of civilization, philosophical interest in cruelty began in the nineteenth century. Earlier thinkers usually considered cruelty within the context of another concern. Niccolò Machiavelli, in *The Prince*, advocates the quick, expeditious use of cruelty by a prince to maintain unity, loyalty, and order in his state, since criminal behavior is encouraged when a ruler is too merciful to his subjects. Judicious cruelty creates fear, and if a prince cannot be both loved and feared, it is better to be feared than to be loved.

French essayist Michel de Montaigne condemns cruelty as being so repulsive that he approves of nothing harsher for criminals than quick execution, believing that anything “beyond plain death” is pointlessly wanton. He also condemns cruelty to animals, with whom humans share mutual obligations.

Although he is remembered more for his depravity than for his contribution to historiography and literature, the Marquis de Sade is an important figure in the history and literature of cruelty. Sade provides, through his life and writing, extensive depictions of physical and mental cruelty as a prelude to sexual gratification. His justification of sexual cruelty is rooted in his belief that natural sexual pleasure is always preceded by an erotic desire to suffer and inflict pain, behavior that should not be censured, since it is the fulfillment of natural human instinct.

#### PHILOSOPHICAL CONSIDERATIONS OF CRUELTY

The earliest philosophical interest in cruelty is shown by Arthur Schopenhauer. Schopenhauer abhors cruelty, also censuring the insensitive treatment of animals, which stems from the erroneous belief that they cannot suffer. He sees in Christianity the root of this insensitivity because of the Christian emphasis on the unique and exclusive value of human life. In Asian cultures, animals are better treated and

more highly valued. Human cruelty springs from the suffering of the individual will in its struggle to satisfy its desires. A frustrated individual who believes that his own suffering is greater than that of others becomes envious. When envy and frustration become so great that the individual delights in the infliction of suffering, the individual has crossed the threshold from the moral frailty natural in everyone to a fiendish, diabolical cruelty. The only preventative for such deeply depraved acts is an equally deep compassion.

Friedrich Nietzsche considers human cruelty from both a historical and a philosophical perspective. In *On the Genealogy of Morals*, he recognizes its powerful influence on human culture, attributing to cruelty a central role in the generation of historical memory: “Man could never do without blood, torture, and sacrifices when he felt the need to create a memory for himself; . . . all this has its origin in the instinct that realized that pain is the most powerful aid to mnemonics.”

Modern moral concepts are rooted in ancient legal obligations, in which justice was obtained through violent personal revenge as compensation for an injury—creditors having the right to “inflict every kind of torture and indignity upon the body of the debtor . . . as much as seemed commensurate with the debt.” As communities become confident of their power, however, they become lenient toward those who injure them, there being a direct relationship between strength and humaneness, just as there is between vulnerability and the capacity for cruelty. In Nietzsche’s view, in a strong, confident community, as in a strong, confident individual, cruelty evolves into mercy. The fact that cruelty provided pleasure for “more primitive men” explains the prevalence of violent atrocity, a feature of its past that modern humanity hypocritically denies. The tragedy of modern humanity, however, is that it has replaced primitive, blood-seeking cruelty toward transgressors with “psychical cruelty” against itself: it has abased itself before God, in whose eyes it deserves only punishment for its unworthiness.

The philosophical interest in cruelty that was initiated by Schopenhauer and Nietzsche has been maintained by American philosopher Philip Hallie, who gives it deliberate, intense philosophical attention. Hallie distinguishes “episodic cruelty” (unrelated, occasional acts of cruelty) from “institutionalized cruelty,” which consists of using the fun-

damental institutions of society—government, education, and so forth—to execute and perpetuate both blatant and subtle acts of cruelty. He identifies the imbalance of power as a defining feature of cruelty and searches for its opposite, which he initially determines to be freedom. Freedom must be consummated by “hospitality,” however, meaning the carrying out of a positive ethic of beneficence, often at significant risk to the benefactor, in addition to negative injunctions against doing harm.

Hallie contrasts the Nazi Holocaust with the quiet, heroic goodness of the villagers of Le Chambon-sur-Lignon in southern France, whose goodness resulted in the saving of thousands of Jewish refugees during the Occupation, despite grave danger to themselves. Throughout Hallie’s treatment of cruelty runs an exhortation against forgetting the presence and identity of the victim in every act of cruelty, an oversight that resulted in the systematic inhumanity of the Holocaust; it was the recognition of the victims that produced the “riskful, strenuous nobility” of the Chambonnais.

Barbara Forrest

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SEE ALSO: *Being and Nothingness*; Cruelty to animals; Hate; Nietzsche, Friedrich; Rape; Schopenhauer, Arthur; Torture; Violence; Wickedness.

## Cruelty to animals

DEFINITION: Intentional or wanton infliction of suffering upon living creatures, or indifference to their suffering

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: To take pleasure in the suffering of animals is considered immoral by most world religions and ethical philosophies.

The keenly perceptive twentieth century dramatist George Bernard Shaw observed that when a man kills a lion he is praised as being a sportsman, while when a lion kills a man he is condemned as vicious. Mohandas K. Gandhi, the charismatic moral and spiritual leader, once lamented that the terrible thing about the British was not only that they did terrible things to his people but also that they were not even aware of it.

It is often the case that humans are cruel to animals without being aware they are. It has been widely accepted, as was maintained by British philosopher John Locke, that feeling pleasure in the suffering of others is the main ingredient in cruelty, but there are some who feel nothing. Thus, Tom Regan, animal rights philosopher, distinguishes between what he calls *sadistic cruelty*, which occurs when people *enjoy* causing suffering, and *brutal cruelty*, which involves *indifference* to suffering.

René Descartes, the father of modern philosophy, was so indifferent to cruelty to animals that he in-

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*A volunteer at an Arkansas Humane Society center walks an injured dog that was brought to the center for help. (AP/Wide World Photos)*

sisted that because animals do not reason, they cannot even feel pain. This meant that one could torture animals and still not be considered cruel. Indeed, as recently as the mid-nineteenth century, it was common for horses to be beaten to death in Great Britain. Cattle, sheep, and pigs were slowly bled to death, and there was no moral outcry against such cruelty.

### PREVENTIVE LEGISLATION

The first time any legal effort was made to address the problem of cruelty to animals was 1800, when a bill was sponsored in Britain to outlaw bullfighting. Even so small an effort as that, however, was ridiculed by the *Times* of London. Finally, after years of indifference, in 1822 Parliament passed an act outlawing cruel treatment to cattle.

Against a historical background of ethical indifference toward animals, in the eighteenth and nineteenth centuries some Christian leaders and free thinkers took a stand against cruelty to animals. The philosopher Lord Shaftesbury (Anthony Ashley Cooper) condemned the act of taking pleasure in the suffering of animals, calling it unnatural. A protest group known as the Clapham Sect denounced bullfighting as barbarous. Queen Victoria herself believed that there was something wrong with a civilization that would condone cruelty to animals or deny charity and mercy for them.

In 1824 in England, the Society for the Prevention of Cruelty to Animals (SPCA) was founded. In 1832, there appeared a Christian declaration that cruelty to animals was against the Christian faith. The drive to oppose cruelty to animals and to seek ethical treatment for them was gaining momentum. In answer to the charge that there should be no ethical concern for creatures who cannot reason, the nineteenth century British philosopher Jeremy Bentham declared that the question is not whether animals can reason or talk, but whether they can suffer.

As ethical concern for animals expanded, the very definition of cruelty to them also had to be expanded. Thus, Andrew Linzey, a distinguished theologian and advocate of animal rights, enlarged the concept of cruelty to make it identical with wantonness, meaning any act that is not morally justifiable. In such terms, cruelty regardless of intention would include the use of animals for sport, recreation, pleasure, and entertainment, as well as negligence and lack of care toward them. Linzey ethically condemns

### Indications That Animals Are Being Treated Cruelly

- untreated tick or flea infestations
- body wounds
- patches of missing hair
- extreme thinness—a sign of starvation
- limping
- persons in the act of striking or otherwise physically abusing animals
- dogs that are frequently left alone without food or water, often chained up in yards
- dogs that are kept outside without shelters in extreme weather conditions
- animals that cower in fear or behave aggressively when approached by their owners

Source: American Society for the Prevention of Cruelty to Animals (<http://www.aspc.org/site>).

as cruel “hunting,” bull or cock fighting, and the use of performing animals in films, television, or the circus. For Linzey, both animals and humans are God’s creations, and thus to be cruel to any of them is to offend God.

### PHILOSOPHICAL CONCERNS

As philosophers came to believe that cruelty to animals was unethical, they also came to see that it was not possible to isolate cruelty to animals from cruelty to humans. The great eighteenth century Prussian philosopher Immanuel Kant observed that if people were indifferent to cruelty to animals, that would desensitize them, and they would become indifferent to cruelty to humans. The celebrated playwright George Bernard Shaw insisted that it would be impossible to be cruel to animals without damaging one’s own character.

The famous medieval Roman Catholic philosopher Saint Thomas Aquinas maintained that it is not that cruelty could dehumanize people but that it necessarily does. Thus, Andrew Linzey stated that cruelty to animals leads to moral meanness of life. C. S. Lewis, the celebrated twentieth century novelist and theologian, used the argument that if people can jus-

tify cruelty on the grounds of a difference in species, they can justify it on racial grounds, or on the grounds of advanced people against backward people, and the culmination of this kind of thinking is the behavior of the Nazis during World War II.

Following the lead of Britain in opposing cruelty to animals, in 1866 the American Society for the Prevention of Cruelty to Animals (ASPCA) was founded, and in the twentieth century many humane organizations have been formed that do not merely oppose cruelty to animals but also aggressively promote a general program of animal rights.

*T. E. Katen*

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SEE ALSO: Animal consciousness; Animal research; Animal rights; Cruelty; Dominion over nature, human; Humane Society of the United States; People for the Ethical Treatment of Animals; Sentience; Singer, Peter; Society for the Prevention of Cruelty to Animals.

## Custom

**DEFINITION:** Practices and beliefs common to a particular region or class of people

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** If ethical views are formed in significant part by local custom, then the quest for universal ethical principles may be unsuccessful.

At the highest level of generality, perhaps every human culture subscribes to the same ethical rule: Do

good and avoid evil. At lower levels of generality, however, ethical rules vary widely from one culture to another, and definitions of what constitute good and evil are not uniform among different cultures. Whether something is good is a question that is influenced or determined by the customs of the culture in which the issue arises. For example, in some cultures custom dictates that no work be done on the Sabbath day. In some cultures custom dictates that men should work out of their homes, and women should work within their homes. Many cultures have taboos on what people may eat, but these taboos differ widely among cultures.

Ethical rules or propositions can be thought of as either universal or parochial. A universal ethical rule is one that is valid and applicable in all cultures, among all humankind. Such rules are ordinarily associated with natural law. Just as the laws of physics are true everywhere on Earth, certain ethical laws, according to proponents of natural law, are valid in all human cultures. An example would be universal prescriptions on killing one's parents.

In contrast, parochial rules depend on the customs of a given culture. Because customs vary, parochial ethical rules vary as well. Thus, parochial ethical rules are present in some, but not all, human cultures. As an empirical proposition, parochial rules are far more common than universal ones. Tax rates vary, as do the definitions of crimes such as murder and rape. Indeed, over the course of human history, ethical norms have varied dramatically, whereas the laws of physics have not. The second law of thermodynamics, for example, has always been valid, yet slavery, which has come to be regarded as unethical in most of the world, was widely accepted for centuries as an ethical practice.

Even at a given moment in history, rules vary significantly among cultures. Certain cultures, for example, regard capital punishment as unethical and therefore forbid it, while other cultures put many people to death.

Similarly, most industrialized cultures forbid polygamous marriages, whereas most cultures in the nonindustrialized world permit them. In certain cultures, abortion is categorically forbidden; in others, it is freely available.

The fact that ethical outlooks vary from one culture to another, not only over time but also at any given time, suggests either that proponents of natural

law are mistaken and that there are few universal moral rules, or that ethicists have not succeeded in identifying specific ethical rules that are universal.

Classical proponents of natural law were confident that universal ethical principles existed. The Roman statesman Cicero observed that true law in Rome is the same as true law in Athens. Cicero was confident that jurists would discover and articulate eternal ethical laws that would be valid at all times and in all places. More than two millennia later, however, with such norms yet to be identified at a low enough level of generality to be useful as laws, even modern proponents of natural law acknowledge the role of custom in shaping ethical outlooks.

*David R. Dow*

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SEE ALSO: Anthropological ethics; Cicero; Genocide, cultural; Good, the; Infanticide; Marriage; Relativism; Rights and obligations; Taboos.

## **Cynicism**

**DEFINITION:** Philosophical and ethical movement originating in ancient Greece

**DATE:** Developed between the fourth century B.C.E. and the sixth century C.E.

**TYPE OF ETHICS:** Classical history

**SIGNIFICANCE:** Cynicism denounced established convention and inhibition and advocated asceticism, self-sufficiency, intellectual freedom, virtuous action, and self-realization.

The movement that came to be known as Cynicism, the “dog philosophy,” cannot be characterized by reference to a systematic philosophical doctrine or a rigorously organized school. Instead, it was formed by

individual thinkers who embraced slightly varying sets of ethical tenets that were concerned primarily with practical ethics and who adopted ways of life that suited what they taught. Few members of the Cynic movement can be directly connected with their predecessors in terms of a master-pupil relationship. There is considerable chronological continuity of Cynics, however, who cover, in a fairly uninterrupted manner, a span of about ten centuries.

#### **GREEK ORIGINS**

The origins of Cynic ideas can be traced to the end of the fifth or the beginning of the fourth century B.C.E., to the doctrine of Antisthenes, who was one of the closest companions of Socrates. The archetypical figure of the Cynic, however, is Diogenes of Sinope, a contemporary of Aristotle, Demosthenes, and Alexander the Great. Diogenes was an influential thinker whose death in 323 B.C.E. marked the beginning of a period of development and popularity for the Cynic movement.

During the last decades of the fourth century and during the third century B.C.E., the Cynics Monimus of Syracuse, Onesicritus, Crates of Thebes and his wife Hipparchia, Metrocles of Maronea, Menippus of Gadara, Menedemus, Bion of Borysthenes, and Cercidas of Megalopolis extended the pure ethical core of the doctrine of Diogenes into domains such as literature and politics, making it known not only in Athens but also throughout the Hellenistic world. Cynicism lost its prominence during the next two centuries because of the growing influence of Epicureanism and Stoicism as well as the absence of charismatic Cynics.

The movement revived during the mid-first century C.E. in the form of an almost anarchist reaction to Roman leaders such as Caligula, Nero, and Vespasian. The influence of the Cynics of the Roman period reached its peak during the late first century and early second century with Dio Chrysostom and Favorinus. Other well-known figures were Demonax of Cyprus and Oenomaus of Gadara. The reputation of Cynicism suffered, however, as a result of the activities of various charlatans who carried the staff and knapsack and wore the cloak of the Cynics without bearing any resemblance to the Cynics. The satirist Lucian (second century) and the emperor Julian (fourth century) spoke of a noisy crowd that imitated the mannerisms of Diogenes and Crates but was ig-

norant of Cynic philosophy and was socially worthless.

### PHILOSOPHICAL BASES

Although the various individual exponents of Cynicism adopted different tones in their teaching and stressed different things, there is a core of practical attitudes and ethical tenets that they all share.

A key notion of ancient Cynicism lies in the metaphor of devaluation—or, rather, defacing or falsifying—the currency of human standards. The Cynics set out to undermine and reverse all the values, practices, and institutions on which conventional society was based. This “falsifying of the coin” is necessitated by the fact that the pleasures, attachments, and obligations nurtured by conventional society are impediments to happiness. Society burdens humans with a set of artificial values and corrupts them by means of self-indulgence, ignorance, and confusion. It is an active source of unhappiness in that it gives rise to unsatisfied desires for physical goods and to irrational fears about the gods, the turns of fortune, malady, and death.

The Cynic’s aim is to free people from the fetters of passion and convention, to make them observe the demands of nature and to guide them toward a natural life. In order to obtain this result, humans must, first, eradicate the desire and quest for pleasure, and, second, acquire both the physical and the mental strength to arm themselves against the difficulties that fortune may bring. This strength (*ischys*) can be obtained only by means of constant training (*askesis*) involving significant toil (*ponos*) of both body and mind. The Cynics consider toil as an instrumental good, since it leads to the realization of a double ideal: the reduction of one’s needs and desires to a bare minimum comparable to the minimal needs of animals, leading to self-sufficiency (*autarkeia*) and the achievement of spiritual freedom, independence, and impassibility (*apatheia*), which are truly god-like.

In line with the Socratic tradition, the Cynics believed that virtue was sufficient for happiness, and they partly analyzed it in intellectual terms. To them, virtue is based on “unlearning what is bad” and on developing a rational account of the distinction between natural and conventional values; it can be taught, and it probably depends heavily upon memory. The Cynic conception of virtue deviates from

Socraticism, however, in that it has strong anti-intellectualist traits: Knowledge is not sufficient for virtue but must be complemented by training and strength. The two kinds of *askesis* (hardening of the body and exercising of the mind) are complementary, and the *askesis* of the body can establish virtue in the soul.

The reversal of values affects the Cynic attitude toward religion and politics, two particularly conspicuous domains of ordinary activity. In religion, the Cynics denounced superstition in all forms, criticized the providentialist conception of the gods as well as any notion of divine interference in human affairs, and contrasted the intentions and practices of traditional believers with the pious behavior of morally pure men. Although the most important Cynics were not acknowledged atheists but only professed ignorance about the nature of the divine, their “falsification of the coin” in religious matters extended to the very roots of traditional religion. Their agnosticism was a springboard for attacks on both the content and the practices of Greco-Roman religion, and it left little room for an active belief in the existence of divinities. Their criticisms of traditional mythology should also be seen in the light of this radical defacement of religious values.

### POLITICS

In politics, the Cynics were among the first philosophers to defy citizenship and its obligations in a coherent and radical way. The Cynic has no attachment to the vestiges of the city-state and expresses no regret for the fall of the *polis*. Instead, the Cynic takes pride in being without a city (*apolis*) and professes to be a citizen of the world (*kosmopolites*). The Cynic’s cosmopolitanism entails ignoring all civic rules and obeying the only law that ought to be obeyed; namely, the natural law. Its ideal implementation in Diogenes’ utopian *Republic* embarrassed Cynic sympathizers: Incest, cannibalism, the abolition of coinage and arms, the dissolution of the family, and a limitless sexual freedom are some of the implications of substituting natural law for the laws of society.

Cynic ethics is both individualistic and philanthropic. The individualistic features of the movement are found primarily in the image of the self-sufficient, self-fulfilled, self-controlled sage, a solitary man detached from society and free from its bonds, a wandering, homeless (*aoikos*) beggar, a dog barking



at those who approach him. The Cynic is also, however, “the watchdog of humankind,” showing by example and through his own actions what people should do to liberate themselves from the illusions and fears that make them miserable and leave them defenseless in an unpredictably changing world. His sharp tongue and shameless behavior are pedagogic strategies rather than exhibitionistic devices: They convey the radicalism of the Cynic reform by stressing the extent to which the adherents of the movement must violate the conventional codes of society in order to function as “the heralds of God.”

*Voula Tsouna McKirahan*

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SEE ALSO: Asceticism; Autonomy; Cyrenaics; Platonic ethics; Socrates; Stoic ethics.

## Cyrenaics

**DEFINITION:** Practitioners of a school of ancient Greek philosophy that taught that pleasure is the goal of life

**DATE:** Fourth to third centuries B.C.E.

**TYPE OF ETHICS:** Classical history

**SIGNIFICANCE:** The Cyrenaics advocated a form of hedonism that deemphasized abstract studies and stressed practical ethics.

Aristippus of Cyrene, the founder of Cyrenaicism, was an associate of the philosopher Socrates, and Cyrenaicism—along with Cynicism and Megarianism—was one of three diverging philosophical schools that sprang from Socrates’ emphasis on rational control and ethical self-consciousness. Aristippus taught that, since humans can know only their own sensations, no universal standards of pleasure can be discovered, and all pleasures are thus equally valuable; in this view, any act has value only in its usefulness to the one who controls it. This notion, influenced by the Sophists’ belief that knowledge comes only through direct experience, was amplified by Aristippus’s grandson (also named Aristippus) and later modified by Hegesias, Annikeris, and Theodorus—thinkers whose names are associated with their own sects.

Socrates had taught that moral action should lead to happiness, so Aristippus concluded that life’s meaning lay in pleasure. This attitude, called hedonism (from the Greek *hedone*, “pleasure”), explains one sense of the familiar Latin motto *carpe diem*, “seize the day.”

#### CYRENAIC ETHICS

In deducing their philosophy, Cyrenaics ignored physics and mathematics, concentrating instead on practical ethics under various headings: things to pursue and avoid, sensations, actions, causes, and proofs. They believed that all action should aim at pleasure; this meant not merely avoiding pain but also seeking palpable sensation. They devalued both memory and the anticipation of future happiness, and they emphasized physical pleasures over mental activities.

Cyrenaics aimed for rational control that would manipulate people and circumstances to their own pleasurable ends. They defined right and wrong in terms of personal pleasure and pain. Rather than abstinence, which contemporary Cynics urged, Aristippus favored the prudent “use” and control of pleasure.

#### THE LAST PHASE

Early in the third century B.C.E., followers who tried to distinguish among higher and lower pleasures blurred the Cyrenaics’ focus on self-interest, their central philosophical principle: Hegesias (the death-persuader) stressed avoiding pain (rather than

pursuing pleasure) and actively encouraged suicide; Annikeris promoted social relationships, altruism, and patriotism; and Theodorus the Atheist urged a quest for enduring inner joy, not momentary physical pleasures. These disagreements seemed to splinter Cyrenaicism, which died out by 275, while another hedonistic school, Epicureanism, advanced.

*Roy Neil Graves*

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SEE ALSO: Epicurus; Hedonism; Socrates.

# D

## Dalai Lama

**IDENTIFICATION:** Tibetan religious leader

**BORN:** Lhamo Dhondrub, later renamed Tenzin Gyatso; July 6, 1935, Taktser, Amdo, Tibet

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The Dalai Lama is the spiritual and temporal head of the traditional Buddhist community of Tibet, which has been under Chinese occupation since the 1950's. Tenzin Gyatso's leadership of Tibet's government in exile has made him a symbol of religious and ethical opposition to oppression. In 1989 he was awarded the Nobel Peace Prize.

Perhaps no other modern figure from Asia, except Mohandas K. Gandhi, has gained such worldwide recognition for his ethical teachings as has the fourteenth Dalai Lama. The writings and actions of Tenzin Gyatso, like those of Gandhi, reflect a concern for combining ancient religious traditions with a contemporary political cause. Also, the Dalai Lama's cause, like that of Gandhi, is not limited to the political affairs of his own country but extends to the arena of international politics and human relations generally. To understand how the fourteenth Dalai Lama came to represent the principles that won him the Nobel Peace Prize in 1989, one must investigate the traditional origins of the position that he holds in the Tibetan Buddhist world.

### THE FIRST DALAI LAMA AND HIS SUCCESSORS

Properly speaking, the spiritual role of all Dalai Lamas since the life of the first (Gendun Drub, born in 1391, died in 1474) belongs within the broader religious framework of Buddhism, a religion that has various "schools." In somewhat narrower spiritual and temporal terms, the Dalai Lamas belong to the long national tradition of Tibet, a country nestled in the Himalayan mountain range between China and India.

It was Gendun Drub who, after studying both at the Padma Chöling Monastery, where his teacher called him "Omniscient One," and at the Evam Monastery, went on to found a monastery called Tashi Lhunpo in southern Tibet. There he compiled many spiritual works that have remained seminal Buddhist texts. Gendun Drub did not carry the formal title of Dalai Lama (a tradition initiated with the third in the lineage) but preferred a title given by his teacher: Tamche Khyenpa, "Omniscient One," a term still used by devout Tibetans when referring to the fourteenth Dalai Lama, Tenzin Gyatso.

Tashi Lhunpo remained the seat of the successors to Tamche Khyenpa until 1642 when the fifth Dalai Lama left the monastery under the keeping of his own tutor, Panchen Chökyi Gyaltzen. The latter was the first Panchen Lama, whose spiritual lineage is recognized in Tibet as second in importance only to the lineage of the Dalai Lamas.

Successors to the ultimate Tibetan spiritual and temporal post of Dalai Lama by the beginning of the twenty-first century number thirteen. Each of these successors has been assumed to be an incarnation of his predecessor. The process of succession thus involves the discovery of the new Dalai Lama among the newborn of the Tibetan population in every generation. There is a rich tradition describing the importance of symbols that may serve to guide the devout Tibetan religious hierarchy in the search for a new Dalai Lama.

### DALAI LAMA'S KEY ETHICAL PRINCIPLES

A number of key spiritual concepts appear in the writings and sermons of the Dalai Lamas over the centuries. One of these is associated with the tradition called *lo-jong*, which is reflected in the teachings of Tenzin Gyatso, the Dalai Lama during the first part of the twenty-first century. Briefly stated, *lo-jong* involves spiritual discipline as a prerequisite for "training" the mind and imbuing it with the values of prior generations of Buddhist masters. Key to the *lo-jong*

tradition (among other spiritual practices of Buddhism) is the importance of meditation based on the guidance of spiritual texts to help the individual escape the influences of the external world, which impede full spiritual realization. Such realization is believed to give rise to the fullest forms of love and kindness, which, ideally, should establish themselves in human interrelationships.

#### **THE FOURTEENTH DALAI LAMA'S DILEMMA**

Two years after his birth in 1935 in the small farming village of Taktser in the Tibetan province of Amdo, Tenzin Gyatso was identified as the incarnation of the deceased thirteenth Dalai Lama. Already during the period of the search for the new Dalai Lama, peculiarities of the traditional guiding signs that appeared, including curious cloud formations and the growth of a giant fungus in the northeast corner of the room in which the deceased Dalai Lama lay, were thought to be harbingers of change. The discovery of Tenzin Gyatso far to the northeast of Lhasa, not to the south (traditionally deemed the most auspicious direction) was taken to be confirmation of the significance of the celestial signs.

When he reached the age of four and one-half years, the child came to Lhasa and, upon mounting the Lion Throne, assumed his responsibilities as Tibet's highest leader. For more than a decade, the young Dalai Lama's educational progress, both in traditional religious and modern subjects, seemed to prepare him for normal passage to full responsibility for his people's spiritual and temporal welfare. The events of October, 1950, however, were destined to affect this passage. The Chinese communist invasion of Tibet forced the Dalai Lama first to attempt to maintain the basic rights of his people even under occupation, and then—in the wake of violent uprisings (1956-1959) following unsuccessful attempts to negotiate Tibet's freedom—to flee to exile in neighboring India. Following Tenzin Gyatso's departure, the Chinese regime attempted to assign religious legitimacy to his immediate subordinate in the Tibetan Buddhist hierarchy, the Panchen Lama.

A particular role was thus cast for the fourteenth Dalai Lama, who assumed a much expanded symbolic function as a world-renowned spiritual and temporal leader beginning in the troubled second half of the twentieth century. In a sense, Tibet's plight became part of the shared cause of those who defend

justice wherever individual or group repression exists. This fateful calling not only affected the Dalai Lama's writings and actions but also brought recognition of the importance of his work in the form of the 1989 Nobel Peace Prize.

#### **PRINCIPLES IN TENZIN GYATSO'S LIFE**

As a spiritual leader in exile, the fourteenth Dalai Lama found himself in a position to bring the troubled case of his country to the attention of the world as a whole. His writings and speeches tend to reflect his concern that Tibet's particular problem should serve to incite awareness of the human costs of oppression of body and spirit wherever they occur. Thus, his origins as a Buddhist leader in a particular area of the world provided a frame of reference for his focus on much wider considerations. Paramount among these is the importance of cooperation, not competition or hostility, among world religions. A secondary feature is recognition that all peoples living in the modern world need to find a path that can combine spiritual values with the possibilities presented by the application of reason and scientific knowledge. It was the Dalai Lama's emphasis on such principles and the importance of using them to develop happiness and kindness that built his reputation for supporting the cause of world peace.

#### **THE NOBEL PEACE PRIZE**

The Nobel Prize committee's selection of the Dalai Lama to receive its 1989 Peace Prize provided an additional framework for this extraordinary religious leader to try to emphasize the importance of combining ethical values and the development of humanitarian politics in the world. Although his Nobel lecture reflected specific political concerns in Tibetan-Chinese relations (including a compromise plan for resolution of the state of foreign occupation of his country), the Dalai Lama drew attention to a number of other "trouble spots" around the globe. Here, his diagnosis of the origins of political conflicts, as well as his prognosis of the best means of resolving them, mirrored the content of his spiritual writings: the idea that living with an attitude of love and kindness toward other individuals is the way to connect the inner sphere of existence with the external world of different peoples and nations.

*Byron D. Cannon*

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SEE ALSO: Bodhisattva ideal; Buddha; Buddhist ethics; Four noble truths; Nobel Peace Prizes.

**Dallaire, Roméo**

**IDENTIFICATION:** Canadian commander of the U.N. peacekeeping force in Rwanda during that nation's 1994 genocide

**BORN:** June 25, 1946

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Dallaire called attention to the world community's failure to prevent the genocide that killed 800,000 people.

In 1993 Canadian brigadier general Roméo Dallaire was appointed to command the U.N. peacekeeping force sent to the central African nation of Rwanda, which had a long history of bloody ethnic rivalry between the majority Hutu population and the Tutsi minority. In April of 1994, an airplane carrying Rwanda's Hutu president was shot down, killing the president. The Hutu-dominated government—which

Image not available

*Roméo Dallaire at a Paris press conference in early 2004. (AP/Wide World Photos)*



### Dallaire's Assumption of Guilt

After returning home from Rwanda, Roméo Dallaire blamed himself for not having done more to stop the massacres. He fell into a deep despair and tried to kill himself. Diagnosed with post-traumatic stress disorder, he was told that he was not responding to treatment and was medically dismissed from the Canadian army. While on a regimen of strong anti-depressant drugs in 2000, he ignored physicians' warnings by drinking alcohol and went into a coma while sitting on a park bench. After being hospitalized, he decided to expiate his feelings of guilt by writing a book about Rwanda. Over the next three years he relived his nightmare experience while composing *Shake Hands with the Devil: The Failure of Humanity in Rwanda* (2003). Writing about Rwanda relieved some of Dallaire's stress, but he remained pessimistic about the future. Had the major powers intervened in Rwanda, he said, "we could have saved millions from this calamity. But I'm afraid that we haven't learned, and the same thing could happen again. How do you live with that?"

may have been responsible for downing the plane—then blamed the Tutsi for the president's death and began a long-planned campaign to exterminate the Tutsis.

Dallaire pleaded for reinforcements and supplies for his peacekeeping force, but the United States urged withdrawal of the force, and the United Nations reduced Dallaire's troops from 2,500 to 270 men. In an apparent violation of his orders, Dallaire used what was left of his ill-supplied and largely untrained force to save the lives of approximately 20,000 Rwandans but was unable to halt the general violence. By the time the wave of genocide finally ended in July, as many as 800,000 people had been killed.

After Dallaire requested a reassignment, the United Nations sent him back to Canada, where he was promoted to major general and deputy commander of the Canadian army. Some U.N. diplomats blamed Dallaire for failing to keep peace in Rwanda, but others leaked memos proving he had warned his superiors of the genocide and had been ordered not to

intervene. After retiring from the army in 2000, Dallaire suffered from depression, apparently blaming himself for the mass killings in Rwanda and attempted to analyze and publicize what went wrong in that African nation. In 2003 he published *Shake Hands with the Devil: The Failure of Humanity in Rwanda*.

Recalling the world outrage that biologist Dian Fossey evoked when she had brought to the world's attention the slaughter of Rwanda's gorillas in the 1970's, Dallaire said of the 1994 genocide: "I always wondered if the international community would have done more if 800,000 mountain gorillas were being slaughtered."

*William V. Dunlap*

SEE ALSO: Genocide and democide; Peacekeeping missions; Rwanda genocide; United Nations; United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

## Daoist ethics

DEFINITION: Moral philosophy developed in ancient China that rejects conventional moral codes in favor of a natural, simple, spontaneous life

TYPE OF ETHICS: Classical history

SIGNIFICANCE: An important branch of Eastern asceticism, Daoism has traditionally functioned as a major rival to Confucianism in Chinese philosophy. It has had a strong influence on the development of both Zen Buddhist ethics and neo-Confucian ethics.

Daoism is one of the great classical philosophies of China. It is named after its central concept, *Dao*, which literally means "path" in Chinese. The philosophy is mainly represented by the books of Laozi (the author of *Dao De Jing*) and Zhuangzi (the author of *Zhuangzi*).

### MORALITY AND DECLINE OF THE DAO

Daoists use the concept *Dao* to name both the way of the natural world of reality and the proper way of life, including the way of government and the way of the right social order. To the Daoist, the best way of life is to live in harmony with nature. It is a life of sim-

licity and spontaneity. According to the Daoists, this is how ancient people used to live. As skill and conventional knowledge developed, however, people came to have more and more desires; the increase of desires led to conflicts among people and conflicts between humans and their natural environment, which made life more difficult. Morality was introduced to cope with the problems, but morality does not remove the causes of these problems; it creates new problems because it imposes rules on people, thus making them constrained and mentally crippled. Morality should therefore be cast away in favor of a better solution. Thus, Laozi wrote:

Banish wisdom, discard knowledge,  
And the people will be benefitted a hundredfold.  
Banish kindness, discard morality,  
And the people will be dutiful and compassionate.  
Banish skill, discard profit,  
And thieves and robbers will disappear.  
As these three touch the externals and are inadequate,  
The people have need of what they can depend upon:  
To see the simplicity,  
To embrace one's uncarved nature,  
To cast off selfishness,  
And to have few desires.

### SUPERIOR DE AND INFERIOR DE

In saying "discard morality," the Daoist is not encouraging immoral acts. As Chuang Chou puts it, it is better for fish to live in water and be able to forget about each other than to be on a dry road and have to moisten each other with their spit. The *De* (virtue) of helping each other with spit is inferior to the *De* of living in accordance with the Dao. Daoist ethics contains teachings that resemble those of other normative ethics. For example, from the *Dao De Jing*: "In dealing with others, be gentle and kind. In speech, be true. In ruling, get peace. In business, be capable. In action, watch the timing." "I am good to people who are good. I am also good to people who are not good. Virtue is goodness. I have faith in people who are faithful. I also have faith in people who are not faithful. Virtue is faithfulness." Here, however, virtue (*De*) is not to be understood as moral virtue. The Daoist uses *De* in the sense of the power or proper function of something. Thus, for example, mercy is considered virtue, because it brings courage, strength, and victory.

### DAO OF GOING FORWARD RESEMBLES RETREAT

"The superior *De* let go of (the inferior, moral) *De*, and therefore has (the superior) *De*." Daoism values freedom, but freedom is to be achieved by having no "self" (desires and expectations) rather than by fighting against restrictions. "Only if you do not fight, no one can fight against you." "This is known as the virtue of not striving." Daoism values happiness, but "the highest happiness has no happiness." It does not come from active searching for happiness. Daoism values true wisdom, but true wisdom does not mean the wisdom of obtaining profits. It is the wisdom of seeing the value of simplicity and spontaneity. To the Daoist, a truly mature person is like a little child who has few desires and less knowledge. Such a person is simple-minded and even looks like a fool, because great knowledge is like ignorance. The Daoist teaches being calm, soft, female-like, desireless, nonaggressive, and content. The Daoist likes the image of water: It is soft, yet there is nothing it cannot penetrate.

### ETHICS OF RELIGIOUS DAOISM

Philosophical Daoism (*Dao jia*) is the origin of, yet must not be confused with, religious Daoism (*Dao jiao*). Religious Daoism turned respect for nature into the worship of numerous deities, such as the gods of wealth, war, and longevity. It turned the *De* of living a simple and spontaneous life into the principles of serenity and calmness in therapeutic techniques and martial arts that could be used to achieve personal advantages (mainly immortality). Misfortunes were no longer considered the result of having excessive desires, but instead were considered mainly the result of magic trespasses.

*Peimin Ni*

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SEE ALSO: Asceticism; Buddhist ethics; Confucian ethics; Confucius; Laozi; Manichaeism; Shinto ethics; Zen; Zhuangzi.

## Darwin, Charles

IDENTIFICATION: English naturalist

BORN: February 12, 1809, Shrewsbury, Shropshire, England

DIED: April 19, 1882, Downe, Kent, England

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Since it was first advanced in *On the Origin of Species by Means of Natural Selection* (1859), Darwin's theory of evolution has had a profound impact on almost every aspect of intellectual thought. It has been the basis of at least two movements within ethics: Social Darwinism in the nineteenth century and evolutionary ethics in the twentieth.

Charles Darwin's lifelong concern was with the natural origins of animals and plants. He knew that animal and plant breeders had modified domestic species by selecting desired variants as breeding stock. Nature, he argued, was always doing the same thing, practicing natural selection by allowing certain individuals to leave more offspring than others. Each species constantly produces more eggs, seeds, or offspring than can possibly survive; most individuals face an early death. Any heritable traits that confer some advantage in this "struggle for existence" are

passed on to future generations; injurious traits are destroyed.

In his writings, Darwin did not address the ethical implications of his theories, leaving such speculations to others. Herbert Spencer, who coined the phrase "survival of the fittest," founded an ethic of unbridled competition known as Social Darwinism. American Social Darwinists favored a ruthless competition in which only the strongest would survive; several industrialists used these ideas to justify cut-throat competition, the suppression of labor unions, and a lack of concern for the welfare of workers.

Socialists and other political dissidents drew exactly the opposite conclusion from Darwin's works. They saw evolution as a theory of "progress," of merit triumphant over established privilege, and of science triumphant over religious superstition.

Social Darwinism, like its socialist response, was a normative ethical system: It argued that people *should* act in accordance with the principle of survival of the fittest, by refraining from acts of charity, for example. Evolutionary ethics, a branch of sociobiology, is more descriptive than normative: It argues that humanity as a whole already *does* act in accordance with its evolutionary interests, and those interests can therefore be used to explain human behavior. From this point of view, morality is itself a product of evolution, and the fact that people have come over time to engage in acts of charity, for example, is an indication that such acts are of benefit to the survival of the species.

Evolutionary ethics has been highly influential as a social science because of its descriptive and explanatory power. It has largely failed to produce a convincing normative theory. This is because, while natural selection is a useful lens for *understanding* human conduct, it is not necessarily a *guide* for human conduct. What is natural is not necessarily good, and what is good for a species over the course of millions of years is not necessarily good for individuals, groups, or nations over the smaller spans of time that make up lived human experience.

Eli C. Minkoff  
Updated by the editors

SEE ALSO: Eugenics; Evolutionary theory; Naturalistic fallacy; Normative vs. descriptive ethics; Science; Social Darwinism; Sociobiology.

## Death and dying

**DEFINITION:** Cessation of human physiological, psychological, and possibly spiritual existence

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Defining death precisely has become crucial to such medical and moral issues as euthanasia, living wills, quality of life, abortion, organ transplantation, and cryonics.

The modern study of death and dying, thanatology (named for the Greek god of death, Thanatos), could be said to have begun in 1956, when the American Psychological Association held a symposium on death at its annual convention. This resulted in the publication in 1959 of an anthology of essays on death written by scholars from a wide range of disciplines. Popular attention focused on death and dying with the publication of Elisabeth Kübler-Ross's *On Death and Dying* (1969), a study of the stages of dying.

### BIOLOGICAL DEFINITIONS

Historically, definitions of death have undergone a number of revisions. The earliest medical determination of death was the cessation of heart activity, respiration, and all functions consequent thereon (now commonly referred to as "clinical death"). With the advancement of respirators and other sophisticated medical equipment, however, it became possible for a patient with no brain activity to be artificially kept "alive." In 1970, Kansas became the first state to adopt a brain-based criterion for determining death in addition to the cessation-of-vital-functions definition.

A number of states followed that definition, while others eliminated the traditional definition altogether and focused solely on a "brain death" model. The term "brain death" in these legal documents referred to the total and irreversible cessation of the functions of the entire brain, including both the "higher brain," which is regarded as the seat of conscious mental processes, and the "brain stem," which controls cardiopulmonary activity. This usually takes place from three to five minutes after clinical death, although the process can take much longer in cases of death by freezing or barbiturate overdose.

In 1981, a presidential commission proposed a "Uniform Determination of Death Act," which de-

fining death as either "irreversible cessation of circulatory and respiratory functions" or "irreversible cessation of all functions of the entire brain, including the brain stem." Such a determination, it added, must be made "in accordance with accepted medical standards." This legal definition was adopted by more than half the states within the first decade after its formulation. As is evident from this formulation, rather than viewing death as an "event," it is more accurate to define death as a process encompassing at least three different types of death: clinical death (the cessation of vital signs), biological death (including the cessation of brain activity), and cellular death (including the deterioration of all of the body's cells).

### PROPOSED CHANGES

While state legislations have employed a "whole-brain" definition of death, there have been attempts made by some states to define death in terms of the cessation of cerebral activity in the upper portion of the brain. Proponents of this position argue that an individual's "personhood" relies upon the cognitive faculties of the "higher brain." According to this definition, an individual in a "persistent vegetative state" in which only the brain stem, controlling heartbeat and respiration, is functioning would not be considered a living "person." Since no consensus can be reached regarding the proper definition of "person," however, and since reliance on cognitive awareness would exclude severely senile, mentally deficient, and anencephalic individuals from the category of "persons," a "higher-brain" definition of death has been almost universally rejected by the medical community and general public.

### AUTONOMY OVER ONE'S DEATH

The American Medical Association's position that one need not use "extraordinary means" to keep a person alive is almost universally accepted. This is commonly referred to as "passive euthanasia." ("Euthanasia" comes from the Greek phrase meaning "good death.") This position has led to the development of a "living will," which states that the individual does not want life-sustaining devices and extraordinary medical procedures used to prolong his or her life. Although the "living will" is not a binding legal document in all states, it is considered by most courts of law to be a valid expression of the signer's wishes.

A more extreme example of belief in the authority

of the individual to determine his or her death can be seen in the practice of "active euthanasia." Defined as the act of directly bringing about a person's death by a means unrelated to the illness itself (for example, injection, anesthesia without oxygen, and so forth), active euthanasia is illegal in virtually all parts of the world. The practice became widespread during the 1980's in Holland, however, where one out of every five deaths of older patients was caused by active euthanasia.

Although the usual argument for active euthanasia cites extreme physical suffering as an acceptable reason, other justifications, including psychological distress, old age, limited mental capacity, and an unacceptable "quality of life," also have been advanced. In fact, in the latter half of the 1980's, Holland extended the practice to include Down syndrome infants and anorexic young adults. Those ethicists opposed to active euthanasia point to the danger that more and more categories of candidates would become acceptable, were it to be allowed.

#### OTHER BIOETHICAL ISSUES

For many people, the debate over abortion hinges on how the fetus is to be categorized. If the fetus can be considered a human being at a particular point in its prenatal development, abortion after that point would be regarded as the unlawful taking of a human life. A precise definition of both life and death is, therefore, crucial to the issue. Some people argue that the determination of where human life begins should employ the same criteria that are used to define the absence of life, or death.

Even though the first organ transplant in the United States took place in 1954, early transplants did not meet with a great deal of success, because cadaveric organs were not widely available during the 1950's and 1960's as a result of the difficulty of defining death. With the establishment of brain-based criteria for determining death and with the discovery of the immunosuppressive drug cyclosporine, organ transplantation increased dramatically during the 1980's.

In order for organs from cadavers to remain viable for transplantation, heart and respiratory functions must be sustained artificially until the procedure can be performed. This necessitates a definition of death

that would allow for the artificial maintenance of vital functions.

#### CRYONICS

During the late 1960's, the procedure called "cryonic suspension" was first attempted. The procedure involves freezing the human body immediately after clinical death in the hope that it can be thawed and resuscitated at a later date when a cure for the illness causing the death is available. Since the procedure depends upon freezing the body before deterioration of the brain and other organs takes place, it is crucial that death be pronounced immediately so that the procedure can begin. An additional ethical issue arose when, during the 1980's, a prominent mathematician who had been diagnosed with brain cancer was denied permission from a U.S. court to have his head removed prior to his clinical death. He had requested that his head be placed in cryonic suspension in order to halt the deterioration of his cerebral functions.

Mara Kelly Zukowski

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## Declaration of Independence

**IDENTIFICATION:** Document in which colonial American leaders declared themselves independent of British rule

**DATE:** Signed on July 4, 1776

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** America's Declaration of Independence spread arguments around the world justifying a right to revolution against rulers found to deny their subjects fundamental rights and has remained widely influential to the present day.

On July 4, 1776, the Second Continental Congress of the thirteen original American states, which only a few days before had been the "United Colonies," passed a unanimous declaration announcing to the world that it had unilaterally taken the decision to end its status as a group of British colonies and giving reasons justifying the decision. The document announced that the "one people" of America's former colonies had decided to become—and henceforth proclaimed themselves to be—free and independent states.

Important questions of political ethics arise in the course of the arguments found in the Continental Congress's document, now long since regarded as one of the most significant legislative acts in human history. According to Ralph Waldo Emerson, the declaration was "the shot heard 'round the world"—a judgment fully justified by its subsequent history. However, it might be asked whether the declaration was ethically justified, how the colonists justified themselves, and whether they were correct in their justification.

### ETHICAL ISSUES

The primary ethical issue of the Declaration of Independence was its justification of violent revolution—the suggestion that every people have a right by "the Laws of Nature and of Nature's God" to be independent and to gain their independence, if necessary, through violent means. In this case, a government was being overthrown that, formally at least, had ruled the colonies for well over a century, and in some cases, for more than a century and a half.

The Declaration of Independence makes several key arguments. It states that all people ("all Men" in the document) have a God-given right, inherent in

human nature, to political liberty. This includes the right to decide how they will be politically ruled. The declaration sees this as an individual right that devolves onto a collectivity of people who freely join together for the purpose of forming a polity. The declaration further states that political power over persons can be justified only by their consent. In forming government, people consent only to have their God-given rights protected by government, thus limiting the legitimate powers of government. When government attacks rather than protects those rights, the people's obligation to obey their government ceases, and they have a right—using force, if necessary—to rid themselves of that government and to establish a new government in its place.

Although the "unalienable Rights" identified by the declaration are undoubtedly possessed by individuals, the declaration itself is careful to say that it is "the Right of the People" to overthrow oppressive government. The declaration follows the argument of John Locke in his *Second Treatise of Civil Government* (1690) that history shows that long-established governments are not overthrown for "light and transient causes," and it identifies "prudence" as a limit on hasty action. Nonetheless, the declaration's claim of a right to revolution evokes powerful ethical issues. Even if the right to violent revolution is accepted, the question of who is entitled to make this decision arises. If individuals have inalienable rights that are trampled upon, may an "oppressed" individual lay his own assault upon government? The fact that lone individuals took 168 lives in the April, 1995, bombing of the Oklahoma City federal building illustrates the serious ethical issues involved.

The declaration deals with this problem implicitly by placing the right to resist tyranny in the collective hands of "the people." It also implicitly answers that it is representatives of the people who can make this decision. However, that still leaves the question of whether these representatives must represent a majority of the people. The Continental Congress conveniently skirted this issue, as few of its members could have seriously believed that a majority of the people in their colonies would support a war of independence from Great Britain. John Adams opined that perhaps a third of the colonists favored independence, while another third opposed it, and the rest were undecided.

The declaration raises the question of whether it is

ever ethical for a minority to act on behalf of a majority. For example, Russian revolutionary leader Vladimir Ilich Lenin insisted on organizing his revolutionary Bolshevik Party as a conspiratorial minority and cared little for the views of the majority, believing that the party alone possessed the wisdom and historical insight required to take decisive action. However, the consequences of Lenin's 1917 Russian Revolution were catastrophic for the world, eventuating in the deaths of tens of millions of people and the political enslavement of hundreds of millions.

### JUSTIFYING VIOLENT REVOLUTION

Another ethical question is whether the Declaration of Independence should be condemned for its defense of violent revolution. Few serious moralists—outside eighteenth century Britain—have thought so. How could it be that people are morally obliged to endure tyrannical government? What might be said is that the “right to revolution” championed by the declaration is itself morally dangerous. Like the right to possess guns for self-defense, the right to overthrow government can lead to consequences that run the gamut of the completely defensible to the morally catastrophic.

Nevertheless, leaving aside controversy over possession of arms by individuals, few believe that nations—peoples—should be denied the means to self-defense. The fact that arms may be misused is hardly an argument for denying a people the right to defend their fundamental rights. Thus the central ethical issue raised by the declaration must necessarily remain unresolved. Like any moral weapon, the right to revolution may be put to good use or ill, depending upon who decides whether it shall be invoked as well as how and when it is to be used. If the ethics of making revolution are not taken seriously, further tragedy is inevitable.

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SEE ALSO: Bill of Rights, U.S.; Constitution, U.S.; Democracy; Egalitarianism; Emerson, Ralph Waldo; English Bill of Rights; Jefferson, Thomas; Liberalism; Natural rights; Revolution.

## Deconstruction

**DEFINITION:** Strategy of interpretation that reduces a text to its fundamental elements, which, when unraveled, reveal that no single essence or meaning can be determined

**DATE:** Concept developed during the late 1960's

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Deconstruction holds both that no single meaning or interpretation of a text is correct and that any given text will privilege some meanings and attempt to hide other possible meanings from its readers. Which meanings are privileged and which meanings are hidden or denigrated is largely determined by the power structures operative in a given society. There is therefore a fundamental ethical imperative within deconstruction to reveal hidden meanings in order to reveal unequal power relations and resist dominant ideologies. The central ideology that all deconstruction is meant to attack is most commonly referred to as Western metaphysics or the “metaphysics of presence.”

The structuralism conference at Johns Hopkins University in 1966 was intended to introduce into the United States structuralist theory, an approach to reading in which a poem or novel is viewed as a closed entity that has specific meanings. When Jacques Derrida read his paper, “Structure, Sign, and Play in the Discourse of the Human Sciences,” the demise of structuralism and the arrival of a new theory, deconstruction, was unexpectedly announced.

## POSTSTRUCTURALISM

Deconstruction has since become the main philosophical tenet of poststructuralism, an intellectual movement that is largely a reaction to structuralism. Poststructuralism includes not only the deconstructive analyses of Derrida, who has had an enormous influence on the development of literary theory, but also the work of other French intellectuals, including the historian Michel Foucault, the feminist philosopher and critic Julia Kristeva, and the psychoanalyst Jacques Lacan.

Ferdinand Saussure, the founder of modern structuralist linguistics, saw language as a closed, stable system of signs, and this view forms much of the foundation of structuralist thought. These signs helped structuralists to arrive at a better understanding of a text, because it was thought that they offered consistent, logical representations of the order of things, or what Foucault called “a principle of unity.”

Rather than attempting to understand the logical structure of things, poststructuralism, and deconstruction in particular, attempts to do much more: It attempts to understand the limits of understanding. Deconstruction is an extraordinarily complex strategy of reading that is based primarily on two presuppositions.

The first presupposition relies heavily on Saussure’s notion of signs; however, Derrida argues that rather than representing the order of things, signs represent disorder, because they can never be nailed down to a single meaning. He posits that because meaning is irreducibly plural, language can never be a closed and stable system.

The second presupposition involves Derrida’s observation of Western modes of thought. He noticed that “universal truths” have gone unquestioned in terms of their “rightness,” and that these concepts are defined by what they exclude, their binary opposites (for example, man is defined as the opposite of the identity that constitutes woman). Derrida’s strategy is to reveal the hierarchy that is inherent in these binary oppositions and to show that by meticulously examining what are believed to be the distinctions between them, in each instance the privileged term of the hierarchy is found to be dependent upon the subordinate term for its meaning and existence. Thus both meaning and value are created through the hierarchical organization of language, an organization

that is only perpetuated by the history of its acceptance but is logically untenable.

## CRITICISMS OF DECONSTRUCTION

Although some people see Derrida as a brilliant theorist who instigated a radical reassessment of the basic concepts of Western thought, critics have argued that deconstruction’s main presupposition—that one must always be resigned to the impossibility of objective truth because meaning is irreducibly plural—makes Derrida’s theory nihilistic at worst and an elitist, bourgeois game at best.

Derrida defends deconstruction against the charge of nihilism by pointing out that he is not attacking truth—indeed every word he writes constantly produces more truth or “truth effects” whether he wants it to or not. Rather, he is revealing where truth comes from, how it works, and why there is a fundamental conflict between truth and ethics. He therefore posits that it is necessary to suspend ethics in order to arrive at ethical understanding. He claims that ethics has emerged as a defense against violence; however, the binary oppositions established by ethics to bring about order are also a form of violence because they force one kind of truth to be accepted by destroying other contradictory truths through imposed hierarchies. He believes that the problem of ethics involves being able to move from one term in the pair to the other while maintaining the co-valence of the two rather than their inequality.

While Derrida and other theorists were defending deconstruction, revelations surfaced that Paul de Man—a member of the “Yale School,” a group of deconstructionists at Yale who helped to introduce Derrida to America—had written more than one hundred articles for an anti-Semitic, pro-Nazi newspaper in Belgium during World War II. After the discovery of de Man’s collaboration, a great deal of comment was generated both against deconstruction and against de Man, who died in 1984, having successfully concealed his past from his colleagues and students.

In response, Derrida stated that de Man’s acts were unforgivable; however, he believed that it must be realized that these acts were committed more than half a century earlier, when de Man was in his early twenties. That argument helped ameliorate to some extent the moral problems caused by de Man’s wartime activities, but it did nothing to resolve the more serious problem that occurred after the war—his life-

long secrecy about the collaboration, a serious moral contradiction for a practitioner of a theory that has as its main goal the revelation of what is excluded, or kept secret, in a text. Thus, the idea that deconstruction is nihilistic was strengthened by the revelation of de Man's collaboration. Other theorists defended deconstruction by asserting that those who adopt deconstructionist positions have various agendas, including radical feminism and other progressive movements, so that any attempt to invalidate all deconstruction because of de Man's past is unfair.

Derrida has also had numerous well-publicized disagreements about deconstruction with Michel Foucault. Their conflict centered on Derrida's efforts to deconstruct texts in order to set free hidden possibilities and Foucault's attempts to experience history to reveal its latent structures. It is in these public disagreements that Foucault, whose writings centered on history and language and had nothing to do with deconstruction, has dramatically influenced post-structuralist theory. Much has been written about the disagreements, and most of these writings attempt either to reconcile or to choose between the writings of these two intellectuals.

Both opponents and proponents of deconstruction agree that while Derrida is radically subversive, his attack on Western notions of truth and reason does not lead to utter meaninglessness. Because of Derrida's influence, deconstruction has expanded the range of literary theory and has led to a much deeper questioning of the assumed naturalness of structure in systems of thought. Derrida's work shows that by unraveling key binary oppositions of the Western tradition, one may eventually uncover more important things that are just beyond the limits of ordinary understanding.

*Jill S. Marts*  
*Updated by the editors*

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SEE ALSO: Critical theory; Derrida, Jacques; Foucault, Michel; Language; Postmodernism.

## Deep ecology

**DEFINITION:** Branch of environmental ethics asserting that all creatures and ecosystems have inherent rights that exist independently of the needs and judgments of humans

**DATE:** Concept formulated in 1949; term coined in 1972

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** As the world's human population expands and exerts greater demand on the planet's resources, deep ecology provides an ethical guide to how humans may coexist with other life-forms. Critics see deep ecology as a misguided attempt to thwart the satisfaction of important human needs.

Although the world of nature has long commanded the attention of philosophers, it was not until the late

twentieth century that they began exploring whether humans had ethical duties to the natural world. Like so many others, modern ethicists were shocked and dismayed by the persistent destruction of natural habitat, the extinction of wildlife, the pollution of air and water, and the depletion of natural resources. The causes of these destructive forces were an ever-expanding industrialism and a growing human population. In fact, many thinkers predicted an ecological catastrophe was fast approaching. Out of this anguish came several “ecophilosophies” that came to frame an ongoing debate about environmental ethics. Among the most prominent and controversial of them is deep ecology.

### **BASICS OF A NEW ENVIRONMENTAL ETHIC**

More of an intellectual movement than a specific philosophy, deep ecology is nonetheless based on a few core principles. Among them is a rejection of the “human-centered” view of nature that assumes human beings alone have ethical value and are superior to other life-forms. Deep ecology also spurns the Judeo-Christian assertion that the Bible gives human beings a divine right to hold dominion over nature. To deep ecologists these beliefs form the foundation for many of the attitudes in the West that are morally indefensible because they breed arrogance and indifference to the natural world and lead to the destruction and despoliation of living things.

Deep ecologists also argue that any opposition to environmental destruction merely because it is detrimental to human beings is morally shallow. Instead, they advocate a deeper ethic—one that holds that all living creatures and biological systems also have a right to exist. Moreover, this intrinsic value does not depend on how much pleasure or usefulness it provides human beings. Every life-form is unique and exists as an end onto itself. Deep ecology holds that it is morally wrong to assume that nature exists primarily to serve as raw material for human exploitation, consumption, and overproduction. No one, deep ecologists argue, has the moral right to jeopardize the richness and variety of life on Earth, unless to meet basic survival needs.

### **ORIGINS OF DEEP ECOLOGY**

*A Sand County Almanac* (1949), a book by American forester and professor Aldo Leopold, heralded the deep ecology movement with his “land ethic.”

According to Leopold, humans have a moral duty to preserve the biological integrity of living things and ecosystems. Humans, says Leopold, share a biotic-community, or ecosystem, with other living creatures. Drawing upon the thinking of Ezekiel and Isaiah in the Old Testament of the Bible that says despoliation of nature is wrong, Leopold concludes that humans must not act as conquerors of nature. Instead, they should respect fellow living things and biotic-communities and work to preserve them.

Other thinkers found common ground with Leopold. One of them was Norwegian philosopher Arne Naess, who coined the expression “deep ecology” in 1972. According to Naess, an appreciation for deep ecology develops when human beings undergo a transformation of consciousness that creates within them new “ecological selves” that provide deeper and clearer perspectives of interconnected relationships among all living things, including human beings. This consciousness, it is suggested, spawns an ethical conscience concerning the natural world.

For many deep ecologists, this realization often accompanies a transcendental experience in nature. Others seek enlightenment in various religious and philosophies found in Asia, such as Buddhism and Daoism, and among the cultures of certain indigenous peoples in North America and in some nonindustrialized countries. However, some deep ecology philosophers also believe it is possible to re-interpret Judeo-Christian scripture and discover a case for revering nature, rather than exploiting it.

### **ETHICS BY WHICH TO LIVE**

Deep ecology offers more than a critique of Western culture; it also offers ethical principles by which people may live. Among these principles is a call to oppose immoral acts of destruction against nature. Deep ecology also admonishes human beings to turn away from materialism and consumerism, and instead use alternative “soft” energy sources, such as those produced by solar and wind power. Such actions are ethical, suggest deep ecologists, because they help reduce human demands on nature. Deep ecology also instructs humans to live by personal codes of conduct that are more spiritual and natural than those generally demonstrated in industrialized society. Finally, it demands that elected leaders discard economic systems that measure the quality of human life solely in terms of production and con-



sumption. In its place should come new economic systems that consider preservation of the natural world as their highest priority.

### CRITICS OF DEEP ECOLOGY

Despite its growing influence, deep ecology faces an array of critics. For example, some environmentalists point out that concentrating on the preservation of the integrity of ecosystems at all costs is misguided. They argue that ethical concern should focus on dynamics in nature, not ecosystems. For example, these critics point out that the violent destruction of an ecosystem, as by a hurricane or a forest fire, is part of a larger interplay of natural forces that relentlessly restructures ecosystems and is often essential to the survival of some species. Others argue that human intervention is often morally good, because it can, at times, preserve and conserve nature using methods that exceed the restorative power of nature. Some opponents also claim that deep ecology itself is ethically flawed because it is “antihuman.” Moreover, they argue that a “human-centered” approach to nature is ethical because it meets the needs of human beings. Ecofeminists, on the other hand, insist that not all humans are responsible for the current environment crisis—that only those with power and money are—elite, white men.

In response, many advocates of deep ecology steadfastly insist that humans have no inalienable right willfully to destroy the natural world for their own selfish interests. Deep ecologists also deny their ideas are antihuman. Rather, they say, they are rooted in an ethical creed that commands humans to treasure all living things—including members of their own species. They suggest that if all humanity lived by deep ecology ethics, the natural world, including human beings, might be spared from annihilation.

*John M. Dunn*

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SEE ALSO: Biodiversity; Conservation; Deforestation; Earth and humanity; Ecofeminism; Ecology; Endangered species; Environmental ethics; Environmental movement; Nature, rights of; Rain forests.

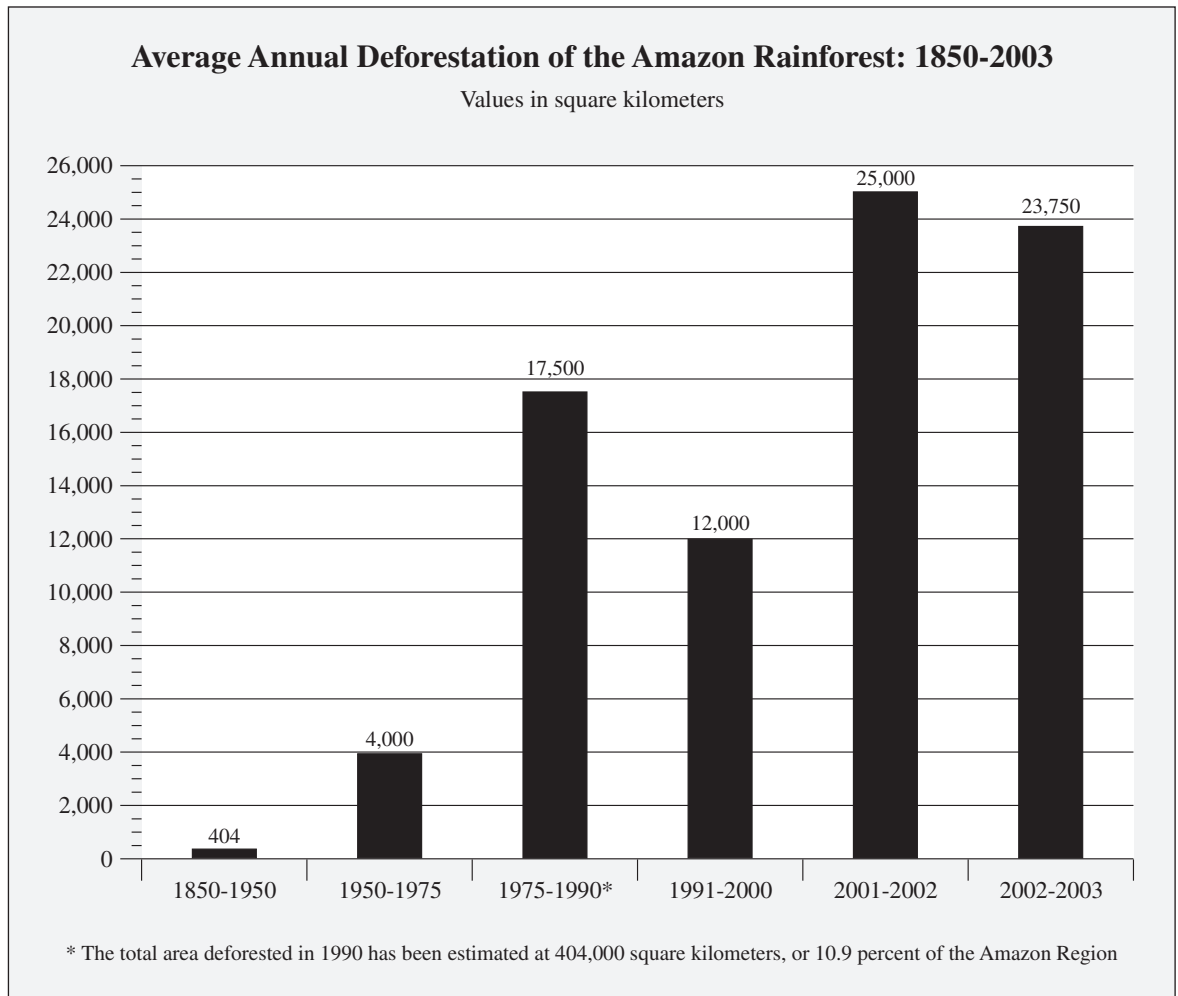
## Deforestation

**DEFINITION:** Destruction of forest cover and forest ecosystems by agriculture, urbanization, and the direct exploitation of timber, ores, and other forest resources in ways that prevent forests from being restored

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Forests are important to human society for food, energy supplies, building materials, natural medicines, and recreation and as spiritual sites. They are also important to global ecology for atmospheric cleansing, climate control, soil and water conservation, and biodiversity. Deforestation thus threatens the future of human society and the sustainability of the global ecology.

Ethical issues posed by deforestation transcend cultures, human generations, geographic locations, and species. Throughout history, advancing human societies both increased forest resource exploitation and increased efforts to sculpture forests to meet human ideals of beauty and utility. Hunter-gatherers, slash-and-burn farmers, timber-frame builders, charcoal manufacturers, pulp and plywood producers, and royal and wealthy estate owners all have used forests in their own ways and limited use by others. Many forests are eventually destroyed by overuse. The modern developed world's demand for timber and pulp is especially devastating. By the early twenty-first century, European forests were virtually extinct, and tropical forests had been reduced by one-half from their pre-exploitation states.



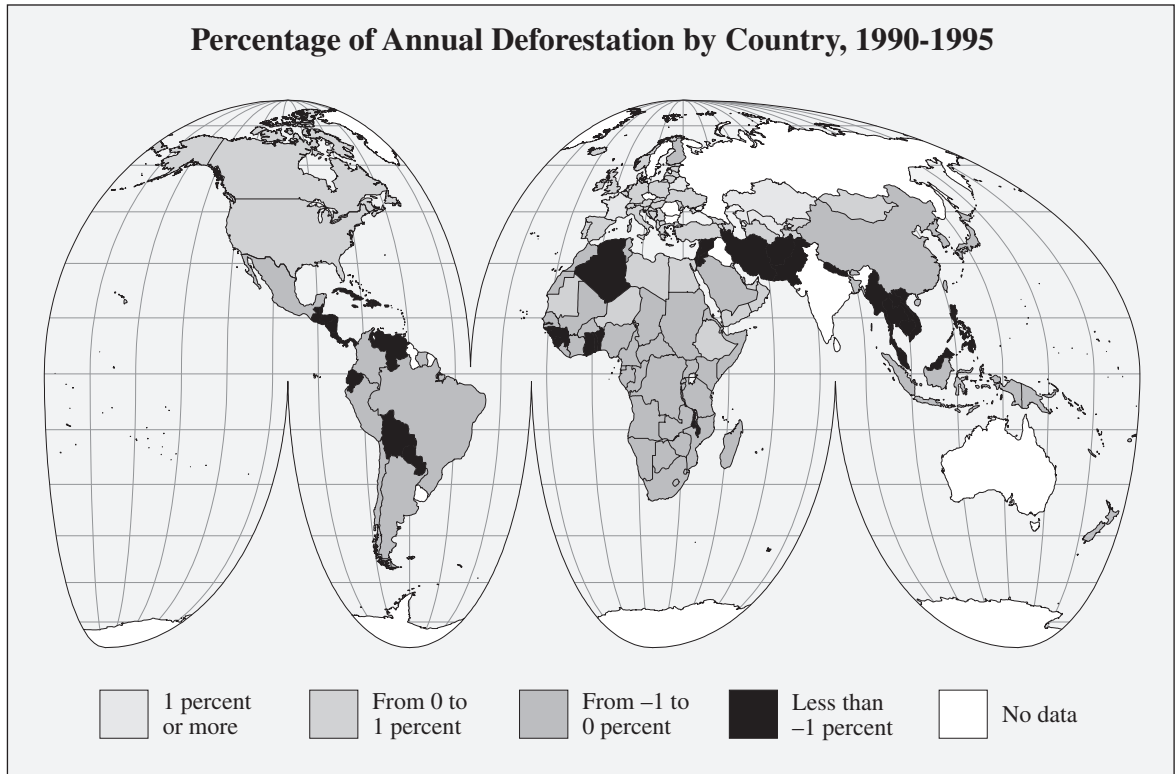
Source: Associated Press, 2004.

Deforestation creates social inequalities. The modern developed society's demand for timber and pulpwood in manufacturing limits the availability of wood for homes and fuel in the developing world and the availability of forests for subsistence and indigenous societies. Excessive exploitation by a single human generation of forest resources that required many centuries to grow leaves future human generations poorer. While the sale of forest resources is often necessary to raise capital in the developing world, such sales leave developing nations poorer in resources.

Deforestation in one location also creates social problems in adjacent and distant regions by damaging shared soil, surface water, and biodiversity re-

sources; allowing desertification to destroy agricultural and grazing lands; altering rainfall patterns and agricultural production; impacting economically important migratory species; and allowing greenhouse gasses and other pollutants to accumulate. Deforestation by humans thus has global and ecological significance for all species and for the survival of the earth itself.

Well-intentioned efforts at forest management, conservation and husbandry, as alternatives to deforestation, often promote species extinction or species dominance and increase threats of natural disasters such as floods, fires, and insect infestations. The results may negatively affect innumerable unmanaged forest resources and place management demands and



Source: United Nations Food and Agriculture Organization.

resource-use limits on future generations. While outright deforestation is prevented, the forests themselves may be left in degraded states with questionable future viability.

*Gordon Neal Diem*

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SEE ALSO: Biodiversity; Bioethics; Deep ecology; Ecofeminism; Ecology; Environmental ethics; Land mines; Rain forests; Sustainability of resources.

## **Deism**

**DEFINITION:** Belief that on the basis of reason and “natural religion,” one can establish the existence of an intelligent and ethical Supreme Being, the creator and preserver of the universe

**DATE:** Concept developed during the sixteenth century

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Deism represents the deliberate attempt in the sixteenth, seventeenth, and eighteenth centuries to establish a nonsectarian basis for a theistic, rational morality.

In the wake of the sectarian strife that swept Europe in the seventeenth century, there was a desire to find a rational and theistic basis for moral behavior that did not rest on the particular confession of any organized religious tradition, be it Protestant, Roman Catholic, Orthodox, Jewish, Muslim, Buddhist, Hindu, Confucian, or Daoist. The founder of Deism was Lord Herbert of Cherbury, an English statesman and philoso-

pher who had observed the horrors of religious war both in Britain and on the Continent.

Because of the failure to arrive at a consensus regarding Christian ethics, Lord Herbert believed that a natural rather than a revealed religion could furnish the basis of civilized behavior. Taking the word “Deism” (from *deus*, Latin for “god”), a term already in use, Lord Herbert taught, in such books as *On Truth* (1624), *On the Religion of Laymen* (1645), and *On the Religion of Gentiles* (1663), that such “self-evident truths” as the existence of a Supreme Being, who merits human worship and who is best served by moral action, should be sufficient religion for a modern person. In doing so, he forged a spiritual and theistic foundation for morality.

*C. George Fry*

SEE ALSO: Anti-Semitism; Christian ethics; Enlightenment ethics; God; Humanism; Religion; Voltaire.

## Democracy

DEFINITION: Rule by the people

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Democracy is rooted in a fundamentally egalitarian ethic, encapsulated in the phrase “one person, one vote,” which values self-determination as the primary principle of government. Pure democracy, however, has also been labeled a “tyranny of the majority,” and modern democratic nations have universally instituted safeguards to ensure that persons in the minority retain basic civil rights despite the will of the majority.

The ideal of democracy is perhaps the most powerful force in politics since the seventeenth century. In fact, democracy can be traced all the way to the sixth century B.C.E., although the question of the efficiency and legitimacy of democracy has primarily been a modern issue. The irony of democracy has always been its elusiveness. Democracy means rule by the people, but that phrase has meant many different things and has been used as both a force for liberation and a cloak to legitimize tyranny. Ironically, few modern authoritarian regimes have neglected to claim that they rule in the name of the people.

## HISTORY

The word “democracy” comes from the Greek word *dimokratia*, meaning “rule by the people.” The Greek ideal, originating with the polis of Athens, was that only democracy and rule of law preserved human dignity. Athenians believed that citizens had both the responsibility and the ability to govern themselves. Self-governance preserved human agency and creativity in a way that was impossible for monarchy and dictatorship. Only when engaged in politics could a citizen be free from necessity and self-interest. Democracy and political action freed one to pursue the common good. As citizens within the polis, all were inherently equal. These core beliefs of responsibility, creativity, equality, and dignity are the foundation of democratic ethics.

Greek democracy is often criticized for being exclusive, yet after 500 B.C.E., citizenship in Athens was extended to all adult male citizens. Participation in the assembly was open and membership in the Council of Five Hundred was chosen annually by lot, as were many positions in public service. Citizen participation was high, and the decision rules emphasized direct democracy. Wealth was no bar to citizen participation. In this environment, the values of democracy and of participation as the source of human dignity were established for the millennia.

## MODERN DEVELOPMENTS

Much that had been taken from the Greeks was preserved in the Roman Republic. From the Romans, the world inherited a great legacy according to which law and human rights are inextricably linked by natural law. This idea was repeated in the American Declaration of Independence (1776) and in the French Declaration of the Rights of Man and the Citizen (1789). These documents demonstrated an evolving sense that citizen self-government is a right of all people that provides the greatest opportunity for human dignity. The source of this ideal is the belief in human equality.

Modern democracy is born of the democratic revolutions against European feudalism in the eighteenth century. The ideas of the social contract, found in the works of John Locke, Jean-Jacques Rousseau, and others, were lashed together with liberalism to ignite a democratic explosion in America and beyond. The consistent theme in these democratic revolutions was the belief in a natural human equality. This ideal did not originally include women and

## The Failure of Democracy in Latin America

Over nearly two centuries, the forces of democracy and authoritarianism have struggled for control of Latin America's many governments. The failure of democracy to grow deep roots in the Spanish- and Portuguese-speaking nations south of Canada and the United States was dramatized when the findings of a three-year study conducted by the United Nations Development Program were released in April, 2004.

Drawing on polls conducted among 18,600 Latin Americans and interviews with political leaders in eighteen countries (all the Spanish- and Portuguese-speaking nations except Cuba, which has the most authoritarian government in the Western Hemisphere), the survey found growing popular support for authoritarian government. Proauthoritarian sentiment was especially strong among the poor—who constitute the majority in most Latin American countries. Among the specific findings of the survey:

- 58.1 percent of all people polled believed that presidents should be allowed to act outside the law
- 56.3 percent believe that economic development is more important than democracy
- 54.7 percent would support authoritarian regimes if they solved economic problems
- 43.9 percent do not believe that democracy can solve their nations' problems
- 38.2 percent believe that democracy can exist without national legislatures
- 37.2 percent believe that presidents should use force to establish order
- 37.2 percent believe that presidents should control the news media

Source: *Los Angeles Times*, April 22, 2004, drawing on United Nations Development Program.

slaves or those without property, but the idea had a momentum that gradually expanded the rights and powers of citizen participation.

### CONFLICTS AND PRINCIPLES

The ideas of liberal philosophy and the social contract theory of the Enlightenment imparted several themes. Social contract theory argued that the only legitimate government was one that was based on the

consent of the governed. This denied the legitimacy of theocratic or personalist regimes. Liberalism, with its link to free-market capitalism, argued that all people were inherently equal and must have the opportunity to participate without regard to birthright. This attack on the prerogatives of feudalism hinged on the notion that freedom of choice and competition would make for social progress.

In liberal capitalism, equality is based on human value and requires only an equal opportunity to participate. Included herein were the ideas of inalienable rights, civil liberties, and freedoms espoused by modern democracies. It was not long before critics of the liberal paradigm, in the wake of the pain of the Industrial Revolution, argued that this idea of equality was false. Competition is not "equal" if those who are born poor and excluded do not enjoy either equality or the fruits of democracy. Associated with the ideas of socialism and Karl Marx, this critique of liberal capitalism argued that all societies in history are dominated by economic classes. According to this critique, capitalist democracy is only another form of class domination, and the liberal façade only masks the dictatorship of the capitalists.

Several streams of thought concerning democratic values and equality emerged. In the liberal capitalist idea, democracy was a direct outgrowth of the capitalist free market. For the socialist, democracy could be obtained only in a classless society that guaranteed not only equal opportunity but also material equality. All states rule in the name of a dominant class. Until social classes vanished, true democracy could not exist. To this may be added the anarchist vision that argued that all forms of government create hierarchies of power. For the anarchist, the only meaningful democracy is one founded in small communities based on direct democracy.

### GENERAL OUTLINE

Modern democracy has several key elements. In it, citizen participation in decision making always



exists in some form. This usually includes a system of representation, which is necessary in large, complex nation-states. Representation must be the result of an open contest and pluralist setting. Democracies accept the rule of law, at least in the sense that the rule of a despot or a dictatorship is unacceptable. Governors and governed must submit to the same laws. An electoral system based on majority rule is usually present, and universal suffrage of all citizens is strongly featured. Some form of citizen equality must be present, and liberties and freedoms, recognized as rights and granted by the state, must exist to allow open participation, association, and expression. Significantly, there will be some kind of political education about democratic principles and responsibilities. Democratic polities must be educated polities if democracy is to be meaningful. To participate, citizens must understand rules, issues, and their own responsibility to the common good.

The ethics of democracy go beyond the structure of governments. Equality, creativity, dignity, and the free space for political discourse that allows human beings to be free from self-interest and to make a lasting imprint on history—these are the immutable and elusive values of democracy.

*Anthony R. Brunello*

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SEE ALSO: Aristotle; Constitution, U.S.; Constitutional government; Declaration of Independence; *On Liberty*; Political liberty; Rousseau, Jean-Jacques.

## Deontological ethics

**DEFINITION:** School of ethics that considers actions to be intrinsically right or wrong, regardless of their consequences

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Deontological ethics is one of the two major categories of modern ethical theory.

Modern ethical theories can be divided into two broad categories: deontological and teleological, the ethics of duty and obligation versus the ethics of ends and consequences. In order to understand properly the nature of deontological theories, it is necessary to understand the essential features of teleological theories. A teleological theory gives the good priority over the right. The good is defined as the end or purpose of human actions; for example, “the greatest happiness for the greatest number.” These theories evaluate moral actions in terms of whether they contribute to the good. For example, does one’s action maximize happiness for the greatest number? If so, it is the right thing to do. In other words, the right is adjectival to the good and completely dependent upon it. Thus, according to teleological theories such as consequentialism, consequences or results determine the rightness or wrongness of moral actions.

Deontological theories, however, argue for the priority of the right over the good or the independence of the right from the good. Actions are intrinsically right or wrong, regardless of the consequences that they produce. The right or ethically appropriate action might be deduced from a duty or a basic human right, but it is never contingent upon the outcome or consequences of an action. In short, accord-

ing to this perspective, actions do have intrinsic moral value.

### PHILOSOPHICAL ORIGINS

The term “deontological” is derived from the Greek word *deon*, which means obligation or duty. Hence, deontological approaches to morality stress what is obligatory, what one ought to do, but with no reference at all to value or a conception of goodness.

An important distinction is generally made between act-deontological and rule-deontological theories. Act deontologists claim that moral judgments expressing obligations must be specific; for example, “In this situation I must not break my promise.” They do not accept general obligations or rules such as “we must always keep promises.” According to the act deontologist, one cannot generalize about obligations but must derive and formulate them in the context of particular circumstances. This view of ethics is expressed in the writings of the ethicist Edgar F. Carritt, such as his *Theory of Morals* (1928).

A more common approach is known as rule deontology. Rule deontologists maintain that morality consists of general rules that are usually expressed as duties or obligations. Such duties are fundamental and do not depend on the concrete circumstances of a particular situation. According to this viewpoint, one deduces one’s particular obligation from a general rule or duty. The divine command theory, contractarianism or rights-based ethics, ethical intuitionism, and Kantianism represent some examples of rule deontology. The divine command theory, for example, argues that whatever God commands is right or obligatory. Thus, the rules of ethics might be the Ten Commandments or other divine commands revealed by God. Despite the appeal of this theory, it is considered problematic by ethicists for one basic reason: To interpret morality as something that depends on the will of another, including an infinite God, seems to undermine the autonomy of morality.

### IMMANUEL KANT

The most prominent deontological thinker is undoubtedly Immanuel Kant. According to Kant, an action’s moral worth is not found in what it tries to accomplish but in the agent’s intention and the summoning of one’s energies to carry out that intention.

Results, purposes, and consequences are excluded from Kant’s moral philosophy, and this is obviously in direct contrast to consequentialism and teleological approaches to ethics. The moral person must perform actions for the sake of duty regardless of the consequences, but what is the duty of the rational moral agent? According to Kant, one’s moral duty is simple and singular: to follow the moral law that is expressed in the categorical imperative—always act according to a maxim that is at the same time valid as a universal moral law. In other words, can the action in question (such as breaking a promise) pass the test of universalization? If not, the action is immoral and one has a duty to avoid it.

Ethical intuitionism is a related deontological theory developed by William D. Ross. Ross claims that through reflection on ordinary moral beliefs, people can *intuit* the rules of morality. These rules are duties such as “one ought to keep promises and tell the truth.” They are *prima facie* obligations, which means that they do allow for exceptions; however, one of these basic duties can be superseded only by a more important, higher obligation, usually only under very exceptional circumstances. Thus, a moral principle or *prima facie* duty can be sacrificed, but only for another moral principle. As with Kant, so with Ross; one is obliged to follow one’s moral duty regardless of the consequences.

Finally, contractarianism (rights-based ethical theories) represents another species of deontological ethical reasoning. For example, in *A Theory of Justice* (1971), the modern philosopher John Rawls contends that the principle of justice as fairness is prior to the conception of goodness and must also limit that conception. According to Rawls’s framework, a just society is one that requires “equality in the assignment of basic rights and duties.” It is important to appreciate that in Rawls’s view, it is the fairness of society’s norms or rules, not their consequences, that gives those norms any genuine moral force.

Despite their differences, all these theories have in common the basic premise that the right is prior to the good and that beneficial results do not determine one’s moral duty. They emphasize fidelity to principle and the independence of rightness, which is the main focus of the moral life.

*Richard A. Spinello*

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SEE ALSO: Divine command theory; Duty; Justice; Kant, Immanuel; Kantian ethics; Rawls, John; Teleological ethics; *Theory of Justice, A*.

## Derrida, Jacques

IDENTIFICATION: French philosopher

BORN: July 15, 1930, El Biar, Algeria

DIED: October 8, 2004, Paris, France

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Derrida is most noted as an originator of a school of philosophy and literary criticism known as deconstruction. His best-known works, including *Speech and Phenomena (La Voix et le phénomène, 1967)*, *Writing and Difference (L'Écriture et la différence, 1967)*, and *Margins of Philosophy (Marges de la philosophie, 1972)*, engage in extended critiques of the metaphysical model underlying all of traditional Western philosophy. This critique has forced philosophers to reconsider the very nature, methodology, and boundaries of the field of ethics.

Although Jacques Derrida's philosophy has an implicit ethical component, he pointedly refrains from proposing an ethics of his own in any straightforward sense. The closest he comes is to offer something like a metacritique, a critical analysis of the concept of ethics, or what one might call an ethics of ethics. This is radically different, however, from metaethics,

which is a philosophical attempt objectively to ground the practice of ethics. Derrida's most sustained critiques have been leveled against precisely the notion that such objective philosophical grounding is either possible or desirable.

**DECONSTRUCTION**

Derrida's larger philosophical project, often succinctly described by others as deconstruction, is one that seeks to undermine Western philosophy's pretension to totality, as a foundational, closed system of explanation. Ethics, together with metaphysics and epistemology, forms one of three branches of Western philosophy. As such, Derrida's deconstruction of ethics does not offer an ethics, but rather makes ethics an object of critical analysis. As part of the pretension of Western metaphysics to totality, he works to show ethics' own conceptual limitations. In fact, Derrida regards his project less as a critical analysis of ethics than one in which ethics unravels under its own weight: It deconstructs itself.

**LEVINAS, VIOLENCE AND METAPHYSICS**

Derrida's own meditation on ethics takes place in large part through a critical analysis of the work of another contemporary French philosopher, Emmanuel Levinas. Levinas affirms that ethics, rather than knowledge (epistemology or metaphysics) is first philosophy. Ethics is logically primary. This is so because one's first considered or self-conscious human encounter with the world is an encounter with the Other, with other people whose minds and desires are fundamentally different from one's own. This encounter remains at the center of the philosophical project, because it raises what for both Levinas and Derrida is the fundamental philosophical question: How is it possible to respect the otherness of the Other? How is it possible to avoid the violence inherent in comprehension, to refrain from understanding the Other solely in terms of one's own values, and instead to preserve radical otherness in a pure ethical relationship?

Derrida affirms his proximity to Levinas's project and the notion of ethics as first philosophy, all while radicalizing Levinas's work by questioning whether the so-called purity of the ethical relation to the other is not itself a form of violence. He works with two hands. What he gives with one hand, he takes away with the other. What Derrida suggests in this critical confrontation with the concept of ethics is that the

ethical is always already contaminated by the non-ethical, so that ethics may be a desirable first philosophy, but first philosophy itself remains impossible. His argument is perhaps best thought of in terms of the lesser violence of a vaccine: One acknowledges and suffers a minor contamination at the outset of an inoculation in order to avoid the disease itself. This perversion then, the admixture of nonethical concerns with the supposedly pure ethical relationship, is the positive condition of possibility of all ethical values (justice, virtue, the Good).

Derrida's approach to ethics situates itself as a hinge, as a moment in the willful ambivalence between the articulation of an ethical relation and its own impossibility. As a critical, destabilizing gesture, he consistently situates himself between two philosophical poles. For instance, he places himself between Levinas's claim of ethics as first philosophy and the phenomenological critique of the traditional divisions of philosophy, and thus of ethics itself as a distinct field. Also, he affirms Levinas's critique of the autonomous Western subject through his insight into alterity (that is, the radically alien as the place where one comes to know one's own values) as the site of the ethical, all while seeking to question the concept of alterity itself.

It is through this analysis of an absolute alterity that Derrida hopes to articulate a sense of responsibility that finds its source neither in a form of sheer alterity (the responsibility to refrain from violating the otherness of the Other), nor in the expression of a voluntaristic subjective will (the responsibility to choose correctly, free from all constraint and outside influence). As a riposte, Derrida seems to confront Levinas's work with a form of decisionism: a singular decision, beyond any concept or universal rule, made in the face of singular events.

However, Derrida's call for decisionism also outstrips the conceptual resources of the Western subject. As a consequence, between these mutually insufficient poles of the autonomous subject (activity) and alterity (passivity), Derrida begins to articulate a form of responsibility as a decisionism that nevertheless is not the mere voluntaristic expression of the subjective will. If the idea of a singular decision without a deciding subject seems difficult to grasp conceptually, then Derrida has succeeded in forcing others to reconsider traditionally received accounts of ethics.

One of Derrida's central contributions to ethics is

his destabilization of the very concept of ethics, and it is his call for the constant rethinking of the ethical that should itself be understood as an ethical act.

*F. Scott Scribner  
Updated by the Editors*

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SEE ALSO: Critical theory; Deconstruction; Epistemological ethics; Foucault, Michel; Language; Levinas, Emmanuel; Metaethics; Nietzsche, Friedrich; Other, the; Postmodernism.

## Descartes, René

IDENTIFICATION: French mathematician and philosopher

BORN: March 31, 1596, La Haye, Touraine, France

DIED: February 11, 1650, Stockholm, Sweden

TYPE OF ETHICS: Renaissance and Restoration history

SIGNIFICANCE: Descartes shifted the focus of philosophy from metaphysics toward the human self, preparing the way for the increased interest in ethics and human behavior that is typical of modern thought.





René Descartes. (Library of Congress)

René Descartes was educated at the Jesuit College of La Flèche. In his influential works *Discourse on Method* (*Discours de la méthode*, 1637) and *Meditations on First Philosophy* (*Meditationes de Prima Philosophia*, 1641), Descartes moved toward epistemology, questioning what a person can know. This move was accompanied by a particular method that proceeded by systematically doubting everything that could be doubted. Only an “unshakable foundation” that was absolutely impregnable to doubt could serve as a reliable basis for a system of knowledge.

Descartes believed that he had found this foundation in the formulation *cogito ergo sum*—“I think, therefore I am.” Consciousness of one’s own existence appeared to be a certainty that could not be doubted. The rest of his system proceeds from this initial certainty.

The Cartesian method, which aims to take nothing for granted and assumes that truth is to be defined in terms of certainty and mathematical clarity, presented ground rules of scientific inquiry that are still used.

Descartes’s dualism, which divides reality into two categories of things—human consciousness,

defined as “thinking things” (*res cogitans*), and all matter, defined as “place-filling things” (*res extensa*)—played a central role in founding the modern perception of human beings as “subjects” and things as “objects.”

*Ted William Dreier*

SEE ALSO: Christian ethics; Epistemological ethics; Locke, John; Spinoza, Baruch; Stoic ethics; Will.

## Desire

**DEFINITION:** Positive psychological inclination toward possession of an object or achievement of a state of affairs

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Desire motivates action, so it is a crucial factor in theories of moral responsibility that focus on intention. For some philosophers, having particular desires or even the strength of one’s desires can be morally praiseworthy or blameworthy.

To desire something is to want it. Desire motivates action and directs an agent toward an intended object or state of affairs that the agent wishes to possess or bring about. It provides a reason to act and a structure by means of which a connected series of actions can be ordered in means-ends relations to explain and sometimes justify why an agent behaves in a certain way. The desires that move persons to act are often essential to the moral evaluation of their actions.

### HISTORY

The history of desire begins with prehuman animal wants and motivations. Desire features in the explanation of action from the time of the earliest Greek philosophy. Eros and Aphrodite (Venus), gods of love and desire, epitomize the inclination to possess or achieve desired objects. In ancient poetry and philosophy, Aphrodite in particular is frequently appealed to as the force that moves the cosmos.

In Plato’s *Symposium*, Socrates presents the view that the search for knowledge and moral perfection begins with an attraction to and desire for physical beauty that leads to more intellectual desires. Philosophy itself is love of or desire for knowledge, from



which Socrates concludes that the gods are not philosophers, since they already possess complete knowledge and cannot desire what they already have. In the *Nicomachean Ethics*, Aristotle maintains that all persons act out of the desire to achieve happiness, by which he means a good life in fulfillment of human purpose. This idea provides a foundational theory of moral action, according to which all actions are undertaken for the sake of accomplishing an end and all ends can be ordered in a hierarchy of ends, each of which contributes as a means to another end, terminating finally in the desire for happiness as the ultimate end.

Modern philosophy in the intentionalist tradition similarly emphasizes wants and desires in understanding what an agent intends to do, in order to explain and morally justify or condemn the agent's actions. Robert Audi, Roderick M. Chisholm, Donald Davidson, Joseph Margolis, and Richard Taylor are among philosophers who have developed theories of morally responsible action based on the intentional concepts of wanting or desire. They hold that desire is the intentional component of action in the same way that belief is the intentional component of knowledge.

#### EXPLANATION AND MORAL EVALUATION

An action is undertaken to satisfy a desire. Desires determine action goals, motivate, and give agents a reason to act. The agent wants to do something and may be aware of the desire that motivates the act. To explain a particular action according to this theory, it is necessary to identify the desire an agent tries to satisfy. Psychoanalysis presupposes that persons act out of subconscious as well as conscious desires, so that even seemingly meaningless actions for which the agent can give no explanation may also be driven by hidden desires or wants. Even if that assumption is not true, it is plausible to characterize all action as being motivated by desire. The simplest action of moving a finger for no other purpose is at least the result of a desire to move a finger. The fact that actions appear to be unexplained unless or until a desire is identified as an end for which action is the means of satisfaction supports the intentionalist theory that desire motivates action.

Desires can be good, bad, or indifferent, according to various moral outlooks and theories. Moral philosophies can often be distinguished and catego-

rized on the basis of their attitudes toward desires and the kinds of desires they encourage, permit, or forbid. Ordinarily, it is regarded as wrong or morally blameworthy to desire that innocent persons suffer or that evil triumph over good, while it may be right or morally praiseworthy to desire the greatest possible happiness for all persons. Particular moral systems postulate that certain kinds of desires are intrinsically ethically right or wrong. Sometimes the desire for worldly things, especially when it involves the appetites, is considered wrong. The extreme form of this moral attitude is asceticism, in which ethical conduct is made synonymous with resisting temptations, exercising self-control, and renouncing bodily desires. More abstract or universal desires that are in accord with preferred moral principles, such as the desire for peace and mutual respect of persons, are usually judged to be intrinsically good.

#### CONFLICTING DESIRES

If Aristotle is right about the common hierarchy of purposes that has happiness as its ultimate end, then all other desires, even as proximate ends or purposes of other actions, are related as means to that single end. This idea implies that desires are in some sense mutually consistent and compatible. Yet there appear to be conflicts of desires that cannot be jointly satisfied, as is the case when a conscientious objector desires to obey both conscience and the law. Conflicts of this kind are often interpreted as moral dilemmas. Intentionalist action theory is divided over the question of whether Aristotle's foundational hierarchy of means and ends terminating in a single end is correct or whether the more appropriate model of desires involves many different shorter chains of actions as means to desires as ends that do not contribute to a single purpose but may either cohere or conflict with one another.

*Dale Jacquette*

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SEE ALSO: Aristotle; Asceticism; Dilemmas, moral; Intention; Intrinsic good; Needs and wants; Passions and emotions; Plato; Responsibility; Self-control.

## Determinism and freedom

**DEFINITION:** Determinism is the view that everything including human thought and action has a cause; freedom is the ability to govern one's own actions

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Some philosophers believe that determinism would rule out freedom and that without freedom people could not be morally responsible—that is, blameworthy or praiseworthy—for their actions. Others believe that only actions that are determined—that is, that result necessarily from the fundamental character of the actor—can be the object of moral judgments.

Compatibilism is the view that determinism is compatible with freedom and moral responsibility. Incompatibilism is the view that determinism is incompatible with freedom and moral responsibility. Libertarianism and hard determinism are the major varieties of incompatibilism. Libertarians claim that determinism is false and that people are free and morally responsible. In contrast, hard determinists claim that because determinism is true, people are neither free nor morally responsible.

A major argument for hard determinism goes as follows. "Everything one does is causally determined, and therefore no one can ever act otherwise than he or she does. That being the case, no one ever acts freely, and without freedom, no one is ever morally responsible for what he or she does."

It may be tempting to reject hard determinism because it is a socially dangerous view, providing as it does a wholesale excuse for any wrongdoing. This response, however, is irrelevant, since it is clear that a view can be socially dangerous and can still be true.

Agreeing that determinism would rule out freedom, libertarians reject the hard determinist argument by claiming that there is good introspective evidence for freedom and against determinism. They argue that the belief in freedom is justified by a feeling of freedom, a feeling of not being causally determined, when making moral decisions. While all people may have a feeling of some kind of freedom in these cases, for many it is not a feeling of libertarian "contracausal" freedom. Instead, one has a feeling of being able to choose as one wants, not a feeling of not being caused. Moreover, even if one does have a feeling of libertarian freedom, such feelings can be misleading. A person acting under posthypnotic suggestion may also have such a feeling. The feeling of being contracausally free does not seem to be a reliable basis for rejecting the hard determinist argument.

Even if libertarians can provide good evidence that people are contracausally free, they still need to explain why contracausal choices are not merely matters of pure chance. Libertarians try to account for contracausal choices by appealing to reasons that do not cause people to choose as they do. The view that reasons are not causes, however, seems less plausible than the view that reasons are causes. The latter view makes better sense of the relationship between reasons and actions and makes it clear how to distinguish one's real reason for acting from other reasons for acting. If neither noncausing reasons nor causes explain contracausal choices, such choices would seem to be pure matters of chance. If that is the case, it is difficult to see how people could be morally responsible for their choices.

### THE COMPATIBILIST VIEW

Compatibilists maintain that the hard determinist argument is based on misunderstandings of key

terms and phrases, such as “freely,” “caused,” and “could have done otherwise.” Many compatibilists claim that acting freely is a matter of acting as one pleases, instead of acting without being caused to do so. They point out that acting as one pleases does not conflict with one’s being causally determined to act as one does. Believing that freedom also requires the capacity to do otherwise, they attack the hard determinist argument by claiming that determinism would not rule out this capacity.

Many compatibilists claim that hard determinists are misled by a faulty theory of causality. Hard determinists think of causality in terms of necessitation, when in fact causality is nothing more than one type of event being regularly followed by another type of event. In this regularity view, causal laws do not prescribe what must happen; they describe only what does happen. Compatibilists maintain that since causes do not necessitate, being causally determined to act in a certain way does not rule out the capacity to act otherwise; therefore, the hard determinist argument fails.

The regularity theory is itself problematic. According to it, there are causal relations between types of events only because people live in a world in which these types of events happen to be constantly conjoined. Causal relations seem, however, to involve more than this. It seems incredible that arm wrestling is nothing more than one person’s exertion that simply is followed by another person’s arm going down. If one’s arm goes down because of the force exerted against it, the regularity theory seems implausible.

Without relying on the regularity theory, other compatibilists still maintain that determinism would not rule out one’s capacity to do otherwise. They analyze the phrase “He could have done otherwise” as “He would have done otherwise had he so chosen” and then point out that one’s being causally determined to do something does not mean that one would not have done something else if one had so chosen.

This hypothetical sense of “could have,” however, does not seem to be the one that is important for freedom. Consider a man who has no control over his choices, since he has been drugged and hypnotized. The reason that he does not act freely in this case is that he could not do anything else. He could have done otherwise, however, in the sense that he would have done otherwise if he had so chosen.

Compatibilist senses of “could have,” such as “not having a dispositional property that rules out alternatives,” may fare better. In any case, compatibilist accounts of freedom should take into account not only the ability to do otherwise but also the ability to choose otherwise.

Gregory P. Rich

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SEE ALSO: Aristotle; Augustine, Saint; Fatalism; Freedom and liberty; Hobbes, Thomas; Hume, David; Locke, John; Moral responsibility; Will.

## Deterrence

DEFINITION: Prevention of an undesirable action through the threat of retaliation

TYPE OF ETHICS: Military ethics; legal and judicial ethics

SIGNIFICANCE: The use of deterrence in criminal law and international relations raises the moral question of whether the means (capital punishment, the possibility of massive destruction) justifies the end (prevention of crimes, the maintenance of international peace).

The need to deter people from committing violent crimes has frequently been used to justify capital

punishment. The argument has been made that stronger punishments are more frightening than weaker punishments, and the ultimate punishment is therefore the one most likely to deter potential murderers. Those who disagree with this argument have countered that extreme crimes such as murder are generally not committed by rational agents who weigh all the pros and cons before deciding whether to act. They are crimes of passion, committed without thought to the consequences. If this point of view is correct, the very model of deterrence would seem to be misapplied by states that seek to use capital punishment, or any punishment, as a deterrent to murder.

Nuclear deterrence was conceived as preventing the use of nuclear weapons by others by assuring a second-strike capability that was capable of inflicting considerable damage on the aggressor. This concept replaced the traditional balance-of-power system of the conventional arms age, ushering in the balance-of-terror age of nuclear technology. While some argued that it was instrumental in avoiding nuclear war during the Cold War and therefore helped to maintain international peace, others saw the persistent threat of nuclear retaliation as a morally bankrupt policy. In a deterrence scenario, each party is constrained to see the other as a potential inflicter of harm, a scenario that encourages a mutual permanent state of distrust.

Although there is a consensus regarding the moral importance of defending oneself against external aggression, where nuclear deterrence is concerned, there is more skepticism regarding the moral character of the means by which this is to be achieved. Perhaps what makes this concept so ethically controversial is the paradox it embodies: As one informed observer put it, people threaten evil in order not to do it, and the doing of it will be so terrible that the threat seems in comparison to be morally defensible.

*Olusoji A. Akomolafe*

SEE ALSO: Capital punishment; Cold War; Mutually Assured Destruction; Sanctions; Weapons research.

## Developing world

**DEFINITION:** Comprehensive term for nations that are undeveloped or in various stages of industrial development, such nations are also often called “Third World” nations

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** Because virtually all the world’s developing nations were formerly under direct colonial rule or subject to economic exploitation by European nations and the United States, questions arise as to what moral and ethical responsibilities developed nations have toward the nations facing great problems of poverty, disease, and political instability.

The term “developing world” emerged from ethical debates over the propriety of using such expressions as “undeveloped” or “underdeveloped”—both judgmental words based upon Western assumptions about standards of economic or political progress. In an effort to minimize the negative connotations of such assessments, the United Nations (U.N.) allows each country to decide for itself whether it should be designated “undeveloped” or “developing.” Since the 1960’s, the euphemism “developing” has been used to ease the prejudicial connotations of the older terms, but ethical questions concerning responsibility for the lack of development in such countries remain controversial.

### THE POSTCOLONIAL WORLD

Vast inequities in the standards of living between developed and developing nations raise fundamental questions of global justice. According to early twenty-first century U.N. statistics, 826 million people in the developing world lack adequate nutrition, more than 850 million are illiterate, and one in five children die from preventable causes. At the same time, the 15 percent of the world’s population living in the richest nations enjoy almost 80 percent of the world’s wealth, while the poorest 46 percent of the world’s population have only 1.25 percent of global wealth. Inequity alone would raise ethical questions, but there is also the question of blame for these inequities.

Some political theorists argue that the West has a large responsibility for the lack of economic development in developing nations that is the result of

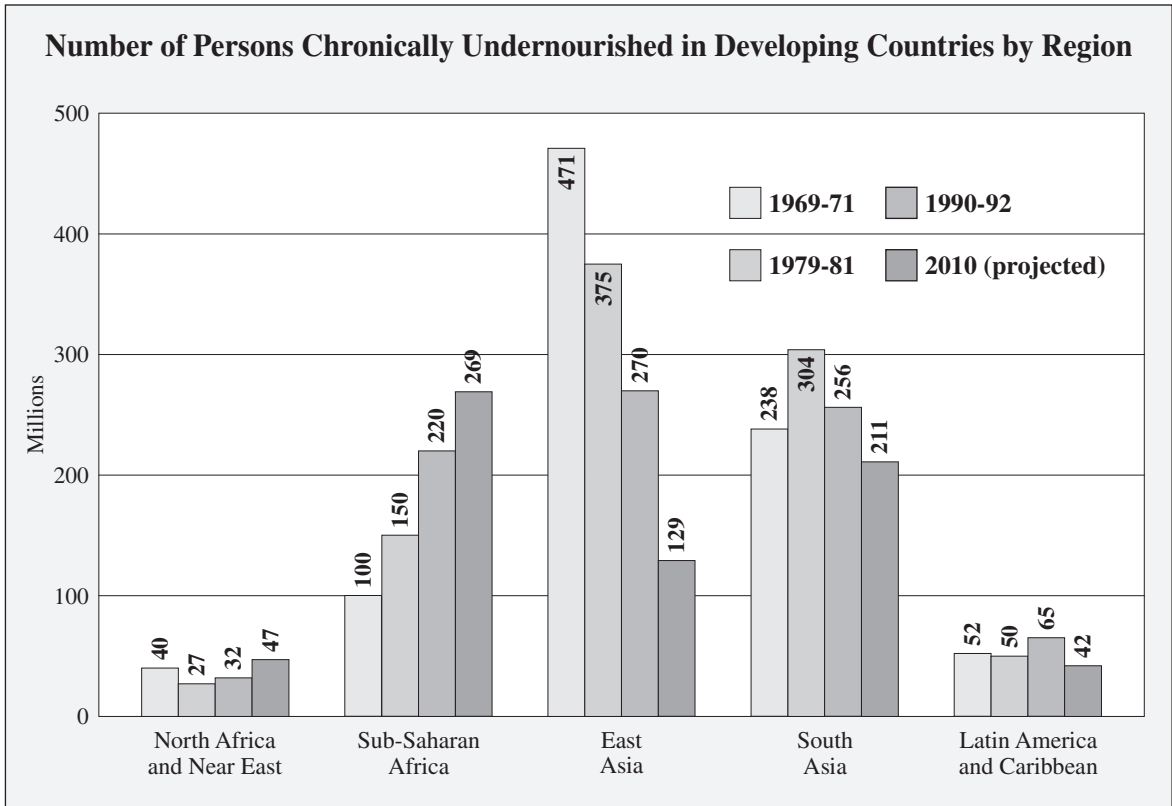
Western imperialism or economic exploitation, and in the case of Africa, the enslavement of millions of people. Focusing particularly on the destructive consequences of slavery, critics argue that since the industrial and economic development of Europe and the United States benefited from the exploitation of colonial peoples, the developed world owes reparations to the developing world as compensation for such damage. Some economists deny that either imperialism or slavery were crucial in the capital accumulation leading to the industrialization and subsequent prosperity of European nations and the United States, attributing the success of economic development to growth factors internal to their domestic markets.

There is, however, much less debate that imperialism had deleterious effects upon the socioeconomic development of most colonies and there is no disagreement over the horrendous consequences of slavery upon the Africa. In a seminal conceptual reformulation of the concept of “underdevelopment,”

the historian André Gunda Frank observed that what was meant by “underdevelopment” was not some original or primitive precolonial condition, but the actual results of the destructive process of imperial exploitation. Moral responsibility toward the developing world thus arises both from obligations to ease the suffering of nations that are the worst off as well as obligations to rectify wrongs committed by former colonial powers.

**NATION-STATE BUILDING**

Recognizing that there are moral obligations to the least fortunate across the globe does not determine what remedy should be pursued to relieve their suffering. Modern ethicists and political theorists agree that individuals should collectively decide what is in their own best interests, but there is great debate about what should be the mechanism of collective decision making. During the Cold War era, both democratic and communist powers articulated their foreign policy agenda in ethical terms of pro-



Source: United Nations Food and Agriculture Organization (FAOSTAT Database, 2000).



moting freedom and self-determination among their client states in the developing world. Nobel Prize-winning economist Amartya Sen has pointed out that freedom must be measured not only in terms of political liberties but also in terms of socioeconomic opportunities and that each area is dependent on the other. Initiatives by industrial powers to promote state development in poor nations, which are to some degree self-serving, raise other ethical questions.

International law, providing ethical guidelines for dealings between the developed and developing world, clearly prohibits the violation of national sovereignty, except in cases of self-defense, but some experts argue that crimes against humanity, particularly genocide, can also legitimate such intervention. In the developing world, ethical issues thus arise around competing principles of national sovereignty and other values, such as human rights or democracy. Further, the nature of the intervention, particularly when it entails military force, raises additional questions. Ethically, measures taken to remedy a wrong should be adequate to the task, but where it is legitimate to use force, the extent of that force cannot exceed what is necessary to accomplish the desired good.

#### ETHICAL ISSUES IN THE DEVELOPING WORLD

A variety of ethical issues arise depending on the nature of the problem. For instance, if a poor nation faces famine because insects are destroying its crops, should it be held to the environmental standards governing use of pesticides established by well-fed rich nations? Or, what obligations do developed nations have to recognize and to compensate indigenous peoples for folk medicines used for centuries but never protected by modern patent laws? Where is the line that establishes a violation of a universal human right, if such can be shown to exist, from the unusual but legitimate practices of a different culture, for instance, stoning adulterers or female genital circumcision?

Differences in values between the modern industrial world and the developing world in many cases lead some ethicists to conclude that the only morally acceptable action is that agreed to by both worlds. Others argue that on certain restricted issues, a universal moral standard applies to all humanity, and ethical decision making is a matter of how such decisions should be determined by the world. Because of

this moral complexity, even well-intentioned acts of humanitarianism must be pursued with great caution and reflection.

*Bland Addison*

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SEE ALSO: Agribusiness; Colonialism and imperialism; Famine; Globalization; Peace Corps; Poverty; Poverty and wealth; World Trade Organization.

## Dewey, John

IDENTIFICATION: American philosopher

BORN: October 20, 1859, Burlington, Vermont

DIED: June 1, 1952, New York, New York

TYPE OF ETHICS: Modern history

SIGNIFICANCE: The leading progressive ethicist of the twentieth century, Dewey developed a theory of ethics in which human moral development resulted from active engagement with a fluid environment. His most famous works include *Human Nature and Conduct* (1922) and *Theory of Valuation* (1939).



John Dewey. (Library of Congress)

John Dewey attacked traditional ethical theories. His objection to these theories (absolute idealism's categorical imperative and "will of the absolute," Herbert Spencer's Social Darwinism, and Jeremy Bentham's utilitarianism) was that they posited the existence of an absolute moral code independent from and knowable in advance of human interaction with an ever-changing environment. Dewey's ethical theory, "instrumentalism," was grounded in a progressivist prescription for participatory democratic decision making. His views on the normative and prescriptive requirements of ethical theory remain strongly influential.

### THE REFLEX ARC CONCEPT

Dewey came to believe that human experience was not shaped by the dualisms of traditional philosophy: mind and body, idea and sensation. Experience, Dewey wrote in "The Reflex Arc Concept in Psychology" (1896), was not "a patchwork of disjointed parts"; it was a "comprehensive, organic unity." The reflex arc concept, Dewey reasoned, required a model

of stimulus and response in which both were "divisions of labor, functioning factors within the single concrete whole" rather than "disconnected existences." Humans functioned in this "unity of activity," or experience, unconsciously. Only with an interruption of coordinated, continuous experiencing, Dewey argued, did individuals need to become mindful of the reflex arc of stimulus, response, and intervening psychical event in order to resolve interrupted experiencing. Dewey's view of experience was to shape profoundly his theory of ethics.

For Dewey, components of the reflex arc, or circuit, did not consist of disassociated separate categories of stimulus and response in which sensory input (stimulus) is viewed as occurring chronologically prior to the event of muscular discharge (motor response), for example, with attention, awareness, or idea emerging as a central activity or intervening psychical event. Rather than being considered as distinctive partitions of experience, reminiscent of earlier formulations of body-mind dualism, the stimulus and response components of the reflex arc of human behavior required a conceptual shift in Dewey's view.

Dewey argued that stimulus and response are not distinctive entities, categories of human behavior used to describe sequential neural or physical events; they are integrative divisions of labor that are interrelated with the psychical component of the reflex arc to form an inclusive holism of human behavior. The psychical event, the attention given to maintenance or restoration of ongoing experiencing or human activity, Dewey described as mediation in *The Study of Ethics: A Syllabus* (1894), as intelligence in *Human Nature and Conduct* (1922), and as exploration for reasonable decision in the *Theory of Valuation* (1939).

### THEORY OF THE MORAL LIFE

While Dewey noted his discontent with absolutist moral codes in *Outlines of a Critical Theory of Ethics* (1891) and utilized *The Study of Ethics: A Syllabus* (1894) to discuss "psychological ethics"—that is, the individual's conduct and its relation to moral experience—his theory of the moral life appeared originally with the publication of *Ethics* (1908), which included "Theory of the Moral Life." Stipulating that moral action was voluntary conduct, "activity called forth and directed by ideas of value or worth," Dewey

argued that the moral life consisted of the individual's pursuit of self-realization through development of a democratic character. For Dewey, the challenge of moral life was, as he put it, "the formation, out of the body of original instinctive impulses which compose the natural self, of a voluntary self in which socialized desires and affections are dominant." For Dewey, humans were preeminently social beings; the moral person was one who transformed desires of the self into sympathetic regard for the common good. This view of a constructed rather than a received moral life permeates Dewey's later writing on ethical theory.

### HUMAN NATURE AND CONDUCT

*Human Nature and Conduct* (1922), subtitled *An Introduction to Social Psychology*, was Dewey's critique of behaviorist and psychoanalytic explanations of human behavior. Both explanations were reductionist, Dewey assumed: Freudian psychoanalysis restricted causation of human behavior to sexual impulses, a term Dewey preferred to "instincts"; behaviorists, to a simplistic map of stimulus and response. Defining "habit" as "special sensitiveness or accessibility to certain classes of stimuli, standing predilections and aversions," not mere recurring actions, Dewey reasoned that in a democratic society such as the United States ethical decisions should result only from the practice of habitual deliberation, not from "routine, unintelligent habit." This accent on deliberative intelligence, reflective thought, which assumed a special importance in Dewey's theory of ethics, given his claim of contingency and predictability as coexistent in the world, is manifest in Dewey's last major work on ethical theory, *Theory of Valuation*.

### THEORY OF VALUATION

Written to contest British philosopher A. J. Ayer's assertion in *Language, Truth, and Logic* (1936) that ethical statements were merely emotive, irrational statements of preference and, as such, inexplicable by scientific canons of veracity, Dewey's *Theory of Valuation* highlights experiential contexts of value judgments. Given his conception of the importance to ethical theory of reflective thought responding to a "precarious and perilous" world, a view discussed in arguably his most philosophically comprehensive work of the 1920's, *Experience and Nature* (1925),

Dewey eschewed any attempt to rank values hierarchically in *Theory of Valuation*.

Dewey believed that value judgments depended for their veracity on an experiential context and thus were subject to empirical testing. "Valuation," Dewey wrote, "involved desiring." Dewey insisted that desires be scrutinized carefully. Investigation, he averred, of the experiential conditions for human preferences and consideration of consequences resulting from acting on these desires would yield the efficacy of ethical judgments. Efficacy depended on the abolition of the experiential cause for desiring: "some 'trouble' in an existing situation."

### IMPLICATIONS FOR ETHICAL CONDUCT

Dewey's philosophy challenges people to derive their morality from their everyday experiential world rather than from some predetermined cosmological order. In Dewey's view, the individual actively constructs morality through conscious and deliberate implementation of actions designed to achieve the most beneficial consequences. For Dewey, ethical conduct is a dimension of human behavior that the individual creates rather than passively receives from some external source of "goodness."

*Malcolm B. Campbell*

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SEE ALSO: Good samaritan laws; *Human Nature and Conduct*; Humanism; James, William; Peirce, Charles Sanders; Pragmatism; Progressivism.

## Diagnosis

DEFINITION: Investigation of a problem, especially a medical problem, to determine its cause

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: Successful diagnoses and care of patients may require physicians to make ethical judgments about their duty to disclose information to their patients and the confidentiality of information that must be shared with others in order to make their diagnoses.

For many physicians, the principle of confidentiality tends to produce a kind of knee-jerk reflex. The popular belief is that confidentiality is essential to the physician-patient relationship and must be safeguarded at all costs. Contrary to popular belief, however, it is not an absolute principle. In many cases, health care is now a product of teamwork, so that the physician is forced to pool information to some degree. The advent of computers makes it far easier for the physician's duty of confidentiality to be abused. Thus, there is confusion among professionals and administrators about what should be and what should not be revealed. Attitudes among physicians have departed from absolute certainties to a confusion of views between those who would have no difficulty divulging information and those who feel that divulging information violates various ethical codes.

It is generally accepted that information gained by a professional in the course of a relationship with a client is the property of the client. Instances do occur, however, in which medical professionals must weigh

their ethical duty against their secondary duty as citizens to prevent harm from befalling others. For example, physicians have a statutory obligation to disclose the existence of infectious diseases. In some way, however, disclosure should hinge around patient consent, whenever it is practicable.

There is a general consensus that physicians have an obligation to tell the truth. Some doctors assume that they also have a right, which they sometimes exercise, to withhold information from a patient about a condition. Many physicians find it difficult to tell their patients that they are terminally ill. Some believe that a failure to tell a patient the truth is a type of dishonesty. Various arguments for truthfulness apply in medical ethics in diagnosis. Medicine is practiced on the assumption that the patient consents to treatment, but consent becomes meaningless unless it is informed. Thus, truth telling is vital to medical practice and medical diagnosis. The right to be adequately informed is based upon patients' freedom of choice, which becomes compromised if they are not given adequate data about their conditions. Reaction to the truth (of a terminal diagnosis, for example) is varied and unpredictable, and physicians are aware of this, as are pastors. In fact, "privileged communication" between patient and physician is one of the priestly aspects of the doctor's role that have been left over from ancient times.

A sensitive person can sympathize with one physician who showed, in a plaintive remark, the duty to tell the truth, yet his dislike of it. "Devotion to the truth does not always require the physician to voice his fears or tell the patient all he knows. But, after he has decided that the process of dying has begun, only in exceptional circumstances would a physician be justified in keeping the opinion to himself."

No one can better guard the ideal of absolute respect for the human person than the medical profession.

*Jane A. Slezak*

SEE ALSO: Confidentiality; Consent; Genetic testing; Illness; Medical ethics; Physician-patient relationship; Psychopharmacology; Therapist-patient relationship.

## Dictatorship

**DEFINITION:** System of government in which one person has absolute authority

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Dictators create their own systems of law and order. The ethical status of a dictator's society is therefore determined solely by the dictator's own values and level of benevolence toward the people.

Dictatorships have existed in all times and all places. In ancient Greece, "tyrants" were given temporary authority by the populace to rule during times of war and invasion. When the crisis passed, power was returned to the legitimate authorities and the tyrant stepped down. That custom continued in Roman society when absolute power was given to military rulers until order was restored. In ancient China, the emperor became a dictator during critical times and ruled with an iron hand. One of the bloodiest dictators in Chinese history, Qin Shi Huangdi, killed thousands of his countrymen between 221 and 210 B.C.E. in an effort to put down peasant rebellions and opponents to his rule.

According to the Chinese Legalists, proponents of a school of philosophy that stressed the wickedness of human nature, severe punishments and frequent use of the death penalty were necessary to keep order in society. Human beings obeyed only laws that were strictly and savagely enforced; without fear and terror, society would fall apart. Thus, Chinese Legalist philosophers presented the major ethical defense of absolute rule, a view echoed later by Thomas Hobbes, an English political theorist, in his book *Leviathan* (1651). Both the Chinese and Hobbes argued that most humans preferred order to freedom and that order became possible only with strict enforcement of laws. Only absolute authority could reduce criminal activity and create an orderly society.

### MODERN DICTATORS

During the twentieth century, dictatorships were created principally to create a utopian vision of a perfect society. Whether in Joseph Stalin's Soviet Union, Adolf Hitler's Germany, or Mao Zedong's China, modern dictators have assumed absolute power, killed millions of people, and imposed horri-

fying levels of terror on their populations in the name of creating a better world.

Joseph Stalin, ruler of the Soviet Union from 1927 to 1953, achieved more absolute power than perhaps any other modern dictator. He summarized his ethical philosophy in a comment he made to Communist Party leaders in 1932 when he was advised that Ukrainian farmers were causing problems by refusing to move to giant collective farms run by the Soviet government. In reply Stalin reportedly said, "No people, no problem." To carry out this policy, the Soviet dictator ordered all food to be taken out of Ukraine until his orders were obeyed. Within two years more than 8 million Ukrainians had starved to death and the resistance to authority was crushed.

One rule of modern dictatorship is that the leader is the law. During the 1930's in the Soviet Union, Stalin came close to achieving this goal. Between 16 million and 20 million Russians died in prisons and slave labor camps established to maintain order and control over the Soviet people. Stalin's secret police, a key ingredient in any successful dictatorship, had spies in every village, classroom, and office in the country. Spies informed on other spies, and children were rewarded for turning in their parents for disloyal conduct. Disloyalty was defined as any questioning of Stalin's authority. Under such conditions, a severe dictatorship emerged, though Stalin fell far short of his goal of turning the Soviet Union into a self-sufficient, economically successful worker's paradise. Terror and death were defended, for as true communists believed, the killing of millions was necessary in order to create a class-free, perfect society. Would not the deaths of millions be justified if one could produce a perfect society on Earth? That Stalin and his supporters failed to come close to their goal makes his dictatorship even more horrifying.

### ADOLF HITLER

Adolf Hitler, German dictator from 1933 to 1945, justified his mass murders with the phrase "life unfit for life." The German leader promoted biological warfare in his attempt to create a master race. Unlike most other modern dictators, Hitler did not seize power but took over the German government by constitutional means. Once in charge, however, he followed the same methods as other dictators, eliminating all opposition and imposing a violent reign of terror upon his nation. Soon there were no limits on



**Notable Dictators in History**

<i>Date</i>	<i>Dictator</i>	<i>Nation</i>
221-210 B.C.E.	Ch'in Shih Huang Ti	China
54-68 C.E.	Nero	Rome
1241-1279	Genghis Khan	Mongolia
1370-1405	Tamerlane	Central Asia
1547-1584	Ivan the Terrible	Russia
1799-1815	Napoleon Bonaparte	France
c. 1818-1828	Shaka Zulu	South Africa
1876-1911	Porfirio Díaz	Mexico
1923-1943	Benito Mussolini	Italy
1927-1953	Joseph Stalin	Soviet Union
1930-1945, 1950-1954	Getúlio Vargas	Brazil
1930-1961	Rafael Trujillo	Dominican Republic
1932-1968	António de Oliveira Salazar	Portugal
1933-1945	Adolf Hitler	Germany
1937-1956	Anastasio Somoza García	Nicaragua
1949-1975	Francisco Franco	Spain
1948-1994	Kim Il Sung	North Korea
1949-1975	Mao Zedong	China
1954-1989	Alfredo Stroessner	Paraguay
1957-1971	François Duvalier	Haiti
1959-	Fidel Castro	Cuba
1965-1997	Mobutu Sese Seko	Congo/Zaire
1967-1989	Nicolae Ceausescu	Romania
1971-1979	Idi Amin	Uganda
1976-1978	Pol Pot	Cambodia
1979-2003	Saddam Hussein	Iraq
1990-2000	Alberto Fujimori	Peru

physically and mentally handicapped people were murdered on Hitler’s command. Hitler used his immense power to benefit one group, the “pure-blooded Aryans,” while all others were to be destroyed. Absolute power was used to perform absolute evil, and Hitler’s empire was brought to judgment only by the bloodiest war in human history. “Life unfit for life” became the ethical standard for one of the most destructive régimes in human history.

The third example of modern dictators, Mao Zedong, who ruled China with total power from 1949 to 1975, also killed millions of people (the exact number is still subject to dispute) in his pursuit of a perfect society. Mao tried to destroy China’s past totally and to create a new world order based on economic and political equality. He seized power in 1949 after a long civil war and declared a campaign of terror against his, and hence China’s, enemies. He, like many dictators, saw himself as the voice of the people and someone who was supremely interested in their welfare and prosperity. If millions had to die, it was ethically correct because “the people” demanded it and because the deaths of traitors would help bring about a heaven on Earth. Executions of landlords, massacres of Buddhist monks and nuns, and rigid obedience to the teachings of the leader were all expected, encouraged, and accomplished during Mao’s brutal reign of terror, which lasted for most of his tenure as Chinese ruler. Only his own death brought an end to his campaign against the people of China.

During the late twentieth and early twenty-first centuries, relatively small-time dictators such as Kim Il Sung in North Korea (1948-1994), Pol Pot in Cambodia (1976-1979), and Saddam Hussein in Iraq (1979-2003), continued the tradition of

Hitler’s authority, and laws were passed that attempted to create a strict racial state. To build a master race, millions of “inferiors” were persecuted and eventually eliminated. Along with six million Jews, thousands of Gypsies, Slavs, homosexuals, and

murdering opponents and creating secret police forces to terrorize their people. Dictatorships continue to exist, and dictators continue to impose suffering upon their people. This form of government has existed for thousands of years and is unlikely to

disappear as long as dictators are able to command obedience through fear, terror, and promises of perfection.

*Leslie V. Tischauser*

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SEE ALSO: Arendt, Hannah; Fascism; Hitler, Adolf; Hobbes, Thomas; Hussein, Saddam; Orwell, George; Stalin, Joseph; Tyranny.

## **Dignity**

**DEFINITION:** Innate worthiness of each person to be respected and to enjoy fundamental human rights.

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The belief that all people have an innate and inviolable dignity is the foundation of a belief in human rights that transcend any particular society and that no government or person can legitimately take away.

The concept of the dignity of humankind was originally based on the theological belief that all men and women possess God-given rights because they are

formed in the image of God. Foremost among these divine gifts are freedom and immortality. Unlike other animals, humans are not dominated purely by physical instincts. People can use their freedom to create works of great beauty and to improve the quality of life for themselves and others. Freedom may, of course, be abused if one chooses to limit the rights of others.

In his influential book *The City of God* (413-427), the Christian writer Saint Augustine argued persuasively that practices such as slavery, which demeaned individuals, were incompatible with Christian beliefs. Since God freely granted immortality to all men and women, it is absolutely essential that human beings respect the dignity and freedom of each individual.

To Saint Augustine, Earth is a “city of God” in which all men and women enjoy the same basic rights and privileges. A North African bishop who lived on the outskirts of the Roman Empire, Saint Augustine specifically rejected the belief that any government had the right to invade or dominate another country. Those who accept the basic tenet that all men and women possess freedom and immortality must ask themselves if certain forms of behavior are morally compatible with God’s teachings on the dignity of all people. If there is a conflict between social practices and religious beliefs, a Christian is required to obey the higher divine law. Saint Augustine argued that Christians are always responsible for their decisions. It is unacceptable to claim that one must simply obey all laws, since certain laws may be morally reprehensible if they fail to respect the dignity and rights of all men and women.

Saint Augustine’s comments on the dignity of humankind had a profound influence on Christian ethics. In his 1580 essay “On the Cannibals,” Michel de Montaigne stated that it was morally wrong for Europeans to colonize the New World. European political leaders had developed the specious argument that it was permissible for them to exploit Native Americans because they were superior to them. Montaigne denounced this position as racist. Like Saint Augustine, Montaigne recognized the dignity of each man and woman. Although Montaigne was both the mayor of Bordeaux and an adviser to French kings, his condemnation of the conquest of the New World was ignored by French government officials because an acceptance of his position would have put an end to French imperialism in the Americas.

**HUMAN RIGHTS**

Over the centuries, people have recognized that certain human rights are so important that they must be enumerated. A mere declaration of human rights is not sufficient. A mechanism must be created to protect these inalienable rights. In democracies, independent judges have the power to require even recalcitrant government officials to respect constitutionally protected rights. Famous declarations of human rights include the 1689 English Bill of Rights; the 1791 U.S. Bill of Rights; the Universal Declaration of Human Rights, which the United Nations approved in 1948; and the 1969 Human Rights American Convention of the Organization of American States.

The Founders of the American democracy felt that certain rights, such as freedom of religion, freedom of speech, and the right to a jury trial, were essential to the quality of life and that the American government should be permanently prevented from restricting these inalienable rights. Although it was admirable, the U.S. Bill of Rights was imperfect because it failed to recognize the rights of women and African Americans. The U.S. Constitution may, however, be amended, and it was, in fact, amended in order to end slavery and to grant African Americans and women the right to vote.

The concept of the dignity of humankind has continued to evolve. In her famous 1949 book *The Second Sex*, Simone de Beauvoir argued persuasively that a failure to recognize the dignity and equality of women was morally unacceptable. Both the Universal Declaration of Human Rights and the Human Rights American Convention denounced torture and racism and also stressed the need to respect the rights of people from indigenous and minority cultures so that all citizens might enjoy the same rights and privileges.

The right of citizens to use their native language has also been recognized as a basic human right. Canada, for example, is a bilingual country, and the Canadian Parliament has specifically declared that any Canadian may use either French or English in all public and private matters. Although the official languages of Canada are French and English, the Canadian Parliament also took specific action to recognize the linguistic rights of native peoples living in Canada. The ancient concept of the dignity of humankind is based on certain inalienable rights. Although nu-

merous totalitarian governments have sought to limit personal freedoms, such efforts have consistently been resisted by those who respect the dignity and freedom of each man and woman.

*Edmund J. Campion*

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SEE ALSO: Augustine, Saint; Character; Civil rights and liberties; Equality; Freedom and liberty; Honor; Human nature; Human rights; Self-respect.

**Dilemmas, moral**

**DEFINITION:** Moral choices—usually forced—that, no matter how they are decided, have negative consequences

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Moral dilemmas present great difficulties for people who are striving to think and to behave rationally and ethically.

Moral dilemmas represent some of the hardest choices that people must make in the course of their lifetimes. The core of a moral dilemma is the fact that, no mat-

### A Simple Moral Dilemma

If you make a promise to meet a friend for lunch tomorrow, you have a moral duty to keep that promise. However, if your father suddenly has a heart attack and is hospitalized, your duty to be at his side far outweighs your promise to your friend. After using your power of reason and deciding that you have just cause for following the other course of action, you should not not keep your lunch date with your friend.

ter what course is chosen by the person who is facing the dilemma, making the choice involves deciding on a course of action that will have negative moral consequences. The following are typical examples of situations that involve moral dilemmas: A sea captain on an overloaded life raft must select a small number of people to throw overboard if most of the people aboard the life raft are to be saved; a general who has been ordered to direct a suicide mission for the good of his country must decide which soldiers will be sent to a certain death; a German resistance leader can save only one of two Jewish families from death in a concentration camp at the hands of the Nazis. Such scenarios involve attempting to identify and choose the lesser of two evils.

#### BABY JANE DOE

In New York state in 1983, a moral dilemma arose regarding the fate of “Baby Jane Doe.” She suffered from multiple difficulties, including a broken and protruding spine (spina bifida) and fluid on her brain (hydrocephaly). Worse, she had a brain that was abnormally small (microencephaly). She needed surgery immediately after her birth, but her parents refused to allow it. Without the surgery, Jane would live for two years at most, but the surgery would still leave her in a hopeless situation. A “right to life” group intervened and demanded that the surgery be done. The New York Supreme Court ruled in the group’s favor, but a higher court immediately overturned the decision. Next, the federal Justice Department intervened, launching an investigation to determine whether a “handicapped” person was being discriminated against, but a judge dismissed that suit

also. Baby Jane did not receive the operations, went home with her parents, and soon died.

Were the parents right or wrong? A few more details might help the reader decide. If Jane had received the complicated surgeries, she would have had a 50 percent chance of living into her twenties, but her life never would have been anything approaching an existence that most people would want to experience. She would have been paralyzed, epileptic, and extremely vulnerable to various diseases, such as meningitis. She would never even have recognized her parents. It was these facts on which the parents based their decision.

#### FACING THE DILEMMA

The Baby Jane tragedy illustrates two typical elements of moral dilemmas. The first is the fact that human rights are involved. The second is that, as in Jane’s case, two rights come into conflict: in that case, Jane’s right to life and the parental right of choice. In a more ordinary case, most people would no doubt hold that Jane’s right to life was paramount. The mitigating circumstances in Baby Jane’s case, however, swayed various judges and many people in the general public to support the parents, who based their moral judgment on specific information and had good reasons for making that judgment. Most true moral dilemmas must be solved in the same way. Usually, two “wrongs” or two “rights” will be involved, and decision makers must weigh the facts of each case with impartiality (if that is possible) and then develop good reasons for their decisions. In other words, in a dilemma, one must weigh *prima facie* duties and good reasons for making a specific decision. Reason, self-examination, and internal argument pro and con—these factors help in solving moral dilemmas. People who are searching for moral answers to dilemmas must remember that moral “truth” is the truth of reason and logical thinking and that dilemmas can be solved satisfactorily only if an individual’s decision is based on the best reasons that are available. Conclusions backed by reason are the key element in solving moral dilemmas.

#### CONCLUSIONS

Certainly, people as members of society need all their powers of reason in facing the many moral dilemmas that arise in modern life. Is abortion absolutely right? Is it absolutely wrong? Can mitigating

circumstances in individual abortion cases “tip” the answer one way or the other? Is euthanasia ever justified? Should society condone or oppose capital punishment? The list of modern moral dilemmas is endless, and many people believe it is the duty of all reasonable people to try to resolve them.

*James Smallwood*

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SEE ALSO: Casuistry; Choice; Choiceless choices; Duty; Kohlberg, Lawrence; Moral education; Prisoner’s dilemma; Right and wrong.

## Dirty hands

DEFINITION: Trait that individuals possess when they perform morally tainted actions

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Morally evaluating a person necessitates determining when, if ever, it is moral to act with “dirty hands” and determining what emotions, if any, are morally required after dirty acts

are performed. Typically, dirty hands considerations are used to judge politicians.

Cynics hold the empirical view that all politicians are corrupt. According to common interpretations of the sixteenth century Italian political philosopher Niccolò Machiavelli’s *The Prince* (1532), adds the normative position that all politicians are morally obligated to perform wrong actions and, thus, to act with dirty hands.

Many ethicists endorse the normative claim. Michael Walzer, for example, argues that a political leader in the midst of a war crisis may be morally required to order the torture of prisoners for the sake of gaining information needed to save innocent lives from a hidden rebel bomb. In Walzer’s view, the politician would be responsible both for a wrong act (torturing) and for a right act (saving innocent people). Moreover, a truly moral person would feel guilty after ordering that the prisoners be tortured.

Opposing ethicists respond, first, that it misleads to describe dirty acts as simultaneously right and wrong, since acts with those contrary properties are logically impossible. Also, it is better to characterize dirty acts as exceptional right acts that are wrong in normal circumstances. For this reason, individuals with dirty hands should not feel guilty because they have, in fact, done nothing wrong. Finally, politicians should rarely, if ever, have dirty hands since political morality is not distinct from private morality.

*F. Scott McElreath*

SEE ALSO: Apologizing for past wrongs; Corruption; Machiavelli, Niccolò; Power; Private vs. public morality; Responsibility; South Africa’s Truth and Reconciliation Commission.

## Disability rights

DEFINITION: Legal formulations of the rights of disabled persons to have access to the same benefits and opportunities as nondisabled persons

TYPE OF ETHICS: Civil rights

SIGNIFICANCE: The passage of laws formally codifying the rights of the disabled places a new, positive ethical responsibility upon both public and private institutions to strive not to exclude or



marginalize disabled persons. The recognition of this responsibility represents a significant change in cultural values.

Recognition of the special needs and requirements of the disabled and the emergence of legislation guaranteeing their civil rights have evolved slowly. Following other civil rights movements, disability rights laws were merely symbolic, and did not include strategies to guide policy implementation. With the enactment of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, the rights of the disabled became legally enforceable.

A neglected minority constituting 20 percent to 25 percent of Americans differing in extent of impairment and range of ability, the disabled are not a homogenous group. The disabled historically have been stigmatized, viewed as “different” and therefore not equal to other members of society. Through prejudices and misunderstandings, personal fears and anxieties, reactions of pity, helplessness, uneasiness, and sometimes inaccurate media and literary representations, society has erected barriers that have kept the disabled from participating in various areas of American life. The needs of the disabled were ig-

nored in the design of public buildings and facilities and the delivery of public services; educational programs and employment practices resulted in discrimination and exclusion of disabled persons.

Vocational rehabilitation programs following World War I were initiated in favor of veterans with combat injuries and later expanded first to all physically disabled persons and then to mental rehabilitation. Programs to provide income to persons whose disabilities prevented their employment—Social Security Disability Insurance and Supplemental Security Income—began during the mid-1950’s and expanded during the 1970’s. The Architectural Barriers Act of 1968 brought about such modifications as specially designated parking places for the disabled near commercial establishments and public buildings, special entrance ramps and doors, curb cuts, elevators with Braille floor designations, and specially equipped restrooms.

**LEGISLATION**

Called a “bill of rights” for the disabled, the Rehabilitation Act of 1973 ensures that federally funded programs can be used by all disabled persons. It requires the institution of affirmative action programs to actively recruit, hire, train, accommodate, and promote “qualified disabled persons.” The act prohibits discrimination in the recruitment, testing, or hiring of the disabled, as well as special or different treatment that would tend to stigmatize or set apart handicapped people from the nonhandicapped. The act also aims to grant to the disabled equal opportunity to participate or benefit in the services of federally funded government agency programs.

Considered landmark civil rights legislation for all persons with disabilities, the Americans with Disabilities Act (ADA) provides for disabled persons legal protection in employment, access to state and local government, public transportation, public accommodation, and telecommunications. From July, 1992, until July 26, 1994, the ADA covered employers with twenty-five or more employees. After that date, it encompassed employers with fifteen or more employees. Agencies, unions, and joint labor/management committees are included; the U.S. government, Indian tribes, and tax-exempt private membership clubs are excluded.

Title I of the ADA and its Equal Employment Opportunity Commission (EEOC) regulations prohibit

**Politically Incorrect Terms and Their Preferred Alternatives**

<i>Incorrect</i>	<i>Correct</i>
Handicapped or disabled person	Person with a disability
Impairment	Disablement
Deaf	Hearing impaired
Mute or dumb	Speech-impaired
Blind	Visually impaired
Insane or crazy	Emotionally impaired
Normal	Able-bodied person
Crippled or spastic	Mobility-impaired
Fit or spell	Seizure
Mongolism	Down syndrome
Harelip	Cleft palate

an employer from discriminating against a “qualified individual with a disability” in job application procedures, including recruitment and advertising, hiring, promotion, awarding tenure, demotion, transfer, lay-off, termination, right of return from layoff, rehiring, compensation, job assignments, classifications, seniority, leaves of absence, sick leave, fringe benefits, training, employer-sponsored activities, and any other terms and conditions of employment.

Under the ADA, it is unlawful for an employer to use selection criteria or tests that tend to screen out persons with disabilities. Preemployment medical examinations are unlawful, but employment may be contingent on the results of a postemployment examination if required of all entering employees and if records remain confidential. The disabled have the same legal remedies that are available to other minorities under the Civil Rights Act of 1964, amended in 1991 to include compensatory and punitive damages for intentional discrimination.

Effective January 26, 1992, title II requires that all state and local government agencies, and public transportation agencies make all of their services accessible to the disabled. It also includes school systems, parks and recreation programs, jails, libraries, public hospitals and clinics, state and local courts and legislatures, and government activities carried out by private contractors.

Title III requires equal access to public accommodations in a variety of places, such as hotels, theaters, restaurants, parks, libraries, museums, and banks. Auxiliary aids and services to ensure effective communication with the hearing impaired and visually impaired must be provided.

Title IV requires that local and long distance telephone companies provide telecommunication relay services across the nation to permit persons using TDD's (telecommunication devices for the deaf) or text telephones to have conversations with persons using conventional telephones. All television public service announcements produced or funded by the federal government are required to include closed captioning.

#### OTHER RIGHTS

Public school systems must provide a free, appropriate education to handicapped children. Federal money is available to states for special education. To the extent possible, handicapped children are to be

educated with those who are not handicapped (a practice called “mainstreaming”). Disabled students at federally funded colleges must also be treated equally with nondisabled students. Health and social service agencies receiving federal assistance cannot discriminate against the disabled, and auxiliary aids must be provided. Discrimination in housing and access to air transportation is also prohibited.

Marcia J. Weiss

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SEE ALSO: Affirmative action; Americans with Disabilities Act; Discrimination; Keller, Helen; United Nations Declaration on the Rights of Disabled Persons; Veterans' rights.

## The Disappeared

IDENTIFICATION: Group of roughly ten thousand people who were imprisoned or killed as part of a campaign of clandestine terror carried out by the military regime in Argentina

DATE: 1975-1980

TYPE OF ETHICS: Modern history

SIGNIFICANCE: The “disappearance” of thousands of Argentinian citizens constituted the most serious

Image not available

*Picture of an Argentine army torture-training camp taken in 1986 and released in early 2004, when the government ordered an investigation into charges that its army had continued to teach torture techniques after the 1983 fall of the military dictatorship. (AP/Wide World Photos)*

mass violation of civil and human rights in Argentine history. The Mothers of the Plaza de Mayo, often referred to abroad as Mothers of the Disappeared, became an international symbol of the desperate need for, and frustrating impotence of, protest in the face of unspeakable injustice.

After the fall of Argentine president Juan Perón in 1955, a struggle over political control and economic policy ensued between left-wing and right-wing civilian factions and between moderates and hard liners in the military. Except for the period from 1973 to 1976, the military controlled Argentina until 1983. In 1970, guerrilla war, waged by leftists, began and was countered by rightist groups. In 1975, the military intensified the war against subversion that it had begun in 1971.

Between 1975 and 1980, the “dirty war” carried on by the Argentine military attempted to eliminate members of leftist organizations, the Peronista Party,

and any group that was opposed to the military administration. This phase of guerrilla warfare was the most terrifying and bloody in Argentine history. Due process was ignored, systematic torture became routine, and at least ten thousand people “disappeared” and were assumed to have been tortured and killed. Repression was deliberately arbitrary, uncoordinated, and indiscriminate; military power was used to intimidate anyone who opposed it.

By 1980, the repression declined, and it finally ended in 1982. One of the main groups that opposed the military terrorism was the Mothers of the Plaza de Mayo, who assembled weekly in silent protest in the Plaza de Mayo in front of the Casa Rosada, the Argentine White House. In 1985, the civilian government tried the top military leaders and sentenced them to life in prison for their crimes during the “dirty war.”

*Robert D. Talbott*

SEE ALSO: Oppression; Tyranny.

## Discrimination

**DEFINITION:** Differential treatment based on physical characteristics or social affiliation or identity

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** Discrimination is generally thought to be a fundamentally unjust practice, although arguments continue to proliferate within almost all modern societies justifying specific forms of discrimination on both practical and moral grounds.

Discrimination in one form or another appears to be endemic to all societies. In the United States, various groups have experienced various forms of discrimination, including racial discrimination, sexual discrimination (denial of certain rights to women), religious discrimination, discrimination against certain cultural groups (for example, Appalachians, the Amish, and so forth), discrimination against the disabled (both physically and mentally), discrimination against the aged, and discrimination against homosexuals. Many whites immigrating from Europe have at one time or another experienced discrimination.

Discrimination, according to Joan Ferrante in *Sociology: A Global Perspective* (1992), is the unequal treatment, whether intentional or unintentional, of individuals or groups on the basis of group membership that is unrelated to merit, ability, or past performance. Discrimination is not limited to individuals. In fact, the two most pervasive types of discrimination are legal discrimination and institutional discrimination. Legal discrimination is unequal treatment that is sustained by law. Institutional discrimination (or racism), according to Stokely Carmichael and Charles V. Hamilton's *Black Power* (1967), is a subtle form of unequal treatment based on race that is entrenched in social custom (that is, social institutions).

Institutional discrimination may include segregated housing patterns, redlining by financial institutions, and the practice of minority group members being forced continually into low-paying jobs. Prejudice, which is often confused with discrimination, is the prejudgment of people, objects, or even situations on the basis of stereotypes or generalizations that persist even when facts demonstrate otherwise (for example, the majority of women on welfare are white, yet the stereotype of a female welfare recipient is that of a black woman with a brood of children).

## RACIAL DISCRIMINATION

The most pernicious acts of prejudice and discrimination in the United States have been directed against racial minorities. The history of race relations in the United States demonstrates that differential treatment has been accorded to all minority groups. A minority group, according to John E. Farley in *Sociology* (1990), is any group in a disadvantaged or subordinate position. In this sense, a minority may actually constitute a numerical majority, such as black South Africans under the former apartheid system. Minority populations have experienced the entire range of race relations, including assimilation, pluralism, legal protection, population transfer, continued subjugation, and extermination. While all minority populations have experienced some degree of discrimination, perhaps the most cruel and enduring discrimination has been experienced by those of African descent.

Africans were first brought to North America as slaves in 1619, one year after the Mayflower landed. They proved to be an excellent source of inexpensive labor for the developing European colonies. In its early development, slavery was not justified by attitudes of racial inferiority, but simply by the need for cheap labor. Racial justification for slavery came later as a strategy for maintaining the continued subjugation of blacks. Depicting blacks as subhuman, irresponsible, promiscuous, and lazy helped to stave off, for many years, groups (for example, abolitionists) bent upon ending slavery. The development of racist ideology during slavery has—over the years—continued to influence the relationship between blacks and whites in the United States.

Until the latter part of the eighteenth century, when the slave trade began to become a profitable business, there was very little prejudice based on race. Justification for slavery had to be found by the Christian slave traders who professed to believe in the brotherhood of all men and the ideals of democracy, which established the equality of all men before the law.

The end of slavery in the United States did not, and could not, bring an end to discrimination. Discrimination had become institutionalized—embedded in social custom and in the very institutions of society. Initially, the Thirteenth, Fourteenth, and Fifteenth Amendments to the Constitution, along with the Civil Rights Acts of 1866 and 1867, did much to eliminate legal discrimination against the newly freed

slaves. Yet many of those gains were abrogated by state legislatures in the South following the abrupt end of Reconstruction in 1877. The states of the Old Confederacy were able to circumvent much of the legislation passed during the Reconstruction period. They were able to sanction discrimination and deny civil rights by means of a set of laws called the “black codes.”

The black codes virtually reintroduced many of conditions that existed during slavery. Although the Fourteenth and Fifteenth Amendments guaranteed citizenship and the right to vote, these rights were abridged through intimidation, the poll tax, the “grandfather” clause, and through literacy tests. Beginning during the 1880’s, a more comprehensive set of laws—referred to as “Jim Crow”—gave rise to a system of legal segregation in South. This system of legal segregation was sanctioned by the “separate but equal” philosophy established in the *Plessy v. Ferguson* decision of 1896.

Substantial progress against Jim Crow did not occur until fifty-eight years later, with the *Brown v. Board of Education* decision (1954). In the *Brown* decision, the Supreme Court overturned *Plessy*, arguing that the concept of “separate but equal” was “inherently unequal” and had no place in a society that professes to treat all its citizens equally. The *Brown* decision helped to give rise to a determination on the part of African Americans to exercise the rights and

privileges guaranteed to all citizens under the Constitution. Beginning during the 1960’s, the underlying legal, political, and economic context of race relations changed in the United States.

### RESISTING DISCRIMINATION

Demonstrations, sit-ins, and marches by African Americans and their supporters caused the United States to wake up and begin addressing the second-class citizenship of minority groups. As a consequence, epoch-making legislation was passed in the form of the 1964 Civil Rights Act, affirmative action (in employment and education) was introduced, and governmental agencies (for example, the Equal Employment Opportunities Commission, the U.S. Civil Rights Commission, the Office of Federal Contract Compliance Programs, and so forth) actively tried to stamp out much of the discrimination against minorities.

Despite these changes, riot after riot erupted across the nation during the 1960’s. A combination of economic frustration, police brutality, resistance to desegregation (both in housing and schooling), and the assassination of the civil rights leader the Reverend Martin Luther King, Jr., contributed to the eruptions. The Kerner Commission, which was commissioned to study the conditions leading up to the riots, concluded that “white racism” and discrimination were responsible for the outbreak of violence.

Joseph S. Hines suggests in *Politics of Race* (1975) that African Americans have operated in a castelike racial structure in the United States that has relegated them to inferior status, relative powerlessness, material deprivation, and socio-psychic resentment. Segregation and discrimination have been used as mechanisms for maintaining the sociopolitical structure (status quo). Within this structure, African Americans are members of a racial category for life; they are generally consigned to marry within their group; they are often avoided, both as ritual and as custom; and they experience limited opportunities.

Although African Americans and other minorities have made substantial gains since 1954, they still have not experienced a society that judges them based upon merit and ability. They also have not experienced a society that does not prejudge them based upon physical characteristics and stereotypes. It could be said that discrimination continues to be embedded in the social, political, and economic fab-

### Delivery Refused

Is it unethical for restaurants that offer delivery service to refuse to make deliveries to public housing projects? In 2003, this question was submitted to Randy Cohen, author of the syndicated column *The Ethicist*. Cohen replied that while a restaurant might legally refuse to deliver in a neighborhood that might pose dangers to its employees, it would be unethical for it to refuse to deliver to neighborhoods offering no threats of danger. Moreover, it would be unethical for a restaurant to practice racial discrimination under the guise of employee safety. To avoid misunderstandings, Cohen suggested that restaurants should state “delivery available to selected areas” on their menus.



ric of the United States. Employment and promotional opportunities are still strongly influenced by race. Consequently, minorities typically earn only a fraction of what white males earn, they tend to hold political office far less often than their numbers in the general population should warrant, and they are still excluded from membership in certain elite clubs because of their race.

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SEE ALSO: Affirmative action; Ageism; Apartheid; Bigotry; Civil Rights movement; Gray Panthers; Inequality; Oppression; Racial prejudice.

## Distributive justice

**DEFINITION:** Ethical concept pertaining to how resources and opportunities should be distributed among people within a given population

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Questions about how resources and opportunities should be distributed within a society are among the fundamental ethical problems that arise in social and political philosophy.

Resources that society distributes include goods that people own, such as income, property, and assets,

and goods and services that people may enjoy, such as education and health care. The central issues in ideas about justice in distribution are concerned with issues of the equality and inequality in the distribution of limited resources. Among the questions that must be addressed are these: Should all people be treated equally or unequally, and in what ways should they be treated equally or unequally? Most premodern concepts of the just society tended to portray human beings as divided into different and unequal stations (such as nobles and peasants) and to suggest that people should receive and enjoy standards of life appropriate to their stations.

The ancient Greek philosopher Aristotle made one of the earliest attempts systematically to address justice in distribution. In the fifth book of his *Nicomachean Ethics*, Aristotle stated that "injustice arises when equals are treated unequally and also when unequals are treated equally." The growth of industrial economies over the past three to four centuries of the second millennium tended to increase social mobility and undermine beliefs that human beings occupy social positions as a result of nature or divine will. One of the most influential social philosophies that developed in response to the modern condition was utilitarianism, a line of thinking associated with the early nineteenth century British philosopher Jeremy Bentham. As Bentham expressed it, the utilitarian view was that any society should seek the greatest good for the greatest number of its citizens. From this perspective, a society that is just in distribution will divide its resources and opportunities in a manner that provides the greatest overall well-being.

The German economic philosopher Karl Marx viewed absolute equality in distribution as the chief characteristic of the ideally just society. In 1875, he expressed this in his famous formulation "from each according to his ability; to each according to his need." This may be criticized because it apparently punishes abilities by insisting that those with greater abilities contribute more than others, and because it pays no attention to the utilitarian question of general well-being.

Even many of those who have seen problems with absolute equality have taken equality as a goal of distributive justice. The contemporary political philosopher Will Kymlicka has argued that every reasonable political and social theory should take equality as its

ultimate value. The most influential theory of distributive justice in the past half-century, that of John Rawls, attempted to balance the goal of equality of individuals with that of the well-being of individuals.

### THE THEORY OF JOHN RAWLS

In *A Theory of Justice* (1971), John Rawls defined a just society as the kind of society rational people would choose if they did not know what their own positions in that society would be. He maintained that this would be a society that provided the greatest possible resources to its least fortunate members. The ethical implication of this argument was that inequality among people could be taken as just only to the extent that it was in the interest of those at the bottom. Perhaps the most serious problem with this view of distributive justice is that it treats people as anonymous units, without regard to their virtues, vices, interests, or energies. Some writers have suggested that only a very strange version of justice can ignore what people deserve.

A colleague of John Rawls at Harvard University, Robert Nozick wrote *Anarchy, State, and Utopia* (1974) partly as a response to *A Theory of Justice*. Nozick maintained that justice requires respect for individuals, which means recognition of the rights of individuals to self-ownership and to ownership of the products of their own labor. Resources are created by the things that individuals do and they are exchanged among individuals. As long as people have acquired the objects that they own through work and exchange, they have just and ethical claims to their property. Redistribution involves taking from some individuals and giving to others. Unless it is redistribution of goods acquired unjustly, through force, this is equivalent to making some people work unwillingly for other people, taking away the right to self-ownership.

The principle of self-ownership may be a problem as a basis for social ethics. If people belong to communities, then it may be argued that their ownership of themselves is limited. In addition, although goods are created by individuals, they are almost always created by individuals cooperating in a society, so that one might see property as at least partly belonging to the whole society. Some forms of property, such as land and other natural resources, exist before people have claimed them and are not produced by individual efforts.

### WELFARE EQUALITY AND RESOURCE EQUALITY

Ronald Dworkin, the most prominent theorist of distributive justice to follow Nozick, turned away from Nozick's hands-off approach and suggested that equal treatment of individual citizens is the fundamental premise of any idea of justice. According to Dworkin, equal treatment can take different forms. It may be equality of welfare or equality of resources. Dworkin argued against equality of welfare, pointing out that people can define well-being in various ways. Even if resources are equalized, people may make different uses of their resources. Therefore Dworkin argued that in the just society, all individuals are enabled to start out with equal resources, but that they may end up with unequal economic and social benefits because of their choices.

Advocates of egalitarian distribution, such as Rawls and Dworkin, tend to dominate philosophical debate about social justice. However, they generally fail to deal adequately with the political implications of their theories. If welfare or resources or other sets of desirable things are to be distributed, someone must be distributing them. This raises the question of what forms of government will be created by attempting to put ideas of distributive justice into practice. There is always the danger that the pursuit of social justice can lead to political dictatorship.

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SEE ALSO: Capitalism; Common good; Good, the; Income distribution; Inequality; Lifeboat ethics; Marx, Karl; Mean/ends distinction; Poverty and wealth; *Theory of Justice*, A; Utilitarianism.

## Diversity

**DEFINITION:** Racial, cultural, and gender differences among human groups

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** Globalizing trends that favor social mobility and transnational migration have served to intensify cultural diversity, which in turn highlights contrasts between individual and group rights, often defined along racial, ethnic, or gender lines.

Human beings vary biologically, psychologically, and along a vast spectrum of sociocultural dimensions, ranging from language to religion, and from subsistence patterns to political organization. Throughout history, some of these dimensions have become markers of group membership, often precipitating intergroup conflict and systematic discrimination. Race, ethnicity, and gender are the three types of human diversity that have created the most complex ethical issues since the nineteenth century. In fact, in the context of cultural diversity in general, these issues have challenged the very foundations of ethical theory.

### HUMAN EVOLUTION AND CULTURAL RELATIVISM

Charles Darwin's theory of human evolution, combined with the growing awareness of cultural differences catalyzed by colonial expansion, tested many of the most entrenched beliefs held by Westerners on matters of social hierarchy and intergroup relations. These challenges led to the emergence of two opposed sets of views: cultural relativism and "scientific racialism."

Cultural relativism—the belief that culture is the adaptive mechanism of human species and that therefore all human behavior can only be understood in the context of its culture-specific adaptive function—became the founding principle of a new discipline, cultural anthropology. However, it did not have a major public impact until the last quarter of the nineteenth century. On the other hand, racialism—the belief that human species are divided into biologically discrete racial groups, endowed by inherited characteristics that make each groups "naturally" superior or inferior—rapidly became influential and was translated into racist policies, leading to systematic discrimination against, and even the attempted genocide of, various groups.

### RACE AND ETHNICITY

As biologists amassed information about the characteristics of human species, it rapidly became clear that the concept of race—originally developed simply on the basis of observation of gross physical characteristics, such as skin color, hair type, eye shape, skull dimensions, and bodily form—did not have scientific relevance. In fact, especially as genetics provided ever more refined information about human characteristics, it was discovered that there is at least as much biological variation within so-called racial groups as there is among different groups.

This information, combined with a general recoiling from the consequences of racism, has contributed to the growing influence of cultural relativism since the 1970's. In fact, the end of the twentieth century was characterized by a so-called "cultural turn" in the humanities and social sciences, and by "cultural identity politics" as an influential popular trend. Nevertheless, neither racism nor racial pride have disappeared. This is because so-called racial characteristics often define ethnic membership, and ethnic diversity is constantly growing because of the migratory trends encouraged by globalization.

### MULTICULTURALISM AND GENDER ISSUES

While ethnic differences are overwhelmingly cultural, rather than biological, and cultural relativism should therefore assuage any intergroup conflict they may trigger, the ethical issues involved with the protection of both individual and group rights remain difficult. Multiculturalism has emerged as the perspective attempting to constructively address these issues within liberal democratic states. It has had a particularly strong impact on education, business, and international relations. The objective of multiculturalism is to encourage cross-cultural understanding so that relations between different nation-states on one hand, and ethnic groups and mainstream populations on the other, are facilitated and human rights protected.

The ethics of multiculturalism, however, are challenged by the fact that some of its basic principles have been attacked as expressions of Western cultural imperialism. This often emerges in reference to issues related to age, sexual orientation, and, especially, gender. These issues are particularly sensitive because, while they have biological components, they are also influenced by culture. As a conse-

quence, behaviors that some may consider discriminatory—such as child labor, polygamy, or female circumcision—may be considered perfectly acceptable within a different cultural tradition.

### UNIVERSAL HUMAN RIGHTS

To address these challenges, attempts have been made by various international organizations to promulgate a set of universal human rights that would provide ethical guidelines for addressing major diversity issues. However, the application of such principles often meets the resistance of even their supposed beneficiaries. Diversity puts in question the very foundations of ethical theory.

On the other hand, there is widespread consensus on the need to distinguish between cultural and moral relativism. On this basis it is generally recognized that while cultural differences may lead to behavior that can only be understood within the context in which it originates, they do not provide individuals with a carapace protecting them from moral, or indeed legal judgment. In the application of such judgment ethical distinctions must be made, but these must be based on truly universal principles. In turn, this requires further exploration of the characteristics of the human species. The ethical challenge of diversity demands a honing of society's very understanding of what it means to be human.

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SEE ALSO: Absolutism; Bilingual education; Feminist ethics; Globalization; Immigration; Multiculturalism; Political correctness; Racism; Relativism; Tolerance.

## Divine command theory

**DEFINITION:** Theory maintaining that the ethical values and principles binding upon human beings depend only on the commands of a god or gods

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Divine command theory constitutes one attempt to provide an objective foundation for moral judgment.

The attempt to evaluate human behavior in terms of moral laws often leads to questions concerning the origin and authority of such laws. Advocates of divine command theories of morality have attempted to answer these questions by maintaining that human ethical values and principles are as they are merely because a god has willed or commanded that they be so. According to this theory, the ultimate explanation for the rightness or wrongness of any action is that some divinity has willed that the action be either good or evil.

It is important to distinguish divine command theories of morality from other theistically oriented ethical theories that relate human morality to the will of some deity. Many philosophers and theologians maintain that God is connected to human morality in-

sofar as God's freely bestowed grace is necessary for the possibility of human beings living lives of moral rectitude. It has also been maintained that God's will is necessary for the possibility of human morality insofar as God must somehow promulgate or make known those laws that humans are obliged to observe. In addition, the conviction that an individual's degree of happiness ought to correspond to his or her moral desert is sometimes reconciled with instances of good people suffering by appealing to God's commitment to see that the demands of justice are met in an afterlife.

While all three of these points have accompanied divine command theories, none of them is a necessary component of a divine command theory. What is distinctive about divine command theories is their insistence on the following three points: the entire content of human moral principles is derived solely from the free choices of some god, the god in question is under no constraint to will a given set of moral principles, and the god could have willed the opposite of the set of moral principles that was, in fact, chosen.

The appeal of divine command theories is twofold. First, they offer an unqualified foundation for human morality. Second, they emphasize that God's freedom and power are unlimited by insisting that there are no moral principles that are independent of and binding upon the will of God. Despite these advantages, divine command theories have been attacked from a number of different directions. It has, for example, been pointed out that divine command theories lead to the conclusion that God could have decided to make moral atrocities (such as child abuse, rape, murder, and genocide) morally praiseworthy. Insofar as it is well-nigh impossible to reconcile the possibility of a world in which child molestation would be truly good with one's deepest moral intuitions, the implication that a good god could bring about such a world is taken to show the absurdity of divine command theories. Although this is a troubling consequence of divine command theories, it is important to note that some divine command theorists have openly embraced this aspect of their theory.

### OBJECTIONS TO DIVINE COMMAND THEORY

A somewhat different objection points out that if the divine command theory were true, then it would not make sense to wonder whether God's commands

were morally good. Because the divine command theorist maintains that God's commanding an action is a necessary and sufficient condition for the action's moral goodness, it follows that it would be contradictory to suppose that a divine command was evil. This point is thought to be problematic because it implies that speculation concerning the moral status of divine commands is actually as pointless as speculation about the triangularity of a triangle. To see that speculation about the moral status of God's commands is meaningful, however, one may think of the moral uneasiness that most readers of the Old Testament experience upon encountering God's command that Abraham sacrifice Isaac, his son. (Indeed, it is comforting to read that an angel stays Abraham's hand at the last instant.) The moral qualms that naturally arise over God's command to Abraham show that people do, meaningfully, evaluate divine commands in moral terms, a practice that would be pointless if the divine command theory were true.

This objection, however, is not decisive, for most divine command theories are not, at bottom, theories purporting to describe human conventions of moral discourse; rather, they are theories concerning the origin of those moral laws that are truly binding upon human beings. It is thus open to the divine command theorist to argue that conventions of moral discourse have developed in the absence of a clear awareness of the connection between divine commands and moral laws, and thus explain the fact that linguistic conventions have led people to question, however inappropriately, the goodness of God's commands.

Perhaps the strongest objection of divine command theories points out that they undermine the possibility of upholding divine goodness. Since divine command theories take God's power to be primary and maintain that moral goodness is wholly consequent to this power, it follows that God transcends, and thus cannot be characterized by, moral goodness. For this reason, divine command theories are accused of reducing the worship of God to a mere power worship and of maximizing God's power only at the price of forfeiting God's goodness.

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SEE ALSO: Anthropomorphism of the divine; Descartes, René; God; Jesus Christ; Obedience; Religion; Revelation; Ten Commandments.

## Divorce

DEFINITION: Dissolution of marriage

TYPE OF ETHICS: Beliefs and practices

SIGNIFICANCE: On the level of individual practice, divorce has variously been seen as a moral right, since it provides a means for individuals to seek happiness by ending destructive or inappropriate marriages, and as a moral transgression, since it is a violation of the vow to stay together forever. On a social level, the high rate of divorce in modern society is often interpreted as a sign of the moral decline of that society.

Divorce is related to two sets of ethical problems. The first has to do with the ethics of sexual behavior in societies in which the Judeo-Christian-Islamic tradition is dominant. Because only sex within a marriage is approved and marriage is supposed to last until one partner dies, divorce may both properly punish an adulterous partner and free the adulterer to form new sexual and marriage bonds. Freeing the adulterer has been viewed as encouraging immoral conduct in restrictive societies. As recently as the middle of the twentieth century, some predominantly Roman Catholic countries—notably Italy and Ireland—did not permit divorce.

The second set of ethical issues involves distributive justice issues having to do with the terms of division of marital assets and children upon divorce. Until the 1970's, more property was usually awarded to an innocent spouse at divorce; this unequal division was intended to punish the other spouse for engaging in unethical conduct. The dominant pattern at the start of the twenty-first century was to place more emphasis on equal divisions of property, or divisions based on contributions, and less emphasis on division based on the immoral conduct of one spouse.

### HISTORY OF DIVORCE

In most ancient societies, husbands treated wives and children as property. Some commentators have suggested that the golden ring of marriage is a relic of a slave collar used to restrain the wife, or perhaps of her chains, the literal "marriage bonds." In some primitive societies (for example, the Tiwi of Melville Island), husbands still purchase wives from fathers. In most of these societies, divorce is mainly an economic affair; usually it involves returning the payments made at the time of the marriage. In traditional Eskimo society, the family simply divided into two households.

Written rules about marriage and divorce in the Western world can be traced to ancient Hebrew and Roman laws and customs. The Old Testament of the Bible relates that a Jewish wife at that time did not have the right to divorce her husband, but she did have the right to remarry if her husband divorced her: "When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her . . . he writes her a bill of divorce and puts it in her hand and sends her out of his house, and she departs out of his house, and if she goes and becomes another man's wife . . ." (Deuteronomy 24:1).

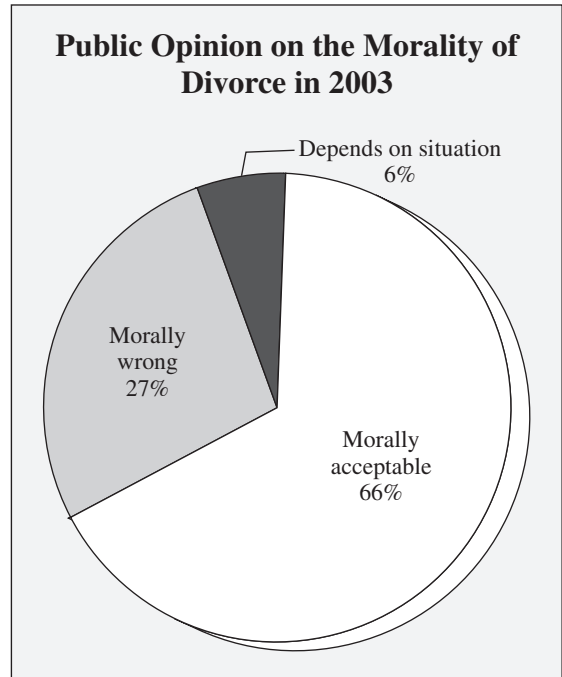
Roman law did not make marriage a legal formality, and religious ceremonies were not required. Parental consent was the main formal prerequisite. Both husband and wife could possess their own property and end the marriage by a sign, such as a formal letter, of a clear intent to divorce. This secular, economic, and amoral approach to marriage and divorce is common today in most cultures in which the Judeo-Christian-Islamic tradition was never dominant and is reappearing in Western cultures.

**CHRISTIANITY AND DIVORCE**

When the emperors of Rome became Christians, they worked to bring marriage and divorce under legal and religious authority. Emperor Justinian I, the lawgiver of the sixth century, sought to impose the church’s view opposing divorce, but an outraged public successfully defended its traditional liberties. In the Christian church’s view, marriage was for life. The Roman Catholic canon law of the Middle Ages became the family law of most of Europe. Even after the Protestant Reformation, the Roman Catholic Church continued to permit only a partial divorce from bed and board that did not permit remarriage in the case of sexual misconduct or if a spouse left the church. Priests could annul some marriages if a partner violated the marriage-related complex and arbitrary rules of canon law, providing a potential escape from at least some miserable marriages. Annulment meant that no marriage had existed, so it made remarriage possible.

The phrase from the marriage ceremony “What therefore God has joined together, let not man put asunder” (Matthew 19:6) states the canon law position on divorce. Martin Luther and other Protestants who successfully rebelled against the Roman Catholic Church in the sixteenth century also rebelled against the theory that the ethical authority of the church permitted the religious regulation of marriage. Luther called marriage “an external worldly thing, subject to secular jurisdiction, just like dress and food, home and field.” Most of the new Protestant religions sanctioned complete divorces for certain reasons, including unethical conduct such as adultery, cruelty, or abandonment.

In England, the Roman Catholic Church refused to allow Henry VIII to divorce a wife after she failed to provide him with a son. Arguing that the needs of England took precedence over church control of marriage, Henry VIII broke away from the Roman Catholic Church and formed what became the Church of England. Regulation of divorce was transferred from church to Parliament. Parties had to lobby to obtain a special act of the House of Lords in Parliament to obtain a divorce. These legislative divorces were too expensive for most people. In 1857, the British Parliament established the Court for Divorce and Matrimonial Causes and initiated divorce by judge. The new civil courts had jurisdiction of divorces and made civil divorces available, but only when the party seeking the divorce was mainly blameless.



Note: Figures are rounded to nearest whole number.  
 Source: Gallup Poll, May 7, 2003.

**DIVORCE AND CIVIL LAW**

With the shift toward civil regulation of marriage came the adoption of many other civil law concepts into the relationship of marriage. Among these concepts were principles from the law of contracts, and marriage became a contractual relationship. The ethical basis of marriage and divorce shifted from religiously based concepts to concepts derived from the morality of contracts or commercial ethics.

In most places in the world where the courts regulated marriage, marriage was viewed as a status entered into by contract and the marriage vows as oral contracts. Therefore, grounds for divorce were those related to breaking the terms of the contract: fraud, breach of promise, inability to perform, and coercion. In divorce, fraud took the form of false representations prior to marriage. Adultery, desertion, and willful neglect were breaches of promise. An inability to perform took the form of impotence, homosexuality, habitual intemperance, conviction of a felony, and physical and mental cruelty. Only injured parties could initiate divorces, and courts considered the other parties “at fault.” This fault doctrine justified giving property and support payments to the injured

party as a sort of fine against the wrongdoer. Under the fault rules, family law was much like tort or contract law, with plaintiffs suing defendants and courts deciding who was wrong and who was right. The “innocent” spouse received an award in the same way that a successful plaintiff received an award in a personal injury lawsuit.

The economic and social consequences of the fault doctrine were good and bad and depended largely upon fault. If a woman wanted to end a marriage and could not prove that her husband was at fault, she received no share of property acquired during the marriage and usually no alimony. If the husband wanted to leave or the wife could prove adultery or other grounds, however, then she could bargain. Property and alimony were the wages of sin and the price of freedom. The result was that economic necessity kept many people in failed marriages. There were few children living in single-parent households and few divorced adults.

### MOVING TO NO-FAULT DIVORCE

Love without marriage for those in loveless marriages often took the form of adultery. As Benjamin Franklin put it, “Where there’s marriage without love, there will be love without marriage.” Adultery was the primary cause of action for divorce suits under the fault doctrine rules. In the United States, this doctrine was a casualty of social upheaval during the 1960’s. The first change was to permit divorce if both parties gave evidence of their intentions by voluntarily separating and living apart for a specified time.

In 1967, New York State abandoned its rule that the only grounds for divorce were fault grounds such as adultery and allowed divorce for couples legally separated for two years. In 1969, the California legislature commissioned leading judges, family lawyers, law professors, and behavioral scientists to carry out extensive research on the fault system. Based on the research results, the California legislature passed, in January, 1970, the California Family Law Act, which abolished the fault doctrine requiring “grounds” for a divorce. The legislature replaced the traditional ethical-moral grounds for divorce (adultery, abuse, and so forth) with no-fault grounds of “irreconcilable differences leading to an irremediable breakup of the marriage.”

“Irreconcilable differences” means that one of the

parties does not want to remain married. “Irremediable breakup” means that the partners will not change their minds.

The significance of the California Family Law Act was that it was the first law in the Western world to abolish a showing of fault as a requirement of divorce and to permit divorce upon demand. Gradually, all other American jurisdictions followed California. Today, people can obtain no-fault divorces in all states, although twenty states also retain the traditional fault grounds. The modern trend is not to allow evidence of fault in court except for financial misconduct related to property and support awards.

Gone with the fault doctrine was the tort cause of action of “alienation of affection.” This tort had allowed an innocent spouse to sue an adulterous spouse’s lover for loss of affection and consortium—a legal remedy for moral outrage. Gone also in most states were all defenses against the divorce. The traditional defenses allowed a nonconsenting partner to block divorce proceedings by disproving the stated grounds for the divorce. Gone was the rule preventing the “at-fault” party from initiating the proceedings. Only a few jurisdictions retained the traditional defenses.

Although the new laws abolished most of the traditional adversary trappings of divorce, fault was still important in custody disputes. As no-fault divorces became the norm and the new rules reduced or eliminated the power of one partner to stop the divorce proceedings, the divorce rate increased.

### NO-FAULT DIVORCE AND ETHICAL ISSUES

Criticism of the no-fault doctrine also increased. Judge R. Michael Redman, in *Coming Down Hard on No-Fault* (1987), comments that no-fault divorce has shifted the focus of marriage from a cornerstone of society, a moral statement, to a relationship of convenience, an “I’ll love you until you get ugly” idea. He suggests that the legal system, with its adversary traditions, is best suited to determining fault and allocating property and support accordingly. He laments the trend away from viewing marriage as a protected relationship.

Some family law experts object that no-fault is contrary to established ideas of morality, which hold that those who do wrong should suffer the consequences. Under a no-fault system, a marital partner who is blameless may still lose much property and

may have to support an adulterous or brutal former spouse. Fault may protect an innocent spouse, and many no-fault states still apply fault considerations in some circumstances. Fault preserves the idea of individual accountability. Even when fault is no longer a legal issue, the fault of a partner may influence judges to be more generous to the innocent spouse. It is not coincidental that many of the sharpest critics of no-fault divorce have been women. Women are more likely to file for divorce because of alleged misconduct by their husbands, and alimony awards to women have decreased in the no-fault era.

Clients who want to have fault adjudicated in a divorce and be compensated will often abuse and manipulate the legal system to make a statement about the marriage. Couples denied expression of resentment in no-fault hearings dividing property may seek other avenues for their anger. It has been noted that in California, where fault is relevant only in custody disputes, couples tend to release their pent-up rage in those disputes, harming their children. Many divorcing people believe that ethical concerns and their view of justice should still dominate divorce.

Lawyers rarely see the long-term psychological damage done by a full-blown adversary process. Mental health professionals who do, however, have collected data showing long-term adjustment to be superior in parents who mediate rather than litigate their custody disputes. While advocates of a fault-based adversary system base the desirability of this system on moral grounds, the resulting harm to children violates other ethical values.

Many legal authors, trained to be advocates for a particular client, see the loss of fault grounds for divorce as promoting injustice. Rarely is either party in divorce completely innocent. The bitterness created by the adversary process usually causes harm outweighing the benefits arising out of the cathartic process of litigating disputes. The concept of justice in interpersonal relationships is more elusive than the legal-ethical concept of justice. It may be better for society and the involved parties to deal with the emotional issues of blame and anger with the help of therapists. Less adversarial divorce has made it easier to get divorced, however, and that development correlates with more frequent divorce.

Reducing the importance of fault does not eliminate the stress and pain of divorce. Data from the U.S. Bureau of the Census and the National Center for

Health Statistics show that in 1988 the divorce rate was three times higher than the 1979 rate. The United States has the highest divorce rate in the world—twice that of England and Wales. The blended family is the new reality, and stepchildren are now 20 percent of all American children. Stepfamilies are created by loss and do not re-create nuclear families. The situation is not likely to improve soon. The U.S. Census Bureau estimates that close to two-thirds of children of married couples will experience their parents' divorce before they reach legal adulthood.

#### **DISTRIBUTIVE JUSTICE ISSUES AND NO-FAULT DIVORCE**

Legislatures based no-fault laws on the assumption that men and women are equals and should be treated equally. Judges assumed that spousal support for young healthy women, except on a short-term basis, was not needed, since women had equal opportunities to work. For numerous reasons, women are not usually the economic equals of men, and the equality assumption can lead to distributive injustices. One consequence of no-fault divorce has been a large increase in the number of women and children living in poverty, which violates ethical norms to protect children. This feminization of poverty has no simple solution. Working mothers tend to work fewer hours for lower wages than men in jobs that offer some flexibility in scheduling. Childcare expenses further reduce available funds. Child support payments, if collected at all, rarely fill the gap. Ethically, who is responsible for the harmful consequences of divorce on demand? Should divorced men without custody rights be impoverished to prevent the impoverishment of their former wives and children?

#### **STATE CONTROL OF DIVORCE AND MARRIAGE**

Marriage is not only a religious or civil act; it is also a legal status entered into by means of a contract. Because marriage is a legal status, the state has clear and legitimate interests in it. Because lawmakers and judges consider it a matter of local state interest, state legislatures pass most marriage and divorce laws. Case law has established marriage and divorce as fundamental civil freedoms. Because the right to marry is a basic right, states can significantly interfere with this right only when the state interest is "compelling."

The U.S. Supreme Court has made it clear that a

father's failure to pay support to his former family after divorce is not cause for a state to prevent him from remarrying. Divorce is no longer seen as a pariah status created by moral failure, and the state creates no special disabilities for the divorced. By the 1990's, the change from conceptualizing divorce in religious-ethical terms to seeing it as a pragmatic, legal, and secular process seemed complete.

*Leland C. Swenson*

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SEE ALSO: Adultery; Adversary system; Child support; Children; Children's rights; Family therapy; Family values; Marriage.

## Dōgen

IDENTIFICATION: Japanese Zen master

BORN: January 19, 1200, Kyōto, Japan

DIED: September 22, 1253, Kyōto, Japan

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The founder of the Sōtō school of Japanese Zen Buddhism and one of the finest prose stylists in the Japanese language, Dōgen taught no formal system of ethics as such. Instead, his *Shōbōgenzō* (1244; treasury of the eye of the true dharma) emphasized the practice of meditation in the belief that truly ethical action arises out of the direct experience of reality in each moment.

Buddhism originated before 500 B.C.E. in India, where the historical Buddha Śākyamuni experienced an awakening, or enlightenment, and taught others that they too could experience such an awakening and be free from the suffering caused by ignorance of the true nature of reality. A thousand years later, Buddhism spread to China, where it combined with the native Daoist tradition and evolved into Chan Buddhism. Chan Buddhism then spread to Japan, where it became known as Zen Buddhism.

In 1227, Dōgen Kigen, a liberally educated Japa-



nese Buddhist from an aristocratic family, traveled to China in search of an enlightened Chan master. Dōgen studied there for four years under Tiantong Rujing, who transmitted to him the seal of confirmation of the Chan lineage whose approach ultimately became that of the Sōtō school of Japanese Zen.

Dōgen brought the teachings to Japan, where much of Buddhism had come to rely too heavily on theory and ritual, neglecting the meditative practice that is the heart of Buddhism. Dōgen brought the focus of Japanese Zen back to *zazen*, or sitting meditation practice, revitalizing the Zen tradition in Japan.

There are two major schools of Zen: Rinzai and Sōtō. Both schools emphasize sitting meditation (*zazen*), but Rinzai Zen also utilizes *kōan* study, in which a practitioner examines an apparently paradoxical phrase (for example, “What was your original face before you were born?”) that poses a problem that cannot be solved by means of logic, thus forcing the practitioner to bypass conceptual understanding. Dōgen’s Sōtō Zen, however, emphasizes the practice of *shikan taza* (“simply sitting”), which involves cultivating awareness without striving for enlightenment.

### ETHICAL IMPLICATIONS

Dōgen’s fullest discussion of Zen ethics comes in “Shoakumakusa,” part of his *Shōbōgenzō*. Dōgen denies any absolute distinction between good and evil—while still affirming traditional moral teachings—by interpreting an important classical Chinese scripture as a description of an ideal rather than a command. “The nonproduction of evil./ The performance of good./ The purification of one’s own intentions./ This is the teaching of all Buddhas.” *Shōbōgenzō* also stresses experiencing the present moment and not wasting time. Dōgen’s Sōtō Zen, like other schools of Buddhism, teaches the importance of compassion for all beings. In Buddhism, however, compassion is not a mode of behavior to which one strives to adhere; instead, compassion arises spontaneously when one experiences the true reality of each moment of existence.

Roy Neil Graves

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SEE ALSO: Bodhidharma; Bodhisattva ideal; Buddha; Buddhist ethics; Four noble truths; Zen.

## Dominion over nature, human

DEFINITION: Idea that humanity has the right to use nature to further its own ends

TYPE OF ETHICS: Environmental ethics

SIGNIFICANCE: Some ethical systems hold that nature has been given to humanity to dispose of as it sees fit, while others claim that humans have an obligation to the natural world. Moreover, human dominion over nature has increased to such an extent that humanity may place its own future existence and happiness in jeopardy, which raises practical ethical concerns regardless of one’s theoretical value system.

Human beings have always exploited natural resources for their own well-being. Early in human history, people learned how to domesticate plants and animals—to collect or capture them, to breed them selectively, and to harvest them for human use. People also learned how to “capture,” “tame,” and “har-

vest” many inanimate resources, such as fire, water, minerals, and fossil fuels.

In most societies, it was either assumed or explicitly taught that human dominion over nature was a natural, or even God-given, right, and as long as human populations were small, this philosophy posed no major problems. As the human population increased and technology made it increasingly easy to harvest natural resources, however, many natural resources began to disappear. Many people are now questioning the idea of the human right of dominion over nature, on both practical and ethical grounds.

*Linda Mealey*

SEE ALSO: Animal rights; Biodiversity; Conservation; Deep ecology; Earth and humanity; Ecology; Endangered species; Environmental ethics; Exploitation; Future generations.

## Dostoevski, Fyodor

IDENTIFICATION: Russian novelist

BORN: November 11, 1821, Moscow, Russia

DIED: February 9, 1881, St. Petersburg, Russia

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Dostoevski, one of the greatest novelists in any language, was profoundly concerned with the personal experience and practice of morality and its relationship to Christianity. Dostoevski’s most famous characters transgress, suffer, and achieve redemption, all the while fighting tooth and nail against the very religious system that gives meaning to those terms. His works include *The Double* (*Dvoynik*, 1946), *Notes from the Underground* (*Zapiski iz podpolya*, 1864), *Crime and Punishment* (*Prestupleniye i nakazaniye*, 1866), *The Idiot* (*Idiot*, 1868), *The Possessed* (*Besy*, 1871-1872), and *The Brothers Karamazov* (*Bratya Karamazovy*, 1879-1880).

Inherent in Fyodor Dostoevski’s literary canon is the primacy of the freedom of the individual. He argued in *The Double* and other works that the problems of society were caused by the absence of freedom; humankind had been “overcome” by the impact of human institutions—the church, the state, and economic structures—and by the assumed beliefs in

God and in economic and social values. Dostoevski advanced a radical philosophy in which he condemned encumbrances to freedom.

Dostoevski maintained that the so-called “laws of nature” did not exist; sustaining a belief in these laws would inevitably result in the restriction of freedom. It was only through unbridled and anarchical freedom that the individual would be totally free and thus recognize his or her own identity. This condition would preclude all forms of ethics except for a hedonistic ethics based on the interests of the self. Dostoevski recognized the anarchical ramifications of his argument and attempted unsuccessfully to address them in *Crime and Punishment* and *The Brothers Karamazov*. If truth does not exist, there is no basis for ethical principles.

*William T. Walker*

SEE ALSO: Anarchy; Freedom and liberty; Gratitude; Life, meaning of; Nihilism; Secular ethics.

## Downsizing

DEFINITION: Reduction of a company’s size through employee layoffs

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: Downsizing is a management decision that has ethical implications for managers, who must consider their responsibilities to maintain the financial health of their firms for shareholders and to honor the rights of their employees.

According to the federal Bureau of Labor Statistics, 11,947 mass layoff actions were implemented during the first half of 2003 alone, prompting 1,183,045 unemployment insurance benefits filings. Such downsizing decisions are management choices that have different ethical implications and perceptions depending on whether the affected people are managers formulating and implementing downsizing plans or employees losing their jobs.

It is generally believed that company managers have an ethical obligation to make sound business decisions that maintain the financial integrity of their firms and that are in the best interests of their firms’ owners. Beyond the bottom-line impact of downsizing decisions, managers must consider, in varying

degrees, the ethical implications that impact their employees in formulating and implementing downsizing decisions. At one extreme are managers who believe that any downsizing decisions are correct in light of their responsibilities to their firms' owners and that they have little or no ethical responsibility to employees in whatever subsequent actions result from their decisions.

At the other extreme are managers who factor in ethical considerations at every step of the downsizing process by exhausting every other alternative for maintaining the financial health of their organizations and choosing downsizing as their last alternative. Then, as they formulate and implement their decisions, they remain conscious of the ethical obligations they have to the employees who are affected by their decisions. For example, in addition to providing severance pay for employees who lose their jobs, the managers may also provide benefits packages that include outplacement assistance; personal, financial, and career counseling; and assistance with medical insurance coverage.

Studies have shown that employees believe that their employers violate their ethical responsibilities when management denies their rights on any of three aspects of downsizing. The first aspect is poor timing. Employers should not implement their downsizing decisions on dates near major holidays, and they should give their employees ample advance notice. Sixty days' notice is a standard used by many and is the law in some situations.

The second aspect is the method of communication through which the news is conveyed to employees. No person losing a job wants to learn the bad news while reading the morning newspaper. Finally, employees who lose their jobs want to know there are valid reasons for their firms' layoff decisions. When management provides adequate notice, communicates through appropriate channels, and provides cogent reasons for downsizing, employees are likely to believe they have received ethical treatment during the difficult downsizing process.

*Stephen D. Livesay  
Corinne R. Livesay*

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SEE ALSO: Business ethics; Corporate compensation; Corporate responsibility; Cost-benefit analysis; Employee safety and treatment; Hiring practices; Multi-national corporations; Outsourcing.

## **Dresden firebombing**

**THE EVENT:** Destruction of a historic German city by Allied bombers during World War II that killed thousands of civilians and left thousands of others homeless

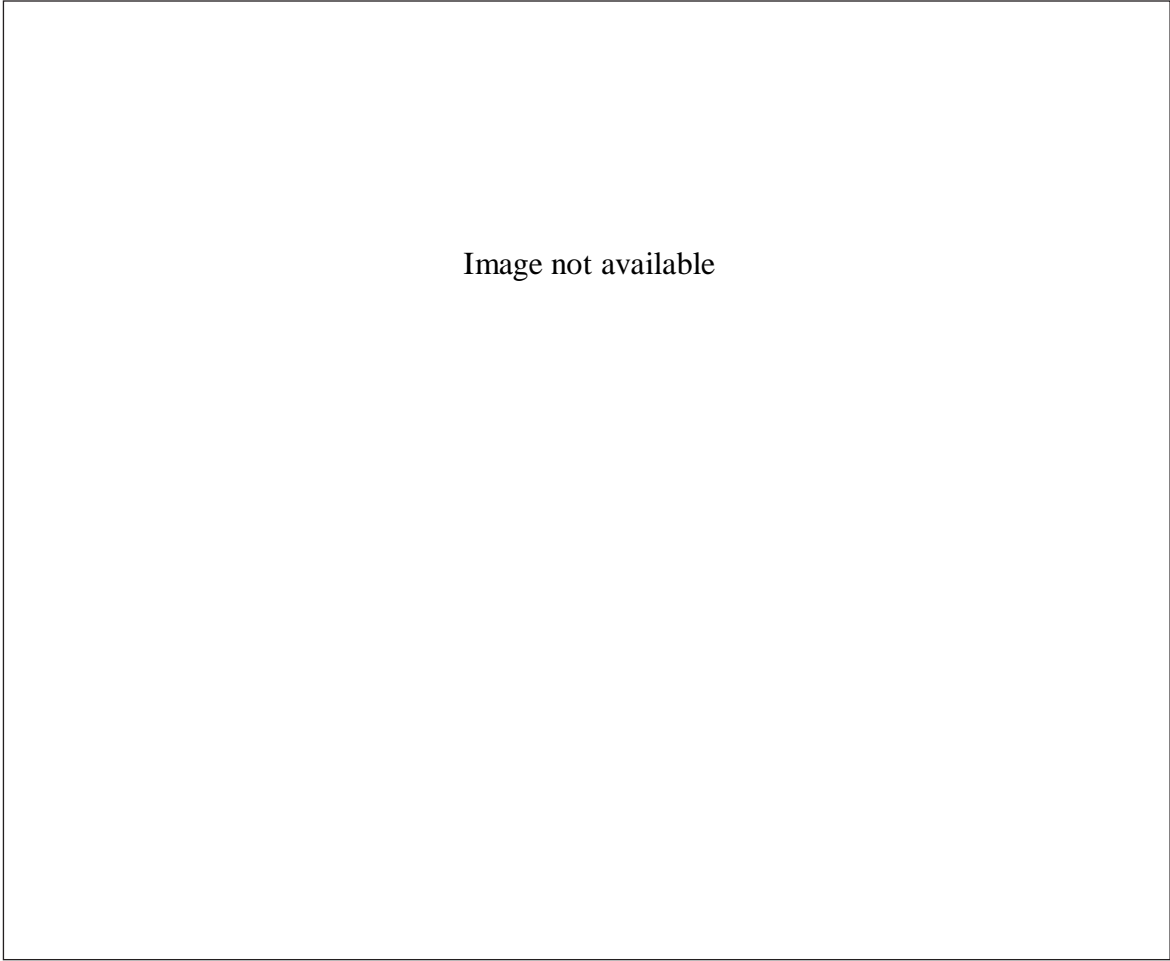
**DATE:** February 13-14, 1945

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Because Dresden was not a significant military target and because so many civilians were harmed in the attacks, the British Royal Air Force's saturation bombing campaign has been labeled by some as at best morally questionable and at worst a serious war crime.

On February 8, 1945, late in World War II, the Allied Combined Strategic Targets Committee reported to the Supreme Headquarters Allied Expeditionary Force (SHAEP), headed by American General Dwight D. Eisenhower, that the German city of Dresden had been made a target. Dresden reputedly was a center for German military movements toward the eastern front against the advancing Russians. Allied military officials conceded later, however, that one of their basic purposes in targeting Dresden was to demoralize the Germans in an attempt to shorten the war. The code name for such massive air operations against Germany, which had included thousand-plane raids on Berlin and Hamburg, was Clarion.

On the afternoon of February 13, Royal Air Force (RAF) bombers struck Dresden in waves, exhausting anti-aircraft and fighter-plane resistance while smothering the city with incendiary bombs. These bombs drove 600,000 civilians and refugees out of shelters just as a more devastating attack began. The intensity of the fires caused a colossal "firestorm." Ultimately, losses were calculated at 18,375 dead, 2,212 seriously wounded, and 13,918 slightly wounded. Some 350,000 people were made homeless.

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*Dresden shortly after the Allied firebombings of February, 1945. (AP/Wide World Photos)*

Outrage at the raids was expressed in the British press and in the British Parliament. Critics of the raids charged that Dresden was an ancient, beautiful, culturally rich city that had little military value. In spite of the criticism, however, the Allied military leaders continued to conduct massive bombing raids against enemy cities. Dresden and the Japanese cities of Hiroshima and Nagasaki, which became targets of atomic-bomb attacks conducted by the U.S. military, became symbols of Allied brutality. The primary ethical issue involved was whether it is possible to justify morally the bombing of targets that consist primarily of civilians. Historians continue to debate the military value of the attacks on Dresden, Hiroshima, and Nagasaki.

*Clifton K. Yearley*

SEE ALSO: *Art of War, The*; Hiroshima and Nagasaki bombings; Just war theory; Limited war; Military ethics; *On War*; War crimes trials.

## Dress codes

DEFINITION: Explicit or implicit rules about what clothing may be worn and what may not be worn in schools or workplaces

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Dress codes for workplaces or schools often create tension between the supposed good of the employers or schools and the individual freedoms of employees or students.

Most American employers have dress codes that are either stated or implied. Both public and private primary and secondary schools generally have written dress codes, some more specific than others. Public and secular private colleges and universities rarely have dress codes, but even the most liberal of campuses have boundaries for dress, as the suspension of a student dubbed the “Naked Guy” at the University of California at Berkeley in 1992 showed.

In the workplace, attention is ordinarily focused not on uniforms but on individually selected civilian clothing. When disputes arise, they often involve differences of opinion about where the controls exercised by employer for safety, sanitation, security, identification, teamwork, and image ought to end and the rights of individual employees to govern their own appearances begin.

Trends toward casualness and away from supposedly arbitrary rules have combined with individualism and defiance of authority to create disagreements between supervisors and the supervised. With the

### Dressing “Down” on Casual Friday

During the 1990’s a new custom spread rapidly through American workplaces: “Casual Friday.” With the explicit or tacit consent of employers, growing numbers of office workers began dressing in jeans, T-shirts, and other articles of casual apparel, rather than their normal suits and ties, on Fridays. The custom appears to have originated in high-tech firms in California’s Silicon Valley during the late 1980’s and then spread to other industries. By the turn of the twenty-first century, it was estimated that Casual Friday was being observed in more than two-thirds of American companies. While the popularity of the custom reflected a clear willingness of employers to be more permissive in matters of dress codes, many employers still set limits on what was permissible. For example, when IBM permitted its executives to adopt Casual Friday attire in 1995, its chief executive officer, Louis Gerstner, Jr., issued a memo to employees stating that “business casual attire at the office is acceptable as long as employees dress appropriately for meetings with customers and business partners.”

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*Dress codes took on an international flavor in early 2004, when the French government announced a ban on the wearing of Muslim head scarves (hijab) and other religious apparel in public schools. Here, Muslim students protest outside the French embassy in Jakarta, Indonesia. (AP/Wide World Photos)*

consent of their employers, men who work in offices often dispense with neckties and jackets, as well as white shirts. Leaving their skirts in the closet, women might wear T-shirts and blue jeans in their office jobs, or even shorts, with employer approval. However, sometimes overly relaxed or daring employees overstep their employers’ notions of casual propriety in what they wear, and the range of disputes about workplace clothing expands.

In schools, disagreements about clothing between administrators and teachers, on the one hand, and students, on the other, have also been abundant, even as the trend toward greater casualness in attire has spread. In many public schools, shorts and T-shirts, for instance, have become acceptable for girls and boys, but some students, like workers, still wish to assert through their clothing their sense of individual liberty. Their motivations are usually for reasons of fashion but are occasionally for religious or even po-



litical purposes. In *Tinker v. Des Moines* (1969), the U.S. Supreme Court upheld the plaintiffs' right to wear black armbands to protest the Vietnam War.

Students who deliberately break what they consider unreasonable rules about clothes collide with administrators who believe that even public schools should exert some degree of control over students' clothing for the sake of safety, decency, and, in general, a proper environment for learning. That control can range from vague rules about appropriate dress to specific requirements for uniforms, which, supporters say, reduce violence and social competition among students, while instilling a school pride that improves student behavior and academic performance.

*Victor Lindsey*

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SEE ALSO: Employee safety and treatment; Ethical codes of organizations; Fear in the workplace; Honor systems and codes; Islamic ethics; Nation of Islam; Sexuality and sexual ethics.

### *Dronenburg v. Zech*

THE EVENT: Federal appellate court decision holding that a U.S. Navy regulation requiring mandatory discharge for homosexual conduct did not violate the constitutional right of privacy or the equal protection clause

DATE: Ruling made on August 17, 1984

TYPE OF ETHICS: Civil rights

SIGNIFICANCE: Robert Bork's opinion in *Dronenburg* denied that the right to privacy extends to the sexual conduct of military personnel and endorsed the Navy's assertion that homosexuality posed a threat to military morale and discipline.

James Dronenburg, a twenty-seven-year-old U.S. Navy petty officer, was found to have engaged regu-

larly in homosexual conduct. The Navy discharged him involuntarily, as its regulations required. Dronenburg admitted the allegations but appealed on the ground that there is a constitutional right of privacy that protects consensual homosexual conduct and that his discharge consequently deprived him of the equal protection of the laws.

The U.S. Court of Appeals for the District of Columbia held against Dronenburg, 3-0. Judge Robert Bork's opinion argued that the constitutional right of privacy established by the Supreme Court is not as well delineated as are certain other constitutional rights. Moreover, it had never been held to cover homosexual conduct. Bork suggested that any change in these regulations should be determined by "moral choices of the people and the elected representatives" rather than by the courts.

*Robert Jacobs*

SEE ALSO: Gay rights; *Griswold v. Connecticut*; Homosexuality; Privacy; Supreme Court, U.S.

## Drug abuse

DEFINITION: Practice of using a substance, for non-medical reasons, that adversely affects the user's physical, mental, or emotional condition

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: The abuse of drugs can lead to personal harm and have devastating social consequences. Its moral status is largely dependent upon whether one believes that drug abuse is a personal failing or a form of mental illness.

One of modern industrial society's most challenging problems is drug abuse. The cost in terms of personal health problems, destabilizing families, crime, and accidents brought on by abusing drugs has been staggering. Drug abuse, often referred to as "substance abuse," includes any deliberate use of illegal or legal drugs that leads to physical, emotional, or mental problems.

#### EXTENT OF DRUG ABUSE

The National Institute on Drug Abuse reported that in 1990, approximately 27 million people (13.3 percent of the population) in the United States had

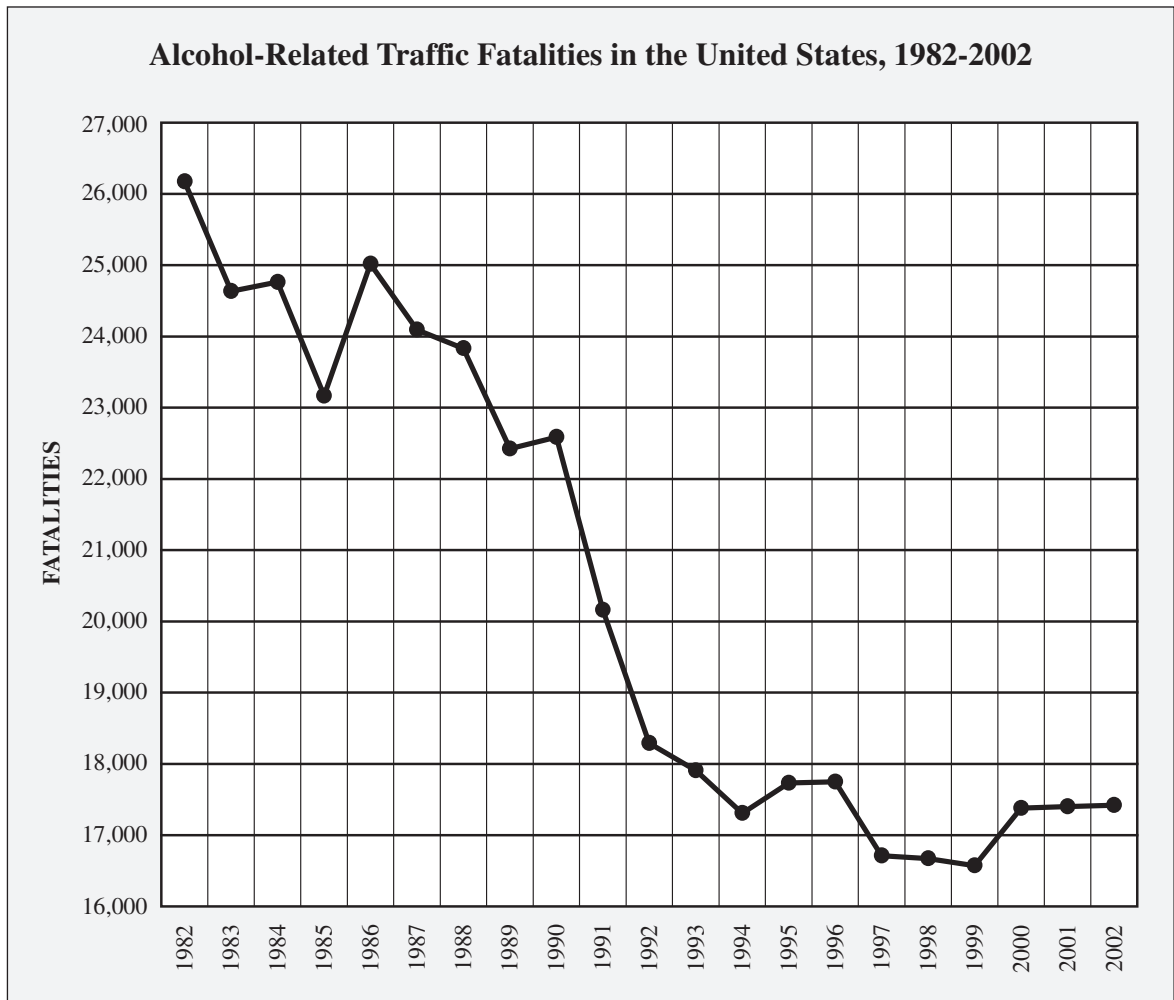
used some form of illegal drug during the previous year. In addition, one must add to this number the roughly 14.5 million Americans who were believed to be problem drinkers or alcoholics. Alcohol, although a legal substance, has a long-standing record for being the most frequently abused drug. Marijuana, cocaine, hallucinogens, and stimulants were the most frequently used illegal substances.

**POTENTIAL HARM TO SELF OR SOCIETY**

Ethical questions abound when an individual contemplates the decision to use an illegal drug. Is it wrong to take this drug? What will be the legal, emotional, or personal health consequences of taking this drug? Will the decision to take the drug have an im-

pact on other people? Disregarding the fact that purchasing and using an illegal substance violates social norms and breaks the law, the morality of a particular behavior can be judged, in part, by its personal and social outcomes. Drug abuse involving a psychoactive drug (a drug that affects how a person thinks or feels) can lead to horrendous consequences. The National Highway Traffic Safety Administration reported in 1991 that there were nearly twenty thousand alcohol-related fatalities in the United States. This number represents only deaths, not the additional tens of thousands of people who suffer severe head injuries in alcohol-related accidents.

Substance abuse can cut short the goals and aspirations of a person. It can lead to personal health



Source: National Center for Statistics and Analysis. Fatality Analysis Reporting System (NARS), 2002.

problems and death (for example, cirrhosis of the liver, overdose). It can interfere with a person's desire to pursue an education or hold down a job.

What might originally begin as a personal (free) decision to explore drugs and alcohol may eventually lead to both physiological and psychological dependency. This process of drug abuse turned drug addiction strips the individual of many of the personal freedoms he or she once enjoyed. The free choice to use or not to use drugs, when someone is addicted, is no longer present. Drug dependency leads to drug craving, which is difficult to overcome without intensive treatment. The control that a drug can exert on a person's life has profound ethical consequences for an individual's personal liberties.

Drug abuse can also do harm to society. People have a right to live in neighborhoods that are safe for raising families, working, and recreation. Social scientist Ronald Akers, in his book *Drugs, Alcohol, and Society* (1992), reports that substance abuse is significantly correlated with crime and juvenile delinquency. Society diverts billions of dollars each year that could go toward important social services in combating the violence and crime associated with drugs. Organized drug cartels and youth gangs pose formidable threats to community safety because of their involvement in drug trafficking.

Not only does society have to bear the cost of additional crime and law enforcement, but also billions are spent each year for drug treatment and rehabilitation. The National Institute on Alcohol Abuse and Alcoholism estimates that the cost to society, for alcohol alone, is about \$117 billion each year for treatment, reduced work productivity, prevention efforts, law enforcement, and so forth. Another social problem that is exacerbated by drug abuse involves the use of drugs that are administered parenterally, which have contributed to the transmission of the AIDS virus. It could easily be argued that the harm caused by drug abuse for both individuals and society is not only unjust but also immoral.

### LEGALIZATION

Efforts have been put forth to either decriminalize or legalize a number of psychoactive substances that are frequently abused. Decriminalization of marijuana by reducing the penalty of possession to less than a misdemeanor offense has come into law in a few states. The legalization of drugs such as mari-

juana has not, however, received state or national support. Advocates for the legalization of drugs argue that it is an individual right to be able to use drugs and that governments should stop interfering with them. In addition, advocates argue that many of the problems brought on by drug abuse (such as crime and violence) have been caused by the oppressive enforcement tactics of the government. They also state that monies that are used for drug interdiction and enforcement could be better spent on social programs.

Arguments against legalization include the prediction that the greater availability of drugs would increase the number of chemically dependent people—not decrease them as many advocates argue—thus posing even more of a threat to society. Furthermore, since the drugs influence the mind and behavior, the right-to-privacy principle does not apply because of the consequences incurred by those individuals in contact with the drug user.

Bryan C. Auday

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SEE ALSO: Lifestyles; Moral education; Permissible acts; Psychopharmacology; Public interest; Self-interest; Tobacco industry; Vice.

## Drug testing

**DEFINITION:** Chemical analysis of the hair, bodily fluids, or breath of individuals to detect or rule out their recent consumption of illegal substances

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Increases in the availability and use of drug testing methods have placed concerns

about public safety and employers' rights at odds with principles of individual liberty, privacy, and dignity.

Methods of drug testing were available prior to the 1980's, but their use was generally limited to situations involving special circumstances, such as testing athletes for performance-enhancing drugs or determining whether vehicle drivers might be drunk. By the end of the 1980's, however, growing public concerns about drug use in society combined with decreased costs and increased availability of drug testing stimulated a dramatic upsurge in substance-use screening in both the public and private sectors. A series of court rulings set clear guidelines for the testing of government employees that limited testing to employees in positions involving public safety and national security. However, courts were reluctant to restrict drug testing in the private sector, and private employers continued to make increasing use of drug-testing procedures.

#### **SAFETY VS. LIBERTY**

Ethical questions about drug testing often focus on conflicts between public health and safety and personal liberty. Most arguments in favor of drug testing rest on commonly held beliefs that illicit-drug use is immoral, unhealthy, and destructive to society. Many proponents of testing cite the presence of illegal drug use as justification in itself for widespread testing. These arguments are sometimes rooted in the paternalistic belief that government, private employers, and other authority figures have both the right and the responsibility to protect people from their own and others' misbehavior. Civil libertarians, however, argue that the negative effects of drug testing upon personal liberty and privacy outweigh its potential positive effects on the community, and summarily reject the notion that government has a responsibility to protect people from themselves by regulating private behavior that does not directly harm others.

Many proponents of drug testing adhere to a communitarian social philosophy that prioritizes community health and welfare over the rights of individuals. This philosophy holds that ordinary citizens should be compelled to endure "minor" intrusions upon their liberty and privacy for the good of the community. Many communitarians also reject the

notion that drug use is a "victimless crime," citing evidence of drug-related crime, accidents, and increased costs of health care and law enforcement as sufficient reason for utilizing testing to reduce both the harm associated with drug use and drug use itself. Civil libertarians respond that the alleged societal costs of drug use cannot be accurately measured, and that many of the purported consequences of drug use are the results of public policy and societal attitudes that encourage criminal behavior associated with drug use and discourage persons with drug problems from seeking treatment—issues that drug testing does not directly address.

#### **EMPLOYEE VS. EMPLOYER RIGHTS**

Employers often approach the issue of drug testing from both paternalistic and communitarian perspectives. Public employers, for example, may justify drug testing as a necessary means of ensuring public health and safety and may also claim the authority to safeguard the health and morals of their subordinates for their own and for the public good. Private employers often cite the need to ensure safe and orderly workplaces as a rationale for drug testing; however, many also claim the "right" to healthy, productive, and law-abiding workforces as justification to police employee drug use both on and off the job. Employer rationales for drug testing are often utilitarian in nature; some employ drug testing programs in response to pressure from insurance companies, to reap tax breaks and other financial incentives, or as a means of boosting consumer confidence.

Other ethical considerations connected with drug testing concern relationships between employers and employees. Civil libertarians point out that few drug tests distinguish between drug use on the job and drug use off the job; therefore, employees might be punished for off-the-job behaviors that have little or no bearing on their fitness to perform their jobs. This possibility again poses the question of whether and to what extent employers have the right to regulate the off-the-job behavior of their employees—a right that many insist must be restricted to ensure equitable relationships between employers and employees.

Civil libertarians believe that employees' rights should take priority over the rights of employers, who typically possess more money, power, and resources than their employees and are not subject to the same constitutional standards that government

officials must follow when enacting drug-testing policies. Therefore, employers enjoy a large degree of authority to invade the privacy of employees, who have little recourse if they are falsely accused of drug use. Indeed, many opponents of drug testing cite the inaccuracies of drug tests as a rationale to limit their use. Other questions involve the potential for humiliation that drug testing poses; many urine testing programs, for example, require the subjects' urination to be witnessed to minimize the possibility of deception.

#### ALTERNATIVES AND COMPROMISES

Although improvements in drug testing procedures have lessened the possibility that subjects might be falsely implicated or falsely cleared, inaccuracies in testing still exist. Although the employment of less intrusive measures such as testing of hair samples could eliminate overt humiliation, many still argue that the process of collecting one's bodily fluids and tissues to detect drug use is in itself intrusive, humiliating, and ethically indefensible. Finally, many would argue that employers have other means of evaluating the job fitness of employees and applicants, such as background checks and impairment-testing procedures that test actual decision-making skills, reaction times, and other indicators of job fitness that are less intrusive and equally accurate methods of evaluation and screening.

Opponents and advocates of drug testing have often found middle ground; for example, most civil libertarians do not oppose limited drug testing of drug felons on probation or in treatment programs, while many paternalists and communitarians do not support random testing of licensed drivers or welfare recipients.

*Michael H. Burchett*

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SEE ALSO: Biometrics; Drug abuse; Hiring practices; Invasion of privacy; Loyalty oaths; Privacy; Psychopharmacology; Whistleblowing.

## Du Bois, W. E. B.

IDENTIFICATION: American writer and social activist

BORN: February 23, 1868, Great Barrington, Massachusetts

DIED: August 27, 1963, Accra, Ghana

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Du Bois worked both to understand and to rectify the ethical effects of racial divisions. He wrote *The Souls of Black Folk* (1903) and edited the journal *The Crisis* (1910-1932).



W. E. B. Du Bois. (Library of Congress)



After a successful early career as a publishing scholar, W. E. B. Du Bois recognized that the resolution of American racial problems could not be accomplished solely by revealing the truth; therefore, he became an activist. His famous statement, "The problem of the twentieth century is the problem of the color line," demonstrates the focus of his ethical inquiries. Well-read in history, Du Bois argued that the premature end of the Reconstruction left not only practical problems but also ethical ones. He believed that it was unethical for the United States to blame the freed slaves for the vices that had been instilled in them during generations of enslavement. Slavery, followed by a system of strict racial segregation, had left African Americans economically and psychologically vulnerable. Economically, slavery was replaced by peonage, a system in which indebted African American sharecroppers were forced to work in the fields or face starvation or imprisonment. Psychologically, black "double consciousness" caused a divided and vitiated purpose.

Du Bois saw the solutions to the problems as economic independence and the creation of an environment that would be free of racism and in which "true self-consciousness" could be attained. Du Bois is most famous for his disagreements with Booker T. Washington, the most prominent African American of the early 1900's. Du Bois believed that Washington, in his efforts to secure industrial training and a prosperous economic future for the masses of blacks, had depreciated the need for political rights, higher education, and acquaintance with the higher values of civilization. The promise of prosperity, Du Bois believed, could not substitute for civil rights and liberal learning.

*William L. Howard*

SEE ALSO: Civil rights and liberties; Civil Rights movement; National Association for the Advancement of Colored People; Pan-Africanism; Washington, Booker T.

## Due process

**DEFINITION:** Fair procedure of law to which all persons are constitutionally entitled should the government attempt to deprive them of life, liberty, or property

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The due process clauses of the Fifth and Fourteenth Amendments to the U.S. Constitution and similar provisions in all state constitutions stand as barriers to arbitrary or tyrannical treatment of individuals by the government.

The historical roots of due process go back at least as far as the Magna Carta (1215), by which King John of England was forced to eschew arbitrary power over the lives and estates of his barons. Although "due process" case law has become technically complex in the United States, its fundamental elements continue to be notice of the charges against one, an opportunity to defend oneself before a fair tribunal, and the benefit of general laws rather than any made for the particular case. The due process clause of the Fifth Amendment protects against the federal government, while a nearly identical clause of the Fourteenth Amendment protects against arbitrary state government action. These clauses promise that no person will "be deprived of life, liberty, or property without due process of law."

*Robert Jacobs*

SEE ALSO: Adversary system; Bill of Rights, U.S.; Constitution, U.S.; English Bill of Rights; *Gault, In re*; *Gideon v. Wainwright*; *Goss v. Lopez*; Jury system; Law; Scottsboro case.

## Durkheim, Émile

**IDENTIFICATION:** French social scientist

**BORN:** April 15, 1858, Épinal, France

**DIED:** November 15, 1917, Paris, France

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** The founder of the French school of sociology, Durkheim suggested in such works as *The Division of Labor in Society* (*De la division du travail social*, 1893), *Suicide: A Study in Sociology* (*Le Suicide: Étude de sociologie*, 1897), and *The Elementary Forms of the Religious Life*

(*Les Formes élémentaires de la vie religieuse*, 1912) that the new industrial, urban order created a condition of “anomie” that undermined ethical and social structures. He maintained that reforms could be introduced to correct this problem through changes in education.

Émile Durkheim expressed anxiety about the impact of modern society on the ethical basis of society. He argued that the advance of science and technology was not necessarily progressive; indeed, it resulted in creating a condition of “anomie” that was characterized by ethical and social isolation. Anomie resulted in a disconnected, rootless society in which ethical structures collapsed or were rendered meaningless. Durkheim’s experiences as a youth during the Franco-Prussian War and the high expectations of his parents contributed to his naturally somber personality and his rather pessimistic sense of “reality.”

In *The Division of Labor in Society*, Durkheim identified the alienation of workers with the separation of work; in *Suicide*, he noted that suicides occur less frequently in societies that are ethically and culturally integrated. Durkheim maintained that a genuinely progressive, ethical, and enlightened society could be realized through education and religion.

*William T. Walker*

SEE ALSO: Alienation; Anthropological ethics; Moral education; Politics; Socialism.

## Duty

**DEFINITION:** Positive moral obligation

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Since one is morally required to perform one’s duty by definition, one of the central projects of ethics is to determine what that duty is and how to recognize it. Only ethical systems that deny that morality is a trump value deny that performing one’s moral duty is the most important activity one can undertake.

The concept of duty is familiar to people from a very early age. Already in early childhood, there is an acute awareness that there are certain requirements regarding one’s behavior. Usually, these are require-

ments to omit or refrain from certain types of forbidden behavior, and one quickly learns the types of behavior that one is expected to avoid.

Not all of one’s duties are moral duties. Some duties are job related; for example, one has a duty to report for work at a certain time. Some duties arise because of one’s role as a spouse or parent. Some duties are prescribed by the laws of the land. There are even duties that arise in the context of games, such as the duty of a pitcher to cover first base under certain circumstances. Some of these duties might also turn out to be moral duties, but in general they are not moral duties.

Moral duties are duties generated by morality itself; therefore, the failure to carry out these duties is a moral failure. In ethics, the failure to fulfill duty is referred to as action or inaction that is morally forbidden. More specifically, if one has a duty to perform a certain action, then it is forbidden to fail to perform the action. If one has a duty to refrain from a certain action, then it is forbidden to perform the action.

Ethicists are in agreement that people must obey their duties, but there is a great deal of disagreement regarding what these duties are and how people can come to know what they are. Some philosophers have followed the lead of Plato by believing that there is a fixed, eternal, unchanging standard of what is good, holding that through serene contemplation of the Good or the Absolute Good, one can come to know how to conduct one’s life in accord with the requirements of morality. The contemplative tradition does not currently hold much appeal, however, at least in the moral tradition of Western culture, and modern moralists have looked elsewhere to find the sources or grounds of moral duty.

Many moralists have concluded that moral duty is grounded in religious truth. Here, the idea is that deities of one sort or another have decided or established how human moral agents ought to conduct their lives. The divine command theory, which states that moral duties are grounded in God’s eternal decrees, is a version of this type of approach that is currently held by a relatively large number of philosophical and theological moralists.

### DEONTOLOGICAL AND CONSEQUENTIALIST TRADITIONS

The two dominant traditions in modern ethical thinking are the deontological and the consequen-

tialist traditions, each of which provides an account of how moral duties are generated. The deontological tradition seeks to generate duty from a basic and fundamental principle that is seen as an unqualified good, dependent neither upon its results nor upon people's currently held ethical beliefs. Some people have proposed that principles of justice are fundamental to morality. Kantian ethics regards the categorical imperative as such a fundamental principle; roughly speaking, it asserts that people should act from a rule or maxim only if they are willing that this rule govern everyone's actions.

Consequentialist ethics seeks to ground duty in the good results that are produced by people's actions. For example, a simple version of act utilitarianism states that one has a duty to act in such a way as to bring about the greatest benefits for the greatest number of people. One's duty is not to obey some fundamental principle; it is to look to the future and do what is necessary to maximize utility.

Some moralists have shown a preference for returning to older ways of thinking about morality in which the concept of duty is assigned a less important role. There has been a resurgence of interest among modern philosophers in Aristotelian ethics, which places a greater emphasis upon the development of virtue and the avoidance of vice. Although it makes sense to talk about duty in the context of a virtue-based ethic, its role in such an ethic is much less significant than is the case in other systems currently in fashion.

There is also much disagreement about whether duties have an absolute standing. Some hold the view handed down from the tradition of Plato that duties rest upon standards that are absolute, eternal, and unchanging. In this view, there are moral standards that do not vary from culture to culture or from one period of history to another. Thus, one might argue that people have a duty to refrain from murder or from incest, and anyone who grows up in a culture

that teaches otherwise and believes that these acts are permissible is simply mistaken. In this view, certain things are morally forbidden, regardless of what is believed by the people of one's culture or period of history.

Others, known as relativists, hold that there are no moral absolutes and that people's moral duties are generated by moral systems that are essentially human constructs. For example, a given culture might find that prohibitions against adultery or premarital sex lead to greater societal stability, and hence it becomes a moral duty to refrain from these activities in this culture. In this view, what counts as a person's duty is relative to the culture or time period in which one is reared. There are no duties that apply to everyone.

*Gregory F. Mellema*

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SEE ALSO: Accountability; Bribery; Cicero; Citizenship; Deontological ethics; Dilemmas, moral; Kant, Immanuel; Maximal vs. minimal ethics; Permissible acts; Responsibility; Supererogation.

# E

## Earth and humanity

**DEFINITION:** Human beings' attitudes and behavior toward Earth and its ecosystems

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The relationship of humankind to the earth has ethical significance within the context of many religious traditions, including Native American religions which require respect of the land and the Judeo-Christian belief that nature is the dominion of humanity. In more recent times, the need to preserve dwindling resources and the plight of endangered species have created new ethical dilemmas.

Human beings have a combination of qualities that are unique among other forms of life on Earth: the capacity for symbolic thought and communication, hands with opposable thumbs, and a predilection to accumulate goods. Their impact on Earth's ecosystems has been significant and distinctive.

### HISTORY

Earth's origin is dated at 4.5 billion years ago. Humankind's earliest humanoid ancestors appeared approximately five million years ago. The span of human existence, then, has been limited to a mere one-tenth of one percent of the earth's existence. Human evolution has not been strictly linear. There were both extinctions and overlappings among the variety of human species that existed between *Australopithecus*, the earliest-known human ancestor, and the modern species, *Homo sapiens*. The most anatomically modern human appeared 100,000 years ago.

Despite the seeming antiquity of the human presence on Earth, for most of that time, the species survived by gathering vegetation and scavenging meat until successful hunting methods were established; throughout all this time, the species had very little impact on Earth and its ecosystems. It was not until

humankind began to domesticate animals and plants and had learned how to generate fire that the human species could begin making notable changes in the course of its future and in the future of the earth's ecosystems. This power was acquired between nine thousand and twelve thousand years ago.

Humankind's psychosocial awareness—the basis for the development of an ethical system—emerged very gradually. In the earliest years, there was no recognition of being distinct as a species or as individuals. Life was a series of instinctive responses to the environment and to physical needs. Jean Gebser describes it as “a time of complete nondifferentiation of man and the universe.”

With humankind's growing awareness of its separateness from the rest of the ecosystem came a sense of insecurity about its relationship to the external world. As human societies began to experiment with their potential autonomy, they developed rituals to support their systems of magical beliefs in order to maintain an amicable relationship with the all-powerful outer world and to avoid any punishment for their “defection.” Killing animals for food, for example, was no longer an instinctive behavior. It involved asking permission from some life-sustaining force. When disaster struck—or perhaps to forestall it—sacrificial rituals were offered to appease the force. Using rituals based on magical beliefs is evidence of perceiving an adversarial position between the human and outer worlds.

When human beings began to understand Earth's rhythms, some fears were resolved. The Earth-human relationship changed. Myth systems were developed to record and pass on the body of knowledge that humankind had been accumulating. It became possible to predict future occurrences based on past experiences and observations. This development, then, made it possible to begin taking advantage of predictable beneficial conditions and to try avoiding harmful ones. Agriculture made permanent settlements possible. The resultant increase in the size and

density of human populations began overtaking the environment. Cheryl Simon Silver reports that as early as eight thousand years ago, areas around the Mediterranean showed that wild animal populations were being replaced by domesticated ones. Plant communities there have been disrupted so badly and for so long that it is now difficult to determine what constituted the indigenous vegetation.

When humans turned their vision of the life-giving force from being Earth centered to being heaven centered, humankind assumed dominion over the rest of Earth's life-forms and its nonliving "resources." Based on this concept, the most aggressive human societies have exercised their presumed rights through activities such as strip mining, clear-cut logging, growing monocultures, using nuclear power, damming or channelizing rivers, forbidding human contraception, and causing the deliberate extinction of other species.

#### MODERN ENVIRONMENTAL CONCERNS

Because humanity's ethical systems have evolved along with humanity's awareness of its uniqueness on Earth, it might seem that these models exist along a continuum. In fact, they exist as diffuse elements within a mosaic design. They all still survive throughout the world and guide human behavior.

It does not seem likely or practical that individually any of these paradigms will or can solve the problems of environmental damage. The range of proposed solutions, however, is a reflection of each of them. Totally opposite conclusions, both of them based on faith, exist within the dominion-of-humankind paradigm. In humanistic ethical systems there is the belief that progress in technology will find solutions to overturn ecological damage. In religion-based systems, there is the belief that humanity should continue to take advantage of the provided resources and not be concerned about Earth's future, because a transcendent god will rescue at least a portion of humankind in times of mortal danger. Elements of the magical and mythical systems are expressed by groups such as the Nature Conservancy and Releaf, which advocate the preservation or rehabilitation of the environment. The first model, in which there was no differentiation between humankind and its environment, is expressed in groups such as Earth First! or those that represent the deep ecology movement. They define their views as

"ecoethics," because they hold that all other approaches to the environment are arrogantly egocentric, based entirely on human self-interest, and have little to do with the reality of humankind's minuscule time span in the total scheme of Earth's existence.

Because there has been evolution in ethical systems, however, there is reason to assume that humankind may evolve some other ethical system that might solve the problems that now threaten both Earth and human beings. Indeed, Daniel Kealey and Gebser believe that the new paradigm is emerging and that it is based on an integration of all the previous ethical systems.

*Marcella T. Joy*

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SEE ALSO: Biodiversity; Conservation; Deep ecology; Dominion over nature, human; Earth Day; Ecology; Environmental ethics; Environmental movement; Global warming; Nature, rights of; *Silent Spring*.



## Earth Day

**THE EVENT:** Day set aside to celebrate the earth and focus attention on the relationship of people to Earth

**DATE:** Begun on April 22, 1970

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Earth Day was the first nationwide event to focus on the environment; it emphasized individual and consumer responsibility for environmental quality.

Earth Day was first organized by Senator Gaylord Nelson of Wisconsin as an opportunity for “teach-ins” on the environment and on the effects of human actions on the environment. Many teach-ins focused on air and water pollution, the relationship between environmental quality and human health, and the individual consumer’s responsibility for environmental quality. Grassroots activities included picking up litter along roads and streams. Colleges, universities, and public schools were the locales of many of the first Earth Day activities and continued to be the centers for organized Earth Days in subsequent years.

In 1970, a reported twenty-five million Americans participated in Earth Day activities. Through intensive media coverage of Earth Day, information about the environment reached millions more. Following Earth Day, public opinion polls reflected increased awareness of environmental problems and increased support for maintaining environmental quality. Earth Day both reflected and increased public, media, and official interest in environmental quality and in individual responsibility for the environment. The media continue to present stories on environmental trends and issues on Earth Day each year.

*Marguerite McKnight*

**SEE ALSO:** Conservation; Earth and humanity; Ecology; Environmental ethics; Environmental movement; Environmental Protection Agency; Nature, rights of; Pollution.

## Ecofeminism

**DEFINITION:** Plurality of positions and perspectives emerging from a common assumption that the patriarchal domination of women and other social groups is also manifest in human exploitation of nature

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Ecofeminist positions have evolved from various fields of feminist inquiry and activism, relating to such ethical issues as peace, labor, women’s health care, antinuclear activity, the environment, and animal liberation.

Influential forms of ecofeminism tend to be multicultural in nature and to include in their analyses of women-nature connections the inextricable interconnections among all social systems of domination. A basic assumption within the various perspectives is that no attempt to liberate women or any other oppressed group will be successful without a simultaneous attempt to liberate nature in its myriad forms. Ecofeminism thus emphasizes the concurrence of oppression based on gender, race, class, and nature. Writings on the subject include critiques of racism, classism, ageism, ethnocentrism, imperialism, colonialism, androcentrism, heterosexism, and sexism.

The term “ecofeminism” was coined by the French feminist Françoise d’Eaubonne in 1974, before there was a body of ecofeminist theory. Since that time, theoretical strands of ecofeminism have emerged that unmask traditional Western philosophical and religious dependence upon what has been cited in feminist literature as a philosophical logic of dualism. With varying degrees of radicalism, ecofeminists such as Rosemary Ruether, Val Plumwood, Karen Warren, Carol Adams, Carolyn Merchant, and Elizabeth Dodson Gray have shown that the characteristic logical structure of dualism in Euro-American philosophical and theological traditions is based upon an alienated form of differentiation and a problematic representation of otherness.

As indicated by the proliferation of writings ecofeminism has produced, it describes how the diverse forms of oppression are a result of a dominant ideology whose fundamental self/other distinction is based on an influential “modern” view of self that is separate and atomistic. Thus, an emphasis in many ecofeminist writings is that varied conceptions of self promote different ethical systems: The view of a sep-

arate self often operates on the basis of rights and justice, while the notion of an interconnected self makes moral decisions on the basis of an ethic of responsibilities or care. As an academic discourse, ecofeminism has also been associated with environmental ethics and with such theories and movements as deep ecology and social ecology, and it has promoted ethical commitments to valuing and preserving ecosystems understood as organisms, individuals, populations, communities, and their interactions.

Various strands of ecofeminism postulate ethical theories that provide as fully as possible inclusive and global analyses of intersectional oppression. Further, ecofeminists often argue that ethical solutions to global problems cannot be found if contemporaries ignore the interconnectedness of all life—humans, and the creatures and plants with whom human beings share the earth. However, ecofeminism is pluralistic in rejecting any one right way or answer in addressing human social and ecological problems.

Many ecofeminists envision ethical practices involving creative interchange among activists, public policy makers, academics, scientists, ecologists, and ethicists. Ecofeminism currently has a significant academic and activist presence in the United States, Canada, Northwest Europe, India, and Australia.

*Carol Wayne White*

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SEE ALSO: Ecology; Feminist ethics; Women’s ethics; Women’s liberation movement.

**Ecology**

DEFINITION: Study of relationships among organisms and between organisms and the environment

TYPE OF ETHICS: Environmental ethics

SIGNIFICANCE: The discipline of ecology forms the scientific basis for an ethic of environmental conservation and preservation.

Ecology is broadly divided into “autecology,” pertaining to individual organisms or species, and “synecology,” or the ecology of communities of organisms. Synecology places humankind in organic “communities,” or ecosystems, thus positing a human ethical responsibility to the environment as broadly defined. Since World War II, an “ecological movement” has advocated programs designed to ensure that humankind will live within the limitations of the earth’s resources. By means of these programs, communities modify their environments, thus causing successional replacement and moving toward stable, organic “climax communities” that are adapted to current environmental conditions. Short-term changes in community character, especially retreat from “climax,” is a practical measure of humankind’s effect on the ecosystem.

Biogeography refers to community distribution, while paleobiogeography considers succession over geologic time. Ecology arose from Alexander von Humboldt’s approach to natural history and from Carolus Linnaeus’s studies of plant life histories. Plant ecology in America became well established during the early twentieth century in Nebraska, where Frederic Clements established the community concept and coined an overabundance of technical terms. Victor Shelford of the University of Chicago contemporaneously developed the fundamentals of animal ecology. Among subdivisions of ecology are limnology, oceanography, plant ecology, animal ecology, phenology, biogeography, and paleobiogeography.

*Ralph L. Langenheimer, Jr.*

SEE ALSO: Biodiversity; Conservation; Deforestation; Earth and humanity; Endangered species; Environmental ethics; Environmental Protection Agency; Greenpeace; Sierra Club; Sustainability of resources; Wilderness Act of 1964.

## Economic analysis

**DEFINITION:** Method of evaluating the desirability of actions by determining the relationship of cost to benefit or of finding the least costly way to achieve a goal

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Economic analysis provides a conceptual framework within which to make ethical decisions. Some thinkers have condemned this form of analysis, however, because it can dehumanize people by reducing them to mere statistics or by overlooking the importance of emotion and treating choice as a purely rational process.

Economic analysis involves discovering how to meet desires at the lowest cost. Although most commonly applied to business and budgeting problems, economic analysis can be applied to virtually any decision involving expenditures of resources such as money, time, or even emotional energy.

The problems that economics addresses apply to all individuals and societies, even to the animal kingdom. Formal analysis of these problems began in earnest in the eighteenth century. Pioneers of what was called “political economy,” including Adam Smith, David Ricardo, and Thomas Malthus, wrote about such topics as division of labor, international trade, and population control. Economists quickly refined their tools of analysis and extended the range of topics under consideration. Gary Becker, winner of the 1992 Nobel Prize in Economics, has extended economic analysis to the study of marriage, the family, and discrimination, among many other topics.

### THE SCIENCE OF ECONOMICS

Economics as a discipline is designed to provide objective answers to questions. It is not intended to be a normative discipline (one that answers questions concerning values) and therefore is not itself a theory of ethics. The distinction often becomes blurred.

Economics accepts value judgments and tells people how they can achieve what they want; it does not tell people what they should want. In practice, however, many economists promote their own values, trying to convince others that their goals are desirable.

One basic tool of economics is cost-benefit analysis, which weighs the costs of alternative actions against the benefits that will result from them. This tool allows identification of the least costly way of achieving a certain goal. The goal and the alternative actions are presented to the economic analyst, who is not supposed to pass judgment on the “correctness” of the goal. Economic analysis applies to any question involving a choice among alternatives but is most commonly used to address personal questions of budgeting and finance and societal questions of distribution and market behavior.

### DISTRIBUTION

Government policymakers face many issues of distribution of various services. Many of the issues involve questions of perceived fairness. The most basic questions facing policymakers are what will be provided, how it will be distributed, and who will pay for it.

Economic analysis cannot answer any of these questions directly. It can, however, provide information that is helpful in making the decisions. For example, policymakers might consider spending money on education. Once policymakers have identified the different educational programs that could be provided, economists can determine the likely effects of each, giving some idea of the costs and benefits. They can also determine the benefits that would be derived by various individuals or groups, information that will help policymakers decide how to allocate the educational programs.

Economists also examine the ways of financing programs. Income taxes can be designed so that one income group pays a higher proportion of the cost than does another. Sales taxes do not affect everyone equally, because people spend and save different proportions of their income, thus paying the tax at different times in their lives. In addition, most sales taxes do not affect all products, so those buying more of the taxed products pay more in taxes. Typically, for example, taxes on gasoline, other forms of energy, liquor, and tobacco products place a heavier burden, proportional to income, on poor people. A fixed

amount of tax on each person may appear to be fair, but it would represent a higher proportion of income for people who earn less. Issues of financing government programs thus become complicated. The normative questions of which programs should be provided, who should receive benefits, or how it would be fair to finance the programs can better be answered by policymakers once economists have provided their analysis.

### MARKETS

Economic analysis applies to all types of behavior and all market systems. Costs and benefits are easier to identify in capitalist systems, in which virtually everything has a price that is determined by the market. Socialist systems also rely on economic analysis, however, with costs and benefits determined more abstractly by policymakers. Socialist policymakers sometimes have to make somewhat arbitrary decisions concerning the value or cost of a program, since there may not be prices to measure values. In societies in which medical care is provided free or at subsidized prices, for example, policymakers have a more difficult time deciding how to allocate that care, since no true price shows how much people value medical care. People tend to say that they value any service that is offered and to complain when any service is cut off. The question for economic analysis is to determine how much people would be willing to pay in an unsubsidized market.

Economic analysis can be used to help determine what types of markets will exist, even as broadly as analyzing the effects of establishing a communist versus a capitalist market. Branches of economics concern the behavior of various types of firms, such as monopolies, and how regulation affects them. It can provide information that is useful in determining government policy concerning such topics as population control, medical research, health insurance, education, the environment, use of nonrenewable resources, immigration, employment and unemployment, and foreign aid. Provision of benefits in any one of these areas may mean that money cannot be spent on benefits in another. Economic analysis can help in determining such trade-offs among vastly different projects. It cannot determine which projects should be chosen but can help to identify the benefits of money spent on each one.

A. J. Sobczak

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SEE ALSO: Antitrust legislation; Business ethics; Capitalism; Communism; Cost-benefit analysis; Economics; Monopoly; Poverty and wealth; Profit economy; Taxes.

## Economics

DEFINITION: Study of the production, distribution, and consumption of goods and services

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: The question of the production and distribution of wealth or value is an important component of any socially or politically oriented moral philosophy. Economics, as a science designed to analyze those processes, is both useful for, and itself subject to, ethical evaluation.

The primary concern of economics is the production, distribution, and consumption of goods and services. One conventional view that has generated perennial debate is that economics is value-free or ethically neutral. This view rests primarily on what is called the “naturalistic fallacy” (identified, but not so named, by David Hume), according to which it is a

mistake to attempt to deduce a conclusion concerning what ought to be the case from premises that state exclusively what is the case. In other words, it is impossible to derive an “ought” from an “is.” Furthermore, precisely because economics is a social science, it is concerned only with descriptive statements and not at all with ethical considerations (including value judgments); descriptive statements, by definition, can imply nothing of an ethical nature whatsoever. Consequently, it does seem reasonable that, methodologically, economics can be said to be ethically neutral.

Even if a particular discipline, such as economics, is ethically neutral in its methodology, however, it is still an open question whether that same discipline is subject to ethical implications or associations either in its theoretical aspects or in its practical application. In fact, there is a vast array of ethical implications and associations in both the theoretical aspects and the practical applications of economics. Even on the theoretical level, the relationship between economics and ethics takes various forms. For example, an economist who specializes in economic systems—that is, the principles and technical methods by which both the ownership and the allocation of a society’s resources are determined by that society—might engage in several different types of analysis, including the ethical evaluation of the diverse systems under consideration for comparison purposes. Such an evaluation would involve an intricate network of economic and ethical concepts.

### THE WEALTH OF NATIONS

The premier argument for the profit motive is to be found in Adam Smith’s *The Wealth of Nations* (1776). According to Smith, the development of a full-blown economy depends on the existence of various individuals in the society who possess a greater quantity of either raw materials or goods that have been produced than they themselves need. Such a phenomenon encourages the development of a system of bartering, which presents the opportunity for the various members of the society to devote their time, energy, and individual talents to a single economic endeavor. This “division of labor” benefits both the individual members of the society and the society as a whole. The individual members of the society derive benefit from this new opportunity to determine what particular economic activities they are,

individually, suited for and interested in pursuing, and that can profit them the most.

Important, too, is the expectation that to the extent that one is engaged in a particular economic activity, one should, over time, become quite adept at it. This skill should lead to an increase in both the quantity and the quality of individual production in such a way as to also increase the economic compensation of the individual worker. Moreover, such an improvement in the efficiency of production should result in higher-quality products at lower costs in the marketplace. Ultimately, the society as a whole is improved to the extent that this process represents an enhancement of the entire economy as well as an increase in the standard of living for all.

So it is, then, that, in the final analysis, the individual’s pursuit of the profit motive is advantageous to the society as a whole. According to Smith, one neither does nor should pursue a particular economic activity in order to promote either the interests of others in the society or the interest of the society as a whole. Rather, one should pursue a chosen economic activity solely out of self-interest, because the economic relationship between the interests of the individual and the interest of the society as a whole is such that “an invisible hand” translates the former into the latter.

### MARXIST VIEWS

With the advent of the Industrial Revolution came harsh criticism of the type of competitive free-market economy that Smith had championed. The primary critic of the free-market type of economic system was Karl Marx. In various works, including *The Communist Manifesto* (1848; a collaborative effort with Friedrich Engels) and *Economic and Philosophic Manuscripts of 1844*, Marx argues at length against both the profit motive and private property acquisition.

The classical argument for private property acquisition and property rights is the fifth chapter of John Locke’s *Second Treatise of Government* (1690), in which he maintains that even in a “state of nature”—that is, a social environment prior to the institution of any governmental authority—one is free and possesses oneself, which includes one’s own body and, by extension, one’s own labor. Furthermore, the earth’s natural resources are owned by no one in particular but are held in common by all of humankind.



The question becomes how one may legitimately appropriate to oneself some of the fruits of the earth in order to sustain one's own existence. Locke's answer is that upon "mixing one's labor" with some portion of the fruits of the earth in order to take it out of the state in which nature has left it and render it usable for human sustenance, one may, as a natural right, lay claim to it as one's own private property. Locke proceeds to add some practical limitations and to flesh out the details of this moral argument for private property acquisition and property rights.

Against both the profit motive and private property acquisition, Marx argues that, taken in conjunction, these two economic rights inevitably result in inordinate accumulation of wealth for the bourgeoisie (the owners of the means of production) and only subsistence wages for the proletariat (the working class). Workers in a capitalistic free-market economic system are actually selling their labor in order to sustain themselves, and thereby they become mere commodities to be bought by the bourgeoisie at the lowest possible wages. The profit motive is such that any profit that is realized from the sale of manufactured goods either is reinvested in the production process or merely becomes additional wealth for the bourgeoisie. The right to private property is such that the bourgeoisie, as the owners of literally all of the means of production, make the proletariat subservient not only to themselves but also to the means of production. All of this, together with numerous types of alienation that are experienced by the proletariat because of the menial and dehumanizing nature of their work, leads, by the nature of the case, to a class struggle in which the proletariat constantly fights to overcome its exploitation by the bourgeoisie.

It should be clear from only these two examples that even theoretical economic concepts and the arguments for their implementation engender an array of both ethical implications and moral disagreements.

*Stephen C. Taylor*

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SEE ALSO: Capitalism; Class struggle; Communism; Cost-benefit analysis; Economic analysis; Free enterprise; Marx, Karl; Poverty and wealth; Smith, Adam; Zero-base ethics.

## **Edwards, Jonathan**

IDENTIFICATION: American cleric, theologian, and philosopher

BORN: October 5, 1703, East Windsor, Connecticut

DIED: March 22, 1758, Princeton, New Jersey

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: In *Freedom of Will* (1754) and "Sinners in the Hands of an Angry God" (1741), Edwards reiterated the strict Calvinistic doctrine of communion only for the elect—those predestined to salvation—while simultaneously stressing the individual emotional conversion experience.

Arguably one of America's keenest intellectuals, Edwards was a commanding Puritan minister who emphasized traditional Calvinist doctrines of humanity's utter depravity and total dependence upon God. His *Great Christian Doctrine of Original Sin Defended* (1758) added a cornerstone to the debate regarding the fundamental depravity of human nature and provided a strenuous defense of Calvinism against the increasingly secularized Enlightenment. By combining Puritan intellectualism with a unique



*Jonathan Edwards.* (Library of Congress)

emotionalism, Edwards became a singularly dynamic preacher and theologian.

After assuming leadership of the Northampton, Massachusetts, parish in 1728 from his famous grandfather, Solomon Stoddard, Edwards became immediately controversial with his repudiation of Stoddard's Half-Way Covenant, the agency by which children of the predestined—themselves not necessarily of the elect—were entitled to receive communion. Edwards preached a peculiarly complex blend emphasizing the apparently antagonistic tenets of predestination and conversion experience. Although the development of evangelical religion was antithetical to traditional Calvinism, Edwards's emotionally charged yet intellectually compelling sermons inaugurated in New England the religious revival known as the Great Awakening.

Amid controversy regarding his insistence on emotional conversion as proof of election, Edwards was dismissed from his Northampton post in 1751;

thereafter, he preached among Native Americans. Suggesting that the "great tribulations" of the Christian faith had passed, in his pioneer sermon "Humble Attempt to Promote Explicit Agreement and Visible Union of Gods People . . ." (1747), Edwards had earlier cleared his way by lessening theological inhibitions against missionizing.

*Mary E. Virginia*

SEE ALSO: Benevolence; Calvin, John; Christian ethics; Human nature.

## Egalitarianism

**DEFINITION:** Belief in human equality and the need to eliminate social inequities

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Egalitarianism in different forms underpins moral and political systems which advocate equal protection of law, civil rights, human rights, universal justice, social justice, economic equality, the right to property, and the abolishment of property.

Egalitarian principles in Western thought originated in ancient Greece. Athenian citizens were chosen for political office by lot, since all were thought to be capable of fulfilling the functions of public office. All Spartan men served equally as soldiers. Christian thought has stressed egalitarian concepts, both the notion that all human beings are equal in the sight of God, and that faith, not position or social status, determines one's worthiness for salvation.

In a more secular approach, both Thomas Hobbes and John Locke, sixteenth century English thinkers, stressed that society was created by humans through mutual consent. Egalitarian ideas formed the basis for the American Declaration of Independence and the Rights of Man and the Citizen in the French Revolution, despite the persistence of slavery in America and the fact that women were not accorded equal rights as citizens in France. The goal of equality was valued by the leaders of these revolutions and has profoundly influenced those societies in which they occurred. In the twentieth century, egalitarianism

has influenced movements for civil rights, women's rights, and equal opportunities for the disabled, and has promoted the idea that equality is an important moral principle.

*James A. Baer*

SEE ALSO: Civil rights and liberties; Elitism; Equal pay for equal work; Equality; Minimum-wage laws; Natural rights; Social justice and responsibility.

## Egoism

**DEFINITION:** Doctrine that each person ought to maximize his or her own self-interest and that no one should ever sacrifice his or her self-interest

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Egoism is a challenge to every altruistic or other-regarding ethics, since egoism maintains that one has no unconditional obligation to others and that altruistic behavior is justified only as a means to self-interest and never for its own sake.

Egoism is a normative guide to action and an outlook on life. It draws its inspiration from diverse traditions and sources, from the discussions of justice and advantage in Plato's *Republic* to the egocentric account of human nature in the writings of Thomas Hobbes. It both influences and is influenced by cost-benefit analysis in economics, the theory of practical reasoning, and libertarian political theory.

According to egoism, each person ought to do all and only those acts that maximize his or her self-interest. (The theory may also be formulated in terms of rules, or even virtues, but so-called "act" egoism is the most common variety.) Furthermore, according to egoism, one has no basic or unconditional obligations to others. Any obligations one might have to others are derived from one's interest in or use of them. Thus, egoism implies that one should be prepared to take advantage of others when this is in one's own interest.

Egoists maintain that maximizing self-interest is the most rational thing to do. Therefore, if rationality and moral rightness are equivalent, egoism will be a theory of moral rightness. If the two can conflict, however, egoism will be a nonmoral theory of ratio-

nal action, and in cases of conflict between the rational and the right, egoism will give rise to the question "Why be moral?"

### SELF-INTEREST

Egoists have offered different accounts of self-interest. Some egoists have been hedonists, maintaining that only one's own pleasure is worth seeking for its own sake. Others have emphasized power, and still others have stressed wealth or honor. It has even been argued that virtue or good character is intrinsically good and is as much a part of a person's self-interest as pleasure, wealth, or power. Obviously, those who defend egoism must provide some specification of "self-interest" in order to convey fully the content and practical implications of their theory. Many philosophers use "self-interest" in a generic sense to refer to "happiness" or "well-being." In this respect, defenders of egoism emphasize that one's obligations and decisions are grounded in one's long-term enlightened self-interest, not simply in the satisfaction of desire.

### SELF AND OTHERS

For egoism, self-interest is the criterion of overriding value. When one's interests come into irreconcilable conflict with others, egoism authorizes one to seek one's self-interest at their expense—not only when the other person is an enemy or stranger, but even when that person is a spouse, child, parent, or friend. This follows from the fact that one has no unconditional obligation to serve the interests of others. Of course, if helping others or refraining from harming them would help oneself, one ought to do so. Thus, according to egoism, one ought to keep promises, tell the truth, and give the appearance of being generally fair-minded and cooperative as long as these acts are in one's own self-interest. Yet egoists have no principled reasons to place constraints on self-interested behavior that might harm others.

### CRITICISMS

Three distinct, if partially overlapping, criticisms have been raised against egoism. First, it has been argued that egoism is inconsistent, since in conflict-of-interest situations, egoism requires or authorizes that everyone come out on top. Defenders of egoism respond to this criticism by pointing out that egoism advocates that a certain state of affairs be brought

about in which each person tries to maximize his or her self-interest. Moreover, conflicts can be resolved within a system of rules that it is in one's self-interest to adopt as long as others do so as well.

A second criticism is that since it would not be in one's self-interest for one's egoism to be widely known, egoists cannot participate in public activities and practices such as teaching, advocacy, and advising, which are characteristic of morality. Egoists argue that since acts of teaching, advocating, and advising are not, according to this criticism, to be justified in terms of self-interest, the criticism begs the question against egoism. In addition, egoists point out that where there are no conflicts, egoists can engage in sincere moral teaching, advocacy, and advising, and where conflicts do arise, egoists can keep their silence.

A third criticism is that egoism is simply an immoral doctrine. By maintaining that any act is justified if and only if it promotes self-interest, egoism is said to sanction acts of lying, theft, blackmail, and murder. Some defenders of egoism have responded to this criticism by denying that egoism, when properly formulated, would authorize acts of this kind. Others have conceded the theoretical possibility that such acts would be egoistically justified but have argued that it is very unlikely that immoral acts would in fact promote one's self-interest.

Criticisms such as these have led defenders of egoism to numerous reformulations and refinements of the doctrine. Rule-based, rights-based, and virtue-based forms of egoism are developments in the project of making egoism a coherent, consistent, and morally defensible action-guide and outlook on life.

*Steven M. Sanders*

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SEE ALSO: Altruism; Egotist; Hobbes, Thomas; Impartiality; Individualism; Narcissism; Rand, Ayn; Self-interest; Selfishness; Self-love.

## **Egotist**

**DEFINITION:** One who seeks to promote one's own interests and goals at all times

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Sometimes mistaken for the moral theory of egoism, egotism is widely regarded as a moral failing.

An egotist adopts the general policy of acting selfishly. In common parlance, the term "egotist" is used to label those people who have exaggerated opinions of themselves. Egotism, which is not a moral theory, must not be equated with egoism, which is the moral theory that one ought always to act to promote one's own interests. It might be thought that egotism is at least compatible with egoism.

The two concepts are indeed compatible if acting selfishly is always in one's own best interests, but egoists have been known to argue that egotism is not in one's best interests. In any case, egotists do not usually have moral reasons for their policy of action. Also, to the extent that egotism reveals anything about the egotist's beliefs, it reveals that the egotist believes himself or herself to be superior to others in



some general sense. The egoist is not necessarily committed to such a belief in personal superiority. Thus, while egoism is a moral theory whose merit must be investigated philosophically, egotism is a form of behavior whose causes and cure are a matter of psychological interest. Egotism certainly is incompatible with altruism and thus is incompatible with most normative ethical theories.

*R. Douglas Geivett*

SEE ALSO: Altruism; Egoism; Gewirth, Alan; Self-interest; Selfishness; Self-love.

## *Either/Or*

IDENTIFICATION: Book by Søren Kierkegaard (1813-1855)

DATE: *Enten-Eller*, 1843 (English translation, 1944)

TYPE OF ETHICS: Modern history

SIGNIFICANCE: *Either/Or* represents two radically different forms of existence, the aesthetic and the ethical, in the writings of two fictional characters who typify those forms of existence, thereby challenging readers to choose between them.

In the two volumes of *Either/Or*, the Danish philosopher Søren Kierkegaard confronts readers with a sharp choice between two forms of existence, the aesthetic, which regards enjoyment and pleasure as the highest values, and the ethical, which views the world in terms of right and wrong. Rather than describing these two forms of existence, Kierkegaard brings them to life in the writings of two fictional characters. An unnamed sophisticated young man, designated “A,” is credited with the widely varied essays and aphorisms that make up volume 1; Judge William, a family man and minor court official, writes the two long letters to “A” that make up volume 2. A third fictional character, Victor Eremita, claims to have found the papers of “A” and Judge William in an old desk and to have arranged for their publication.

### VOLUME I

After a preface in which Victor Eremita describes finding the papers that make up *Either/Or*, volume 1

is composed of the papers of “A.” The first section is a group of aphorisms that “A” calls “Diapsalmata.” These aphorisms set the tone for volume 1 by vividly conveying the cynical and world-weary but also sensitive and enthusiastic character of “A.” These aphorisms further show “A’s” strong interest in literary and musical art, an interest that is amply demonstrated in the five substantial essays on art and artistic themes that follow the Diapsalmata. The first and longest of these, “The Immediate Stages of the Erotic or the Musical Erotic,” is an impassioned celebration of Wolfgang Amadeus Mozart’s opera *Don Giovanni*.

Don Juan is significant to “A” because he represents a distinctive form of aesthetic existence: the immediate. An immediate aesthete, such as Don Juan, seeks pleasure in a wholly spontaneous, unselfconscious manner. His consciousness is confined to the here and now, and no thought of guilt for his many seductions ever clouds his enjoyments. While “A” enthuses over Don Juan, his self-consciousness, or reflectivity, separates his form of aesthetic existence decisively from the Don’s. “A’s” mode of aesthetic existence is best illustrated in the essay “The Rotation of Crops,” in which “A” humorously states his strategy for finding enjoyment and avoiding boredom. To seek pleasure directly, like Don Juan, eventually jades the self; overused enjoyments grow stale. So “A” constantly varies his amusements just as farmers rotate crops so as not to exhaust their fields.

Despite the witty, jesting tone of “The Rotation of Crops,” this and other entries in volume 1 show “A” to be afflicted by a deep and dark melancholy. He even cultivates this melancholy as a source of enjoyment, calling sorrow his castle and naming hopelessness as the precondition of the aesthetic life. “A” is also profoundly interested in the sorrow of others. Many of his essays are analyses of tragic figures from literature that he presented to a ghoulish club, the Symparanekromenoi, “the society of the already dead.”

The final section of volume 1, “Diary of a Seducer,” is both the longest section of the volume and the most chilling picture of aesthetic existence. “A” claims to have copied a large section of the journal of an acquaintance named Johannes, which chronicles the devious seduction and callous abandonment of an innocent young girl. In his introductory remarks to the copied journal entries, “A” shudders at Johannes’s



calculating coldness and worries that Johannes reveals the demoniac character of aesthetic existence by carrying it through to its logical extreme.

## VOLUME 2

Kierkegaard brings the ethical form of existence to life in three letters, two very long and one short, from Judge William to "A." Judge William tries to convert "A" from aesthetic existence to ethical existence by analyzing and criticizing aesthetic existence and depicting ethical existence in a highly positive light. It is significant that Judge William writes letters rather than essays: He is not interested in a disinterested, impersonal, theoretical analysis of aesthetic and ethical existence. Rather, he speaks as a concrete, existing, concerned individual to another such individual.

Like "A," Judge William is especially concerned with the romantic dimension of human life. Whereas "A" focuses on brief and usually tragic romantic liaisons, Judge William is an enthusiastic advocate of marriage. Marriage represents for him the ideal example of ethical existence. It represents an open-ended, infinite commitment rather than a short-term, fulfillable task. Furthermore, Judge William uses the example of marriage to show that a life of duty is not less but more enjoyable than an aesthetic life, even though the aesthetic life makes enjoyment its highest end. The first of his letters to "A" is accordingly titled "The Aesthetic Validity of Marriage." Here, Judge William argues at great length that duty, the obligation entered into with the wedding vows, preserves, nurtures, and strengthens spontaneous love rather than banishes it as "A" asserts. The second letter, "The Balance Between the Aesthetic and the Ethical in the Development of the Personality," makes the same essential point: The choice is not between a life of enjoyment and a life of duty; in living responsibly and ethically, the person can have a much better time and enjoy himself or herself much more thoroughly than if he or she is always focused on getting enjoyment.

Volume 2 ends as did volume 1: with a copied text by someone else. Judge William sends to "A" a copy of a sermon written by an old university friend entitled "The Upbuilding That Lies in the Thought That in Relation to God We Are Always in the Wrong." The sermon emphasizes the infinity of the ethical demand and the impossibility of actually fulfilling

it. Although Judge William writes that the sermon makes the same point he had been making in his two letters, it seems to call into question Judge William's whole project of existing as a morally righteous person. This ending of *Either/Or* points ahead to later works by Kierkegaard in which religious modes of existence are contrasted with both the aesthetic and the ethical.

George Connell

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SEE ALSO: Choice; Choiceless choices; Dilemmas, moral; Hedonism; Kierkegaard, Søren.

## Electronic mail

**DEFINITION:** Communications medium that allows individuals, at home and in the workplace, to exchange messages and information electronically

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Certain personal and business uses of electronic mail raise ethical issues that will likely attract continued public attention as the use of electronic mail increases.

In 2002, computer users in the United States sent an average of approximately eight billion messages by electronic mail (e-mail) every day. As e-mail has become more popular, its use in the home and in the workplace has increasingly become a subject of de-

bate among government leaders and others concerned with the potential for its abuse.

E-mail has features of both conventional, pen-and-ink correspondence and telephonic communication. Like the former, its content is generally expressed in the form of text or images, as opposed to purely aural communication. Like the latter, e-mail communication requires an electronic interface—a computer or other device that provides access to the Internet. In addition to substantive content, e-mail messages contain coded information about who is sending the e-mail and its destination. When an e-mail message is sent, its content is broken down into digital packets, which are transmitted via different Internet routes and reassembled at the message's destination. Copies of the message may be stored in several different locations—on the sender's computer, on the recipient's computer, or on the various Internet servers that facilitate transmission. Because of the digital nature of e-mail, its use raises ethical issues associated with storage and dissemination.

Storage of e-mail is an issue because digital information can be difficult to destroy. Even after an e-mail message has been deleted from a computer, its content may remain accessible until it is overwritten, or "wiped" from a computer's memory. Thus, messages that contain potentially inappropriate, offensive, or defamatory content, or that reveal confidential personal or business information, may be made public in ways that comparable pen-and-ink letters could not. This aspect of e-mail may aid those who seek such improper ends as harassing particular individuals in the workplace or trading on confidential information.

#### DISSEMINATION

E-mail messages are susceptible to widespread dissemination in ways that nondigital forms of communication are not. For example, messages may be quickly and easily distributed to individuals for whom they are not intended. In a well-publicized incident that occurred in 2003, a young lawyer at a large New York City law firm inadvertently sent an e-mail message containing offensive language to every lawyer at his firm. His e-mail was subsequently forwarded to scores of people across the United States.

The ease with which e-mail messages can be sent in bulk has been the subject of efforts to regulate the distribution of unsolicited e-mail, commonly known

as "spam." Any governmental regulation, however, must address the First Amendment rights of spammers. Moreover, individuals who seek to control spammers through civil suits must contend with the California Supreme Court's decision in *Intel Corporation v. Hamidi* (2003) holding that spammers cannot be sued for trespass to computer systems unless recipients can show they have suffered damage.

Lawrence Friedman

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SEE ALSO: Advertising; Cell-phone etiquette; Computer misuse; Computer technology; Electronic surveillance; Internet chat rooms; Technology.

## Electronic surveillance

DEFINITION: Use of audio, visual, and computerized devices to monitor people, places, and communications

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: Proponents of widespread electronic surveillance generally approach the ethics of surveillance from either utilitarian or egoistic perspectives. Opponents generally advocate surveillance ethics grounded in individual rights or in a Kantian respect for personhood.

Electronic surveillance has existed since the invention of the telegraph in the mid-nineteenth century, when Union and Confederate agents tapped telegraph wires during the Civil War. However, its use began growing exponentially only after the mid-twentieth century. Advances in computer and com-

munications technology not only created new electronic surveillance tools but also increased society's reliance on media that are vulnerable to electronic surveillance.

Electronic surveillance was once solely the government's domain. The U.S. Supreme Court in 1928 refused to treat wiretapping as a "seizure" restricted by the Fourth Amendment, and prompted Congress to enact limits on wiretapping. During World War II, both Allied and Axis military forces intercepted enemy radio communications. The Cold War thrust electronic surveillance into the space age, in the form of satellite-based photography and signal interception. In later decades, as electronic surveillance devices became more widely available, private enterprises and even private individuals joined the fray.

#### USERS OF ELECTRONIC SURVEILLANCE

Governments use electronic surveillance far more during the twenty-first century than ever before. Law enforcement, counterterrorism, espionage and counterespionage are the most prominent government applications for electronic surveillance. Government agencies have a host of electronic surveillance tools at their disposal. Common surveillance techniques include planting hidden microphones and cameras, tapping telephone lines, monitoring wireless telephone communications, and monitoring Internet communications.

The world's most extensive electronic surveillance network is Echelon, a project directed by the United States in cooperation with Canada, the United Kingdom, Australia, and New Zealand. Its global network monitors satellite transmissions, radio transmissions, telephone conversations, and Internet traffic, and it uses computer programs to sift through the collected data. According to some estimates, up to 90 percent of the world's Internet traffic passes through Echelon. Although the United States government neither confirms nor denies its own role in Echelon, other governments have admitted its existence, and the European Parliament and the U.S. Congress have launched inquiries into Echelon's activities.

Businesses have also become pervasive users of electronic surveillance. Businesses conduct substantial electronic surveillance on their own employees. Justifications for employee surveillance include monitoring productivity, protecting confidential business

information, deterring theft and vandalism, and deterring employee misconduct that might give rise to employer liability. Surveillance techniques used on employees include the use of video and telephone monitoring devices, as well as software applications designed to monitor employees' computer, Internet, and e-mail use.

Businesses also use electronic surveillance to monitor their customers. For many years, the primary form of customer surveillance was video monitoring. With the advent of Internet commerce, however, customer surveillance exploded, allowing businesses to monitor online shoppers' preferences through the use of cookies, Web bugs, and other data-collection tools.

The journalism media also make substantial use of electronic surveillance, particularly although not exclusively the tabloids and paparazzi. Telephoto lenses capture revealing or embarrassing moments in celebrities' or politicians' lives, and hidden cameras and microphones have become mainstays in investigative reporting.

Finally, private citizens are increasingly turning to electronic surveillance. Some use video or audio monitoring in their homes for security reasons. Others may have voyeuristic motivations, as they spy on neighbors or acquaintances with video cameras or microphones, or monitor their children's or spouses' computer use with surveillance software. With constantly evolving technologies, the potential applications of electronic surveillance will only increase.

#### ETHICAL JUSTIFICATIONS

Utilitarianism is a common justification for government use of electronic surveillance. Under this view, the benefits of preventing terrorism and other crimes outweigh the individual harms that widespread surveillance may cause. Additionally, the media argue that their information collection techniques help promote the free flow of information and knowledge about public figures. Moreover, businesses suggest that greater knowledge about customer preferences helps deliver goods to consumers more efficiently, thereby helping maximize society's overall wealth.

Egoism, a second justification for electronic surveillance, is most apparent in surveillance by private persons who disclaim any obligation to consider the interests of others. Egoism is also a likely justifica-

tion for business surveillance, if one sees corporate officers' highest duty as maximizing the shareholders' return on their investment. In the case of business surveillance, egoism and utilitarianism may actually overlap, in light of the free-market argument that the rational pursuit of self-interest by all players in a given market will produce the optimal allocation of resources in that market.

### ETHICAL OPPOSITION

Much of the antisurveillance rhetoric in the United States is rights-based and draws on a variety of legal authorities. In the United States, surveillance opponents often rely on Supreme Court decisions finding a constitutionally protected right to privacy. Some state constitutions explicitly protect the right to privacy, as does Article 12 of the United Nations Universal Declaration of Human Rights. Additionally, some state and federal statutes in the United States limit electronic surveillance by the government as well as by private parties, and most states protect individuals against intrusions on their reasonable expectation of privacy.

A second strain of opposition to surveillance embodies the Kantian ethic of respect for personhood. This approach rejects treating people as mere means to an end, and challenges electronic surveillance for intruding on individual autonomy and dignity. Pervasive electronic surveillance diminishes autonomy by treating people as if they are not to be trusted and are therefore unworthy of autonomy.

Individual dignity also suffers when surveillance data are used to limit individuals' opportunities to gain such essentials as employment, credit, and health or life insurance, and to discriminate against particular classes of people.

*Shaun B. Spencer*

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SEE ALSO: Computer technology; Covert action; Electronic mail; Espionage; Homeland defense; Internet chat rooms; Photojournalism.

## Electroshock therapy

**DEFINITION:** Induction by electric current of convulsions in patients in order to alleviate severe depression and suicidal ideation

**DATE:** 1938 to present

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** Electroshock therapy intentionally causes pain and suffering in order to help patients with mental problems. This raises two fundamental ethical issues: First, is it ever acceptable to inflict pain, not as a by-product of treatment, but as a method of treatment, even if that pain brings about the desired benefits? Second, are patients with depression and other mental illnesses competent to consent to or refuse this type of treatment?

Depression is one of the most prevalent and most treatable life-threatening illnesses. As many as 5 percent of Americans are likely to experience at least one episode of clinical depression during their lifetimes. The most probable cause of death from depression is suicide: Indeed, approximately 15 percent of patients with major depression eventually take their own lives.

Electroshock therapy, or, more properly, electroconvulsive therapy (ECT), is used to treat severe depression that does not respond to drug therapy or that occurs in patients who cannot tolerate antidepressant drugs.

### HISTORY

ECT was introduced in 1938 by two psychiatrists, U. Cerletti and L. Bini, who devised a means of inducing a convulsion in a patient by using an electric

current delivered via electrodes fastened to one or both of the patient's temples. It had long been observed that some mental patients had temporary relief from their symptoms following a spontaneous seizure. Prior to Cerletti and Bini's work, seizures had been induced by the inhalation of various substances.

ECT enjoyed a peak of popular use during the 1950's and 1960's, when it was considered a virtual panacea for mental illness. It had the additional benefit of making otherwise "difficult" patients more manageable, causing it to be used in some cases for behavior control. Partly because of its misuse and its negative depiction in the popular media (such as in Ken Kesey's 1962 novel *One Flew Over the Cuckoo's Nest*), ECT has earned a reputation as a high-risk treatment with an enormous capacity for abuse and severe long-term side effects. This is not, in fact, the case.

#### INDICATIONS AND EFFECTS

ECT is extremely effective in the treatment of severe depression and the depressive phase of bipolar disorder. Patients with atypical depression, however, which includes features such as acute anxiety or vegetative symptoms, tend not to respond as well to ECT. The treatment is strongly indicated in cases in which suicide seems imminent. ECT is used primarily for patients who have not responded to, or who cannot tolerate, drug therapy. Studies have shown that between 50 percent and 80 percent of patients in this category respond positively to ECT.

There are no absolute contraindications in the use of ECT. The treatment does raise blood and intracranial pressure, however, and therefore it must be used with caution in patients who already have high readings in these areas. ECT is often administered under anesthesia, and muscle relaxants are used to reduce the risk of bone fractures, so patients who have problems with these treatments need to be assessed carefully. Also, patients with cardiovascular problems are only rarely given ECT, because of reported complications. In studies to date, however, the highest mortality rate associated with ECT has been 0.8 percent.

The major side effect of ECT is memory loss. The loss is primarily short-term. Studies indicate that there is little, if any, observable difference six months after treatment between the memory abilities of pa-

tients who have had ECT and those who have not. Since memory impairment is associated with depression in general, it is difficult to assess what loss is attributable to ECT.

#### ETHICAL ISSUES

The ethical issues involved with the administration of ECT revolve around the determination of what constitutes informed consent and competency to give consent or refuse treatment. In all psychiatric treatments, the question of the competency of a patient who suffers from some form of mental illness to give consent is raised. Other issues include the use of ECT for behavior control and decision making for patients considered not competent.

#### INFORMED CONSENT

The ethical issue of informed consent may be divided into two areas: consent by a competent adult and consent for an incompetent patient.

The question of competency is raised in all cases of mental illness. Can a person in the depths of severe depression, with its accompanying hindrances of judgment, be considered competent under any circumstances? Legally, yes. Legal competency is judged on the basis of observable behavior rather than on the basis of the patient's mental status, which can only be inferred. If a patient can make what is considered to be a rational decision, shows no signs of delusions, and is able to understand the risks and benefits of a treatment, that person is considered competent. The common negative societal view of ECT, however, often causes legally competent patients to refuse the treatment. Can their biased view of ECT, which is based on fictional portrayals, be considered delusional? Furthermore, consistency of consent becomes an issue because of the indecisiveness inherent in depression.

If a patient is judged to be incompetent, determining who will make treatment decisions becomes an issue. Most commonly these decisions are made by a close relative. It must be ascertained that the best interests and values of the patient have primacy in the decision, rather than such issues as ease of management by caretakers or punitive measures by other parties.

In the case of the hospitalized patient, the aspect of voluntariness of consent must be considered. A patient does not automatically relinquish the right to



refuse treatment upon hospitalization. If consent is sought, it must be clear that it is in no way coerced; for example, by telling a patient that release from the hospital will occur sooner if ECT is used.

### RISKS AND BENEFITS

One of the important aspects of informed consent is the patient's ability to comprehend and evaluate the risks and benefits inherent in a given procedure. In the case of ECT, the risks of the procedure must be evaluated in the light of the continued risk of suicide in depressed individuals. A competent patient has the right to refuse ECT, however, if he or she considers that the risk of memory loss or other brain damage outweighs the possible benefits.

*Margaret Hawthorne*

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SEE ALSO: Consent; Mental illness; Psychology; Psychopharmacology; Suicide; Therapist-patient relationship; Torture.

## Elitism

**DEFINITION:** Doctrine that some people are superior to others because of a special knowledge, ability, or characteristic that they possess

**TYPE OF ETHICS:** Personal and social ethics; beliefs and practices

**SIGNIFICANCE:** Elitism can provide a basis for arguments against the ethics of equality as well as arguments in favor of some forms of ethical paternalism.

There have been many different types of elitism, such as those based on race, religion, sex, social class, or physical beauty. Racism, sexism, religious elitism, and so forth are generally condemned as unethical practices, if for no other reason than that the criteria used to sort out and rank people are seen as arbitrary. This view does not dismiss elitism completely, however, but only those forms that base it on irrelevant differences among people. More serious elitist arguments are a natural outgrowth of any doctrine that claims that human beings have a potential for excellence. Those who work toward realizing this essence will often view themselves as superior to those who do not. Two types of human potential stand out within elitist arguments—the potential to develop the intellect and the potential to become a unique individual.

### INTELLECTUAL ELITISM

As early as 600 B.C.E., the Greeks spoke about the differences between human beings based on the development of a virtuous or unvirtuous character. For the Greeks, differences in character served as a natural basis for ranking people. The aristocracy saw this division as a sound justification for an unequal distribution of power and privilege as well as for the practice of slavery.

Socrates and Plato developed Greek elitism into a sophisticated philosophical doctrine. Socrates, after arguing for a strong dualism of soul and body, claimed that the soul constituted human essence and that the body was a mere vehicle, even a prison, for the soul. In the Socratic view, the perfectibility of the human soul and the avoidance of bodily temptations thus became the single most important task of life. Those who sacrificed their souls for the sake of their bodies became the objects of harsh criticism, as

people who turned their backs on their own essential nature. The familiar image of Socrates testing the knowledge of others through his questioning can be understood as his effort to determine the true elite of Greek society.

Plato took the Socratic teaching and developed it further with complex metaphysical and epistemological theories. Plato argued that the soul was positioned between a world of shadows generated by the opinions of mass society and a world of absolute truth accessible only to the trained human intellect. Plato took it as obvious that the person who disciplined his mind to seek truth was better than the person who gave himself over to the world of opinion. He argued that justice could be obtained only if all political power was handed over to the wise elite of society, holding that the ignorant masses should not be allowed to participate in the political process. Intellectual elitism of this sort has been prevalent throughout the history of philosophy and is still easy to find.

### INDIVIDUALIST ELITISM

In the nineteenth century, Friedrich Nietzsche argued for a different type of elitism based on a human being's capacity for development as a singular, unique, and powerful individual. In works such as *Thus Spoke Zarathustra* and *Beyond Good and Evil*, Nietzsche argued that all reality consists fundamentally of assertions of power. Thus, he asserted that humans could be divided up into two basic groups: those who embrace and assert their power, and those who fear and repress their power.

Nietzsche's elitism considers the powerful ones to be masters and the repressed ones to be slaves. The master is the true individualist, a free spirit, a creator and a warrior. He or she is "beyond" the social conventions, taboos, morés, and moral imperatives that slaves create to hold themselves and others back. The slaves, however, try to subordinate individuality and uniqueness to generalized rules for appropriate thought and behavior. While the master creates rules by means of an individual act of will, the slaves subordinate themselves to the community will and follow the orders of others.

### ETHICAL PRINCIPLES

Despite their obvious differences, both these forms of elitism share important similarities: Both

advocate that it is an ethical duty for humans to develop that potential which will make them superior people—the intellect or the will. Both advocate the duty to avoid that which will corrupt—the world of shadows or the commonplace. Each offers a definition of the highest good in terms of that which will perfect a human being—truth or power.

Both forms of elitism are faced also with the ethical problem of what attitude and/or behavior the elite few should take toward the nonelite majority. While intellectual elitists will have a tendency to avoid the ignorant masses, they do not shun community life itself. Rather, they seek associations within an elite community founded on the books, music, plays, films, and so forth that serve to improve the mind and provide rational insight into truth. Moreover, the intellectual elitist often feels a certain duty to protect the ignorant from their own degradation and to persuade them to partake in their own self-improvement. This attitude, however, creates a moral dilemma. Socrates was tried and executed as a "corrupter" of the youth by the people he claimed he was trying to help. Today, as well, the well-intentioned social reformer is often accused of both elitism and paternalism by those persons whom the reformer seeks to help.

Nietzschean individualists draw a different lesson from the trial and death of Socrates. They feel no moral duty to help the nonelite to do better and will try to avoid them entirely. The master does not desire a community of masters but is instead driven more toward a reclusive and solitary life. The Nietzschean hero Zarathustra lives alone like a god, high in the mountains, with only powerful animals such as lions and snakes as his companions.

*Daniel Baker*

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SEE ALSO: *Beyond Good and Evil*; Egalitarianism; Existentialism; Individualism; Nietzsche, Friedrich; Paternalism; Plato.

## Emancipation Proclamation

**IDENTIFICATION:** Proclamation by President Abraham Lincoln freeing all slaves held in rebel portions of the United States

**DATE:** Issued on January 1, 1863

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The Emancipation Proclamation extended the legal state of freedom to most American slaves but actually freed few of them at first because the Union government had no power to enforce its provisions in rebel-held territories.

Although the American Civil War was the result of sectional conflict that involved the issue of slavery, both the Union and the Confederate governments initially denied that slavery was a war issue. The Confederate government claimed that it was fighting only to defend the principle of states' rights. The Union government claimed that it was fighting to preserve the Union of states against Confederate efforts to destroy it.

### LINCOLN'S CAUTIOUS APPROACH TO EMANCIPATION

From the very beginning of the war, abolitionists, radical Republicans, and black activists urged President Abraham Lincoln to use the war as an opportunity to strike down slavery. Lincoln, though, acted in a cautious manner during the early months of the war. Until September, 1862, Lincoln refused to include the abolition of slavery as one of the Union's war aims. Furthermore, when radical commanders in the Union Army ordered the emancipation of slaves in parts of the occupied South in 1861-1862, Lincoln countermanded the orders.

These actions caused reformers to question the depth of Lincoln's own commitment to ending slavery. In Lincoln's defense, it must be noted that Lincoln both publicly and privately often expressed a heartfelt abhorrence of slavery. Yet Lincoln knew that a premature effort to turn the war into a crusade for emancipation would be counterproductive to the cause of freedom. An early act of emancipation would prompt loyal slave states such as Kentucky, Maryland, and Missouri to join the Confederacy and probably cause the defeat of the Union. From a practical point of view, the Union government could not abolish slavery in the South if it lost the war.

### ORIGINS OF LINCOLN'S EMANCIPATION POLICY

Lincoln was finally encouraged to seek emancipation because of the actions of the slaves themselves. During the war, some 600,000 slaves—about 15 percent of the total—escaped from their masters. Slaves understood that the advance of the Union Army through the South presented them with an unprecedented opportunity for escape. Most escaped slaves sought shelter with the Union Army.

The presence of large numbers of slaves within Union Army lines presented Union commanders with the question of whether the slaves should be returned to their rebellious masters or allowed to stay with the Army and consume its limited resources. Most Union commanders allowed the slaves to remain with the army, justifying this decision out of military necessity. Pointing to the right of armies under international law to seize or destroy enemy property being used to sustain the war effort, Union commanders claimed the right to seize the Confederacy's slave laborers as contraband of war.

The actions of Union commanders shifted the focus of emancipation from human rights to military necessity, thereby encouraging Lincoln to adopt a general policy of emancipation and giving Lincoln an argument with which to win public support for this policy.

### THE PROCLAMATION AND ITS LIMITS

Lincoln's Emancipation Proclamation, which was issued January 1, 1863, declared that slaves in areas in rebellion against the United States were free. Slaves in the loyal slave states and slaves in areas of the Confederacy already under Union control were

### Time Line of Legal Emancipation Outside the United States

<i>Year</i>	<i>Country</i>	<i>Year</i>	<i>Country</i>
1775	Madeira	1863	Dutch colonies
1793	Ontario	1873	Portuguese colonies
1804	Haiti		Puerto Rico
1813	Argentina		Spanish colonies
1814	Colombia	1874	Gold Coast
1819	Tunisia	1875	Angola
1823	Chile	1877	Madagascar
1824	Central America	1886	Cuba
1829	Mexico	1888	Brazil
1831	Bolivia	1890	Belgian colonies
1833	British colonies	1897	Zanzibar and
1836	Portugal		Pemba
1843	India	1907	Kenya
	Uruguay	1910	China
1847	Swedish colonies	1923	Rwanda
1848	Virgin Islands	1928	Sierra Leone
1851	Ecuador	1930	Ethiopia
1854	Peru	1962	Saudi Arabia
	Venezuela	1970	Muscat and Oman

Confederacy previously captured were not currently being used to support the enemy's war effort. In making this argument, Lincoln was not being evasive or cautious in seeking the emancipation of all American slaves. One month before he issued the Emancipation Proclamation, Lincoln proposed to Congress the passage of a constitutional amendment that would have freed all slaves living in the loyal border states and in currently occupied portions of the Confederacy.

#### EFFECTS OF THE PROCLAMATION

Eventually, perhaps two-thirds of American slaves were freed by the Emancipation Proclamation. The remainder of American slaves were freed by the laws of state governments in loyal slave states and by the Thirteenth Amendment (1865), which abolished slavery in the United States.

*Harold D. Tallant*

not freed by the Proclamation. Because of this fact, some commentators have criticized the Proclamation, claiming that the Proclamation had little impact because it sought to free the Confederate slaves who were beyond Lincoln's control and neglected to free the slaves within his control. This criticism ignores several facts regarding Lincoln's action. The Emancipation Proclamation amounted to an announcement that henceforward, the Union Army would become an army of liberation. Whenever the Union Army captured an area of the Confederacy, it would automatically free the slaves in that region.

Additionally, the limited scope of Lincoln's Proclamation was prompted by the limited powers of the president under the Constitution. Lincoln pointed out that, as president, his only constitutional power to emancipate slaves was derived from his power as commander-in-chief to order the military destruction of property that supported the enemy's war effort. Slaves belonging to masters in states loyal to the Union and slaves belonging to masters in areas of the

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SEE ALSO: Abolition; Alienation; Civil rights and liberties; Lincoln, Abraham; Slavery.

## Emerson, Ralph Waldo

**IDENTIFICATION:** American theologian, essayist, and poet

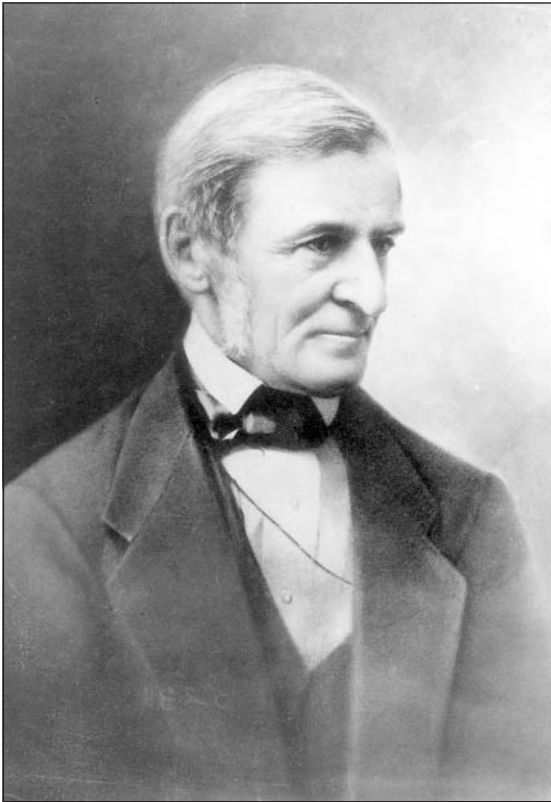
**BORN:** May 25, 1803, Boston, Massachusetts

**DIED:** April 27, 1882, Concord, Massachusetts

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** The leading proponent of New England Transcendentalism, Emerson inspired individuals to develop their spiritual selves in such works as *Nature* (1836), “The American Scholar” (1837), “Divinity School Address” (1838), and “Self-Reliance” (1841).

The catalyst for most of Emerson’s finest writings was his search for a liberating personal philosophy. Ordained a Protestant minister, Emerson resigned his pastorate at a Boston Unitarian church because he believed that conventional religions told their parishioners what to think and how to act rather than instructing them how to use their own divinely inspired



*Ralph Waldo Emerson.* (Library of Congress)

“moral sentiments.” He believed that only through this innate moral sense could one adequately meet one’s most important ethical responsibility: self-reliance.

Failure to follow one’s conscience was to live in a mind-numbing conformity that was, at bottom, spiritually suicidal. In a controversial address, he urged a graduating class of Harvard divinity students to “cast behind you all conformity, and acquaint men at first-hand with Deity.” He attributed Americans’ over-reliance on material things to a lack of self-reliance: Citizens “measure their esteem of each other, by what each has and not by what each is.” His solution was for each person to find in the expansive American natural setting an “original relationship to the universe.”

Emerson believed that nature itself embodied ethical principles; thus, it could be used as a kind of holy sanctuary in which the individual, without the aid of irrelevant intermediaries such as dogmas, rituals, and ministers, could “transcend” material considerations and achieve a spiritual union with the deity. Despite the affirmative tone of his essays, Emerson, like Thoreau, sometimes despaired of finding a vocation. In a materialistic society, Transcendentalists were neither allotted a place of respect nor afforded the kind of meaningful work they were eager to perform. Not considered “good citizens,” they believed that most of the ordinary work of humanity, even that devoted to the best causes, required conformity rather than originality and therefore precluded the original use of one’s own spirit.

*William L. Howard*

**SEE ALSO:** Conservation; Declaration of Independence; Idealist ethics; Thoreau, Henry David; Transcendentalism.

## Emotivist ethics

**DEFINITION:** System of moral philosophy based on the notion that the purpose of ethical language is to prescribe behavior by stirring one’s emotions and influencing one’s attitude

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Emotivist ethics is an important development in the evolution of ethical theory be-



cause it represents a departure from the dominant cognitive ethical theory. In its extreme form, emotivism denies that ethical judgments can be rationally justified.

To a certain extent, emotivist ethics has its roots in the philosophy of David Hume. In the second book of the *Treatise of Human Nature* (1739), Hume argues that reason is subordinate to the emotions and that moral judgments are “sentiments.” These sentiments are feelings of approval or disapproval toward an action. The bottom line for Hume is that morality is derived from and based on feeling. As he observes in the *Treatise*, “Morality is more properly felt than judged of.”

The real impetus for this well-known movement in ethics came from logical positivism, which could not accept intuition as a means of verifying propositions. Since moral judgments cannot be verified, they could not be meaningful or significant propositions. Positivism stresses that propositions must be verifiable, and since this is not possible with ethical propositions, they must be treated very differently. Thus, according to A. J. Ayer, echoing David Hume, moral judgments serve only to express the feelings or sentiments of the speaker.

Emotivism as a full-fledged ethical theory was developed primarily by the American philosopher Charles L. Stevenson. Stevenson wrote *Ethics and Language* (1944), which has become one of the most significant and influential ethical works of the twentieth century.

### PREMISE OF EMOTIVISM

The fundamental premise of emotivist ethics is that language has different functions. One function or purpose of language is to state facts or to describe some aspect of reality. For example, “It’s quite cold outside—the temperature is 23 degrees Fahrenheit.” This statement can be easily verified. When language is used in this fashion it is considered to be descriptive. According to the emotivist theory of ethics, however, moral discourse is definitely not descriptive, since it does not convey any such factual information.

What, then is the purpose and import of moral language? According to Stevenson, moral discourse has two key features. In order to explain the first feature, Stevenson drew a sharp distinction between beliefs

and attitudes. In making a moral judgment, it is possible to distinguish between the facts that are the subject of judgment and the positive or negative evaluation of those facts. Hence, if someone makes the judgment that “euthanasia is wrong,” euthanasia is the state of affairs under scrutiny and a negative evaluation is being advanced. This negative evaluation represents one’s attitude about euthanasia. In moral disputes, there is a divergence or disagreement in attitude. For example, some people may disagree with opponents of euthanasia: They may believe that euthanasia is permissible, which means that they have a different attitude toward euthanasia.

The second feature of moral discourse is its dynamic character, or magnetic power. Hence, according to Stevenson, besides expressing an attitude, moral judgments “create an influence,” since they seek to provoke a response in those to whom the judgment is addressed. With regard to this second feature of moral discourse, Ayer and Stevenson would agree that ethical terms such as “good,” “right,” and so forth are emotionally provocative. In his seminal work *Language, Truth, and Logic* (1936), Ayer points out that ethical terms such as “good” and “evil” are similar to aesthetic words such as “beautiful.” Such words do not describe or state facts; instead, they express feelings and seek to evoke a response.

In short, then, ethical language and judgment has a dual function. Its first purpose is to express the belief as well as the attitude of the speaker, and its second purpose is to change the attitude of those to whom this language is addressed. Hence, when someone utters the moral judgment that euthanasia is a grave moral error, that person is expressing a feeling and an attitude about this controversial topic. The speaker is also trying to persuade others to adopt this same attitude if they have not already done so. Thus, moral discourse is clearly influential: It seeks to influence others and change attitudes.

### RATIONAL ARGUMENTS

In its extreme form, emotivism does not recognize the validity of rational arguments that might support one’s ethical attitude or feelings. This appears to be Ayer’s position. Stevenson, however, does not go so far; he admits the possibility of such rational justification. Thus, Stevenson concedes that the attitudes that are expressed in ethical judgments are

based on beliefs, and people can offer reasons and justifications for those beliefs. For Stevenson, however, it is unclear whether the most fundamental ethical attitudes are grounded in any rational beliefs; if this is so, these attitudes would be irrational, since they could not be swayed by reason.

Philosophers recognize that there is considerable merit to the line of reasoning put forward by emotivists such as Stevenson, but they also point out some problems. To begin with, it is not clear that the purpose of influencing attitudes is distinctive of moral discourse. Also, there is nothing necessarily emotional about rendering a moral judgment—after all, is it not possible to articulate a judgment in an unemotional and dispassionate way? Finally, emotivism stresses that moral discourse is used primarily to produce an effect—to change the attitude of others. If one evaluates moral judgments in terms of their effectiveness, however, one looks away from the reasons and arguments underlying that judgment, and this is somewhat problematic. Simply because a moral judgment is effective does not mean that it is valid.

*Richard A. Spinello*

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SEE ALSO: Ayer, A. J.; Cognitivism; Fact/value distinction; Good, the; Hare, R. M.; Language; Moore, G. E.; Normative vs. descriptive ethics; Perry, R. B.; Reason and rationality; Skepticism; Subjectivism.

## Employee safety and treatment

**DEFINITION:** Policies and procedures used by employers to protect the on-the-job safety and welfare of their workers

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Employers have an ethical responsibility for the general workplace health and safety because they—and not their workers—control the facilities and equipment used. To place responsibility on workers would be to create a gap between responsibility and authority.

Worker treatment is generally seen as falling into two basic categories: the physical safety of employees in the workplace and the rights of workers to fairness and dignity with respect to hiring, compensation, promotions, job security, and discrimination.

#### PHYSICAL SAFETY

As approximately 10,000 workers are killed each year in American workplaces, and another 2.8 million workers are injured (these numbers do not include workers who suffer from occupational diseases, which can take decades to develop), safety is a critical issue in business. Ensuring physical safety requires the elimination of workplace hazards and implementation of safety standards. Although many hazards have been eliminated, many dangerous conditions still exist. Among these dangers are textile fibers that can cause brown lung disease, paint vapors that cause emphysema, excessive noise that may cause hearing loss, and debilitating carpal tunnel syndrome from computer keyboard operation.

To improve worker safety and to establish forums in which employees may seek remuneration, individual states began enacting legislation to guarantee payment for workplace injuries as early as 1920. This legislation, known as worker's compensation, or "worker's comp," compensated workers only for existing injuries and did not eliminate the conditions that caused injuries. To reduce workplace injuries, the federal government enacted the Occupational Safety and Health Act, which established the Occupational Safety and Health Administration (OSHA) in 1970.

With the creation of OSHA, employers had a new legal duty to maintain a safe working environment, provide proper supervision, and educate their em-

employees about their products and their workplace. OSHA required all employers to conform to certain minimum safety standards and sought to reduce hazards in the workplace by establishing corporate responsibilities for improving worker safety and health. OSHA sometimes disciplines employers who think that compensating injured workers is cheaper than implementing costly safety standards to prevent accidents. OSHA may impose criminal penalties upon individuals within the corporate structure—rather than only upon the corporation itself—if it finds that corporate managers understood the risks to workers and ignored them.

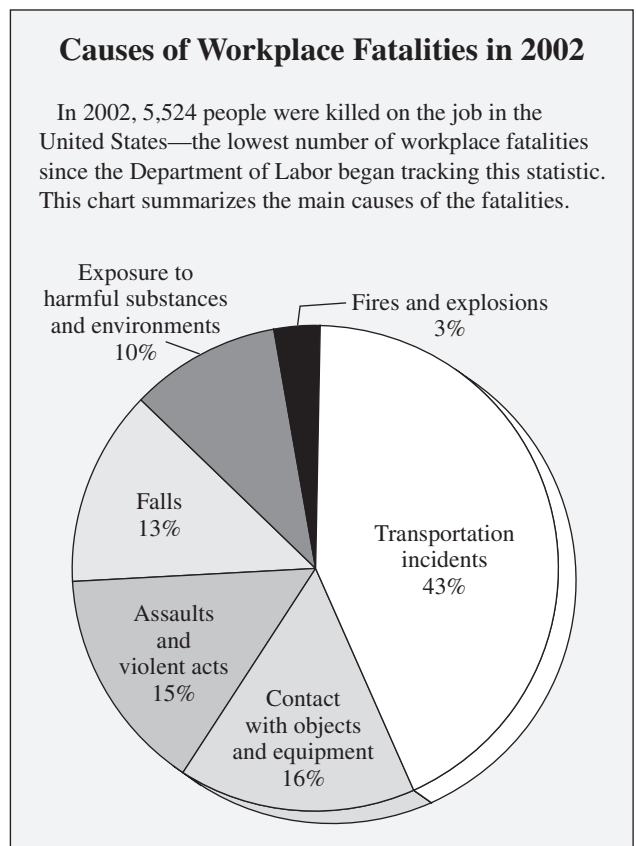
One famous example of how disastrous it can be for a company to fail to provide for employee safety is Johns Manville, formerly the leading manufacturer of asbestos products. During the 1930's the company discovered that exposure to asbestos fibers could result in serious, even fatal, disabilities. However, the company kept this information private and did not inform its thousands of workers about the hazards of asbestos exposure. When the dangers of asbestos finally became known to the public in the early 1980's, thousands of lawsuits were filed by former employees of Manville and other companies that used asbestos products supplied by Manville. As a result, Manville declared bankruptcy, established a fund to help pay for injuries, and became widely vilified for its failure to warn workers. The result of Manville's negligence was catastrophe—for the injured workers and their families, and for the company, which was nearly destroyed. More even than OSHA, the common law character of American courts makes employers liable for negligent or malicious behavior on their part.

By the early twenty-first century, one of the important twentieth century assumptions about worker's compensation legislation had come under widespread attack. As American labor costs—including insurance premiums to pay for worker's compensation claims—rose, businesses increasingly found it cheaper to export jobs to low-wage environments in countries abroad. In an effort to save American jobs, business have pressured many state governments to reduce the benefits awarded under their worker's compensation laws or

face the loss of jobs to other less protective American states or to overseas locations.

This growing trend raised new ethical issues, and not only for workers who may find themselves with reduced protection. If workers are injured in facilities controlled by irresponsible employers and the new worker's compensation laws do not provide adequately for medical costs or permanent disabilities, the injured workers will be forced into some form of state financed welfare. This is an ethical issue not only for the workers but also for responsible employers. Caring employers who attempt to maintain safe working environments for their employees will pay twice: once for the safety measures they provide and again when they pay increased taxes to cover the losses foisted on the taxpayers by less responsible employers.

Safety in the workplace is of paramount importance to all ethical employers, and ideas about what



Source: U.S. Department of Labor, Bureau of Statistics, Census of Fatal Occupational Injuries, 2002.

constitutes safety have evolved as new knowledge has become available. A classic example of how opinions can change regarding what constitutes a safe workplace is the issue of secondhand smoke. During the early 1980's, few employers saw a need to protect their employees from coworkers' secondhand smoke. By the early twenty-first century, however, secondhand smoke was recognized as a serious workplace concern. Although there is no doubt that the workplace has become safer and that employers' concern for the safety of workers has increased, the issue of safety merits continued close attention.

### WORKERS' RIGHTS AND FAIRNESS

All workers have the right to expect fairness from their employers and to be treated with respect and dignity. Fairness is especially important in the areas of hiring practices, compensation, promotions, privacy, discrimination, job security, and sexual harassment.

The federal government has enacted legislation to protect employees from discrimination in the workplace based on race, religion, sex, color, and national origin. Title VII of the Civil Rights Act of 1964 specifically protects women, African Americans, Hispanics, Native Americans, Asian Americans, and Pacific Islanders. In addition, some states and local communities have added to the list more protections, such as those relating to marital status, veteran status, and sexual orientation. The Pregnancy Discrimination Act of 1978 protects pregnant women from discrimination, and the Age Discrimination in Employment Act of 1975 extends protection to workers forty years of age or older. The 1990 Americans with Disabilities Act requires all companies with more than fifteen employees to provide reasonable accommodations for workers with disabilities. The goal of all this legislation is to incorporate fairness into the workplace so that ability will be the primary criterion in decisions that involve hiring, promotions, compensation, discipline, and firing.

Another twenty-first century issue in the workplace is sexual harassment, which is a form of gender discrimination. While a precise definition of sexual harassment is not always clear to employers, employ-

ees, or even lower courts, the U.S. Supreme Court has moved in the direction of greater clarity in successive cases. Sexual harassment is an ethical issue because it unfairly focuses job advancement or retention on a factor other than the ability to do a job. As a result of legislation and well-publicized lawsuits, many companies have adopted guidelines for dealing with sexual harassment as well as training programs to educate employees about the dangers of harassment and discrimination.

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*Updated by Richard L. Wilson*

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SEE ALSO: Ageism; Biometrics; Business ethics; Downsizing; Dress codes; Fairness; Fear in the workplace; Medical ethics; Medical insurance; Product safety and liability; Sexual abuse and harassment.

## Endangered species

**DEFINITION:** Living creatures that are threatened with extinction in all or part of their geographical range

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Advocates of environmental ethics believe that it is morally wrong for humans to cause the extinction of a species, while more anthropocentric arguments are made on the basis of the potential utility of existing species for humanity and the inadvertent self-destruction which may result from the destruction of other members of an ecosystem. As a result, endangered species are recognized and protected by law.

An endangered species is one that has so few individual survivors that it could soon become extinct in all or part of its range. Examples include animals such as the California condor and plants such as orchids and cacti. Those species classified as threatened are presently abundant in their range but likely to become endangered within the near future because of a decline in numbers. Examples include the grizzly bear and the bald eagle.

## WILDLIFE PROTECTION

There are three general methods to prevent wildlife from becoming endangered. These methods are to establish treaties and laws to protect a particular species from being killed and to preserve its habitat; to use gene banks, zoos, botanical gardens, and research centers to preserve species and possibly breed individuals of a critically endangered species to reintroduce them to the wild; and to preserve a variety of unique and representative ecosystems, which tends to save a variety of species rather than an individual species.

The U.S. Congress has passed a variety of laws for the protection of endangered species. Legislation to prohibit the illegal collection of species began in 1900 with the Lacey Act. In 1966, the Endangered Species Preservation Act made an official list of endangered species and authorized the expenditure of funds to acquire their habitats. The Endangered Species Conservation Act of 1969 banned the importation and sale of wildlife threatened with worldwide extinction. These legislative acts applied only to vertebrate animals; they did not protect species that were threatened, and they provided no absolute protection against major federal projects that could exterminate a species.

### Numbers of Endangered and Threatened Species in 1996

As Listed by U.S. Government

	<i>Mam-</i> <i>mals</i>	<i>Birds</i>	<i>Reptiles</i>	<i>Amphib-</i> <i>ians</i>	<i>Fishes</i>	<i>Snails</i>	<i>Clams</i>	<i>Crusta-</i> <i>ceans</i>	<i>Insects</i>	<i>Arach-</i> <i>nids</i>	<i>Plants</i>
Total listings	335	274	112	21	116	23	59	17	33	5	496
Endangered species,											
total	307	252	79	15	76	16	53	14	24	5	406
United States	55	74	14	7	65	15	51	14	20	5	405
Foreign	252	178	65	8	11	1	2	—	4	—	1
Threatened species,											
total	28	22	33	6	40	7	6	3	9	—	90
United States	9	16	19	5	40	7	6	3	9	—	90
Foreign	19	6	14	1	—	—	—	—	—	—	—

Source: U.S. Department of Commerce, *Statistical Abstract of the United States, 1996*, 1996. Primary source, U.S. Fish and Wildlife Service.

Note: Numbers reflect species officially listed by U.S. government; actual worldwide totals of species that could be considered threatened or endangered are unknown but are believed to be much higher.



**Notable Species Endangered in the Early Twenty-first Century**

<i>Species</i>	<i>Locales</i>	<i>Approximate number</i>	<i>Reason for endangerment</i>
Asian elephant	South and Southeast Asia	50,000	Habitat loss
Black rhinoceros	Eastern and Southern Africa	2,400	Poaching (for horns)
Black-footed ferret	U.S. and Canadian plains	100	Habitat loss, disease
California condor	Western North America	less than 100	Habitat loss, poaching, pollution
Florida manatee	Florida	2,000	Habitat loss, boat collisions
Gorilla	Central Africa	700	Habitat loss, disease
Marine turtle	tropical and subtropical seas	unknown	Hunting, habitat loss, pollution
Panda	China	1,000	Habitat loss, hunting
Pika	North America alpine regions	unknown	Habitat loss
Polar bear	Arctic regions	unknown	Habitat loss
Snow leopard	Central Asia and Himalayas	3,000-5,000	Habitat loss, hunting
South China tiger	China	20-30	Hunting, habitat loss
Sumatran tiger	Indonesia	less than 500	Hunting

Source: World Wildlife Fund; Sea World

The 1973 Endangered Species Act protected endangered and threatened species and provided a program for the recovery of those species. The 1973 act included all plants and animals except a few that had been determined to be pests. The act recognized the relationship between a species and its environment by requiring the Department of the Interior to determine the critical habitat of endangered and threatened species. The act authorizes the National Marine Fisheries Service of the Department of Commerce to identify and list marine species, and the Department of the Interior’s Fish and Wildlife Service to identify all other plant and animal species threatened in the United States or abroad. Any decision by either agency to add or remove a species from the list must be based solely on biological grounds without economic consideration.

The 1973 Endangered Species Act also prohibits interstate and international commercial trade involving endangered plant or animal species. Section 7 directs federal agencies not to carry out, fund, or authorize projects that would jeopardize endangered species or destroy habitats critical to their survival. This section was challenged in 1975 when conservationists filed suit against the Tennessee Valley Authority to stop construction on the \$137 million Tellico Dam on the Little Tennessee River because the river

would flood the only known breeding ground of the tiny snail darter, an endangered species. Courts stopped construction on the dam, though the dam was 90 percent complete. In 1979, Congress passed special legislation exempting the project from the Endangered Species Act. The case of the Tellico Dam raises the ethical problem that if one interprets the 1973 act as favoring species over development in all cases, then the value of the species would be so high that it could not be exceeded by the benefits of development.

The ethical principle of saving endangered species is a high one, but it is not absolute. In some cases, there are higher values that must take precedence over endangered species preservation. Although environmentalists understand this principle, they have argued that the Endangered Species Act is not being carried out as directed by Congress because of budget cuts and administrative rules.

**ETHICAL PRINCIPLES**

The ethical principle of preserving all plant and animal species often entails practical costs that are extremely high. There will continue to be situations in which a development project that is truly necessary for human well-being will come into conflict with the existence of one or more species. With only limited resources, a priority system must be devised

so that the maximum number of species is saved. The ecological value of a species is the value of the species in question to its native habitat or what the impact of its extinction will be on the ecosystem. The uniqueness of a species places greater value on a species if it is the only existing member of a family rather than one of many members of a given family. Those species with a current or promising biological, medical, or chemical utility have a high preservation effort. Those species with a commercial value should not be allowed to be harvested to extinction.

In some cases, extinctions may be ethically justifiable. The following reasons may apply in such cases: benefits accrue to large numbers of people and not merely a chosen few; the beneficial action is related to genuine human needs, not luxuries; the preservation costs are too great to be borne by society; the species is not unique and has no known medical value; or alternate habitats are not available. Justifiable extinctions include those of the smallpox virus and of some nonharmful animals in East Africa.

By saving endangered species and preserving Earth's genetic pool, options are kept open for nature and science to maintain a healthy environment in the future. There is a growing understanding that all life-forms are part of one interdependent ecosystem and that the declining health of one species signals danger for all species, including humans.

*David R. Teske*

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SEE ALSO: Animal rights; Biodiversity; Darwin, Charles; Deep ecology; Deforestation; Earth and humanity; Ecology; Environmental ethics; Evolutionary theory; Nature, rights of; Rain forests.

## **English Bill of Rights**

**IDENTIFICATION:** English law that established fundamental rights of citizens by specifying limits of governmental power

**DATE:** Enacted in December, 1689

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The enactment of the English Bill of Rights was an important landmark in the development of the concept of inalienable human rights and political freedoms.

Originally proposed as the Declaration of Right, the English Bill of Rights was adopted under the title "An Act Declaring the Rights and Liberties of the Subject, and Settling the Succession of the Crown." Most of its provisions limiting monarchical power had long been supported as established liberties under English common law. By effectively limiting governmental power, it dealt a death blow to the monarchical concept of divine right. It limited monarchical action by forbidding the suspension of established laws, the formation of ecclesiastical courts, and the levying of taxes without parliamentary approval. It also required parliamentary approval for a standing army. As further enhancements of parliamentary power, it upheld freedom of elections and freedom of speech, and it specified regular meetings of parliament.

For all English subjects, the bill guaranteed the right of petition, the right of trial by jury, and the right of reasonable bail. It prohibited fines and forfeitures of property prior to conviction. It forbade cruel and unusual punishments and granted Protestant subjects the right to bear arms. By enshrining in law rights that are central to a concept of human rights, the Bill became important in the development of freedoms throughout the Western world.

*Stanley Archer*

SEE ALSO: Bill of Rights, U.S.; Civil rights and liberties; Constitution, U.S.; Declaration of Independence; Freedom and liberty; Jury system; Magna Carta.

## Enlightenment ethics

**DEFINITION:** Set of rationalist ethical systems developed in the seventeenth and eighteenth centuries by various philosophers and social and political theorists.

**DATE:** c. 1688-1789

**TYPE OF ETHICS:** Enlightenment history

**SIGNIFICANCE:** The moral, social, and political philosophies developed during the Enlightenment shaped the later course of Western history. They are the basis for the liberal individualism which dominates modern moral and political theory and practice, including the principles of natural civil rights, the sovereign individual, government as a contract between the governing and the governed, and the primacy of reason in determining what is good and how to achieve it.

During the Enlightenment, the hundred-year period from 1688 to 1789, a diffuse group of political and philosophical leaders shared dynamic key ideas that reshaped the political and religious institutions of European culture, culminating in the establishment of the United States of America and the French Revolution. These ideas were in open conflict with the established beliefs of Christian churches and of the monarchical governments of that time.

The ideas of Enlightenment writers developed from two primary sources: the ancient classics of Greece and Rome and the Protestant movement within Christian Europe. Beginning with the Renaissance, when many “lost” works of ancient Greek and Roman writers were reintroduced into Europe, European students and scholars mastered Latin and Greek in order to know and appreciate these classics. Students studied, along with traditional religious works, many pre-Christian Latin and Greek texts, such as Plato’s *Republic*. These pagan texts reintroduced ancient philosophical ideas to Europeans and sanctioned ethical views that contradicted Christian teachings, such as the idea that the power of reason, instead of faith, could lead humans to perform good actions.

The ancient Greek spirit of scientific inquiry also inspired this period. From the Renaissance on, well-educated men such as Francis Bacon and Isaac Newton applied principles of rational inquiry to the study of the natural world, and in doing so they established the scientific method of investigation as a powerful means of gaining new knowledge of the physical world. This mode of inquiry turned away from pious Christian thinking and toward empirical experience in the search for objective universal law. The practitioners of scientific investigation were tough-minded, worldly, and philosophical.

As a result of the Protestant religious movements of the previous centuries, education had become more widely available in northern European countries. This occurred because literacy was a necessary prerequisite for reading and interpreting the Bible as part of religious worship. This practice developed close critical reading and thinking skills, confidence in working with written texts, and tolerance for diverse views of religious topics. The tragic psychological and economic effects of religious persecution of Europe also had brought about a greater appreciation of religious tolerance.

In 1688, a change in England from absolute monarchy to constitutional government signaled the opening of the new age of the Enlightenment. The so-called Glorious Revolution, which banished the autocratic Roman Catholic king James II and substituted the Protestant king William with legally curtailed royal powers, was accomplished without war. This revolution successfully applied the idea that legitimate government was established by a legal contract between the people and their monarch, instead of by a divine right given to the monarch by God. This transformation of England’s government and the surge of economic prosperity that followed it marked the beginning of radical social changes that culminated in the French Revolution in 1789.

### ETHICAL PRINCIPLES

Tolerance for new ideas and confidence in the human power of reason as a means to achieve the good life characterize the core ethical views of Enlightenment thinkers. The human mind rather than sacred teachings and values became the focus of intellectual life as humankind’s quest for life, liberty, and the pursuit of happiness on Earth gradually overshadowed a lifestyle of Christian values lived for rewards that

would be received in a spiritual life after death. Although the vast majority of Europeans remained Christian, the leading thinkers, such as John Locke, Voltaire, David Hume, Immanuel Kant, and Jean-Jacques Rousseau, were often atheists, agnostics, or Deists. They regarded God's place in the world as remote or even nonexistent.

### **NATURAL MORALITY**

The secular morality developed during the period conceives of humans using reason, not faith, to find the good life. Their well-developed faculty of reasoning and common sense, together with their natural desire for pleasure, can lead people to shun evil and pursue good. This process makes it possible for people to enjoy happiness, the goal and reward of living well, on Earth.

Concerning the basic nature of human beings, some leading thinkers claimed that people are inherently good and that their desire for pleasure, if guided by reason, can lead them to the good life. Other Enlightenment thinkers, however, asserted that humans are inherently neither good nor evil but are made good or evil by the environment in which they live.

Natural morality recognizes that an egoistic desire for pleasure and aesthetic enjoyment motivates human action and thought; thus, according to this idea, virtue is defined as creating the greatest happiness and pleasure for the greatest number of people. Therefore, a virtuous person expresses self-interest and self-love in a way that not only avoids causing pain in others, since all people have an equal right to experience pleasure and happiness, but also increases happiness for others.

### **HUMANISM**

The natural morality of the Enlightenment emphasizes the fraternity of humankind in the shared innate faculty of reason, the shared innate desire for pleasure, and the universal power of education to bring happiness to all people. In theory, all people may pursue and find happiness by cultivating their reasoning powers, so fraternity may minimize political, economic, racial, and religious inequities. In fact, however, the political and social institutions of the time did not create equal opportunities for all to become educated and pursue the good life. Enlightenment ideas did promote a cosmopolitan spirit in

Europe, since those accepting the idea of humanism acknowledged a bond of commonality stronger than those of nationalism and patriotism. The philosopher Rousseau declared, "There are no longer Frenchmen or Germans . . . there are only Europeans."

### **SCIENTIFIC INQUIRY**

Scientific thinking developed and gained enormous credibility during the Enlightenment for several reasons. Science serves as an excellent means of exercising and developing the ability to reason, a faculty necessary to achieving happiness. It also promotes discussion and criticism and thus furthers more general education in society. Publications of experimental studies and meetings of scientific societies play an essential role in the growth of scientific thinking and are key components of scientific inquiry. During the Enlightenment, leading philosophers envisioned scientific inquiry and its fruits of inventions and discoveries about the natural world as the sure path to an ideal future life. Thus, the idea of progress through science to a perfect life sparked the imaginations of Enlightenment thinkers.

The qualities of reasonableness came to be regarded as those of good manners during the Enlightenment; it became fashionable to show in one's behavior rationality, tolerance, self-control, cordiality, partiality, and modesty. Good manners were not only an expression of humanity but also a humanizing way of behavior. Women also became more influential in public life, in part because of new ideas about manners and in part because women came to be regarded as reasonable beings instead of only as caretakers of the home, or as property.

### **RELIGION AND THE ENLIGHTENMENT**

The role of religion in natural morality was a key issue during this period. Other significant issues were the roles of laws, education, and government in leading humankind to live the happy life.

With respect to religion, a powerful group of atheist thinkers, including David Hume and Denis Diderot, envisioned society totally without religion, with reason alone being able to guide people to a good life. Another group, including the brilliant and influential Voltaire, called themselves Deists and argued that humankind should recognize the role of the higher power of God in forming and sustaining the world.

All members of these groups agreed that European Christianity had failed to prepare humankind for a happy life and had instead destroyed its happiness. These groups allied themselves in passionate rejection of all Christian doctrines and rituals. Some asserted that Christianity was a disease that made society sick and therefore should be destroyed. “Crush the infamy!” (*Écrasez l’infame!*) became the slogan of Enlightenment philosophers as they endeavored to annihilate both the doctrines and the customs of the Roman Catholic and Protestant churches.

These philosophers wanted to replace religion with education and the development of reason to guide people to the good life. To accomplish their objective, a group of French Enlightenment thinkers prepared and published, in 1751, an impressive thirty-seven volume *Encyclopédie*, a collection of all knowledge in a great scheme of education through reading. They also argued for separating schools, universities, and libraries from the control and influence of churches, the traditional custodians and guardians of educational institutions of Europe. Even though they, the enlightened ones, were the products of church-influenced education, they advocated a sharp break with tradition.

Supporters of Enlightenment ideas also expanded the scope of education to include decreasing crime through the education of criminals and delinquents; they assumed that wrong ideas and antisocial behavior could be changed by education. Enlightenment thinkers rejected the traditional basis of government, the divine right of kings as God’s representatives on Earth to carry out a divine plan. Instead, they claimed, governments should be negotiated contracts between the governed subjects and the representatives of government. The role and responsibility of such governments should be to assist the people by promoting their happiness. Only those governments constituted by legal contract were believed to serve the best interests of the people they ruled. Thus, the Enlightenment thinkers dismissed traditional forms of government and the wisdom gained through centuries of trial and error. One issue related to the role of government and the governed is the right of people to reject a government that does not serve them well. Enlightenment philosophers defended this right and therefore supported the American Revolution and the French Revolution.

### THE INFLUENCE OF ENLIGHTENMENT ETHICS

The ideas and ideals of the Enlightenment have had profound and lasting effects on government, education, and religion. Other social institutions, such as the family and marriage, have also been shaped by Enlightenment ideas.

The primary influence of the Enlightenment has been increased tolerance of diverse ideas and opinions, together with a shift away from orthodoxy. The modern ideals of open-mindedness and acceptance of diversity stem from the Enlightenment. The traditions of a free press with clearly limited government censorship and of a literate population that participates in a free exchange of ideas also are legacies of the period.

In the realm of government, one famous creation derived directly from Enlightenment ideas is the government of the United States. Established during the Enlightenment partly as a philosophical experiment, the U.S. government has remained a successful democracy for more than two hundred years. The Declaration of Independence, the first policy statement made in formulating that government, is regarded as a preeminent Enlightenment document of civil liberty. The United States government’s humanistic ideals and policies have been relevant and flexible enough to have adapted to changing social and economic conditions for two centuries; also, it has served as a model for incorporating democratic elements into government institutions.

Regarding education, the tradition of humanistic learning as a means to becoming a well-rounded person continues to be valued today. In many colleges and universities, certain courses are labeled humanities or liberal arts subjects, in accordance with the Enlightenment concept of reason leading the individual to become a humane and liberal person.

Another related Enlightenment notion that survives in education today is the separation of church and school. The goals of education are perceived as distinct from, although related to, the goals of religion; as a result, the path of inquiry and knowledge need not conform to church doctrines, a key factor in the development of scientific thought.

The position of Christianity with reference to science was influenced dramatically by Enlightenment ideas. Before the Enlightenment, scientists had been imprisoned as heretics or agents of Satan, sometimes to be tortured and executed for holding forbidden



ideas that had been censored by religious authorities; after this period, however, scientists were relatively free to pursue their investigations and experiments. In fact, the doctrines of Christian churches were attacked virulently by Enlightenment philosophers, and church leaders were forced into defensive positions on scientific issues such as the accuracy of biblical accounts of historical events.

Patricia H. Fulbright

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SEE ALSO: Bacon, Francis; Deism; Hume, David; Kant, Immanuel; Kantian ethics; Leibniz, Gottfried Wilhelm; Locke, John; Montesquieu; Patriotism; Post-Enlightenment ethics; Rousseau, Jean-Jacques; Voltaire.

### *An Enquiry Concerning the Principles of Morals*

- IDENTIFICATION: Book by David Hume (1711-1776)
- DATE: Published in 1751
- TYPE OF ETHICS: Enlightenment history
- SIGNIFICANCE: Hume’s *Enquiry* represents the classic statement of British skeptical empiricism concerning moral and ethical issues.

Perhaps Great Britain’s greatest philosopher, David Hume considered *An Enquiry Concerning the Principles of Morals* to be his finest work, a judgment

shared by many of his contemporaries and later readers who admire the clarity and objectivity of his examination of a complex and complicated subject.

The *Enquiry* is in large part a revision and extension of book 3 of Hume's masterpiece *A Treatise of Human Nature*, in which he surveyed the full range of human psychology, but it is a much more concentrated review of the topic. In the *Enquiry*, Hume has two basic purposes. The first is to establish a method of writing about human ethical behavior; the second, to describe that behavior and explain its workings. In neither case, however, does Hume explicitly prescribe specific moral or ethical activities or values as "good," "bad," or even "indifferent." Instead, he objectively describes what actions and beliefs human beings have characteristically labeled "good" and "evil" and explains why those judgments have been rendered. In this sense, the *Enquiry* is a study of how human ethics operate rather than an argument for or against any particular ethical theory or system.

### **BENEVOLENCE AND JUSTICE**

Seeking to build in the realm of philosophy upon the scientific achievements of Sir Isaac Newton, Hume attempted to discover the ultimate principles of human morality and ethics. In the *Enquiry*, Hume first examined what he considered the two most fundamental human and social virtues, benevolence and justice, which he viewed as the basis of both individual and communal happiness and progress.

In Hume's view, actions are accounted ethical or good by human beings for one or both of two reasons: either because they appeal to human sympathy or because they serve the purpose of social utility. In other words, actions appear to be good or worthwhile either in themselves or because they make human intercourse not only possible but also enjoyable and profitable.

Benevolence is valued because it appeals instinctively to human sympathy, in large part because almost every individual can appreciate how personally beneficial benevolence can be. In addition, Hume notes, human beings connect benevolence with social good. When a benevolent person is praised, there is always mention, and therefore recognition, of the good or satisfaction that he or she brings to the general community, because the inherent appeal to human sympathy is reinforced by the call of social utility.

Justice, however, is viewed by Hume as having a

purely utilitarian function, primarily because he has defined the word in rather narrow terms and is concerned with property relationships rather than human or social affairs. These Hume discusses under the heading of impartiality as an aspect of fully moral judgment. In the usual run of human experience, Hume states, justice is a matter of what best serves the individual or society in terms of the overall situation. For example, nations habitually suspend traditional rules of international law during warfare because to adhere to them would impose obvious and, in Hume's and humanity's view, unwarranted disadvantages. In the largest sense, then, human law and justice are nothing more than agreed-upon conventions that advance the common good of all human beings.

Hume provides a variety of examples to demonstrate that justice is valued for its utility to human society and that it is defined by that utility. For example, respect for property is universally acknowledged as an element of justice, but if an honest man is captured by outlaws, he acts in accordance with justice if he seizes his captors' weapons and uses them against them. Practical utility, rather than abstract idealism, is the determining factor of human considerations of justice.

### **UTILITY IS THE BASIS OF VIRTUES**

Hume's intellectual background made him the successor of philosophers John Locke and Bishop George Berkeley. Locke had rejected the concept of innate ideas in his famous concept of the mind as a *tabula rasa*, or blank slate, upon which outside impressions were engraved, while Berkeley argued that abstract ideas did not exist and that only sense perception confirmed, and perhaps even established, the reality of objects outside the mind. Building upon these precepts, Hume established a rigorous skepticism that sought to replace abstruse metaphysical reasoning with practical logic.

Hume argued that the real basis of all human virtues was utility, or how well these particular beliefs and actions served to advance and preserve human society. He rejected the view proposed by Thomas Hobbes that all human beings acted primarily out of selfish interests; instead, he stated that there was a natural sympathy among human beings that recognized and appreciated virtues such as humanity, friendship, truthfulness, and courage. Hume further proposed that these virtues were judged according to

a universal standard of utility, which in the moral sphere corresponded to the physical laws discovered and enunciated by Newton.

### MORAL JUDGMENT AND SENTIMENT

Finally, Hume made a distinction between judgments based on reason and those based on sentiment. The first kind of decision plays but a relatively small part in moral life. Rationality is primarily used in determining objective truths, such as those of mathematics, which are independent of human beings. Situations calling for a moral or ethical response, however, incite a response that is emotional rather than strictly rational. Reason may be necessary to determine the complexities of a certain situation, but once the essence has been established, sentiment determines how one will act. As Hume puts it, the moral response “cannot be the work of the judgment, but of the heart.”

In Hume’s view, then, human morals are subjective in that they depend upon the internal, emotional response of the individual. Since there is a universal bond among human beings that creates a single standard for moral actions, however, this subjectivity is tempered by a common unity that can be discovered by empirical study.

*Michael Witkoski*

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## Entitlements

**DEFINITION:** Rights, usually in the form of benefits, conferred by law or contract

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The nature of entitlements—particularly so-called welfare entitlements in the United States and under international law—has been a flash point for political debate as to what an ethical society can or should be.

Legal entitlements may arise either from legislative acts or from some more fundamental sources, such as the U.S. Constitution. While virtually any nondiscretionary government benefit, whatever its purpose, may be characterized as an “entitlement,” discussions of the ethics of entitlements usually focus on programs designed to support basic human needs for individuals living in poverty. Such so-called welfare rights or welfare entitlements have been the subject of intensive political and legal debate.

In the 1970 case of *Goldberg v. Kelly*, the U.S. Supreme Court found welfare benefits to be a matter of “statutory entitlement” for those persons qualified to receive them. Characterizing these benefits as “entitlements” generates procedural requirements to which government must adhere when determining eligibility to benefits or terminating benefits. The notion of “welfare” itself as an entitlement, however, underwent a sea change in the United States with the passage by Congress of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Among things, the act explicitly stated that it should not be interpreted as an entitlement to welfare assistance.

Debates about welfare entitlements tend to focus on cash assistance. Legal entitlements to “subsistence”—apart from cash assistance, such as to food, shelter, and medical care—have yet to be recognized, at least at the national level in the United States. Some commentators have noted, however, that the exercise of well-established rights, such as the right to free speech, necessarily presupposes adequate levels of food, shelter, and medical care, for a speaker could not engage in expressive speech without them.

At bottom, legal, political, and philosophical debates about legal entitlements are often generated by divergent views on the responsibility of government

to ensure minimal standards of living and on the role that personal responsibility plays in generating poverty.

### THE INTERNATIONAL DEBATE

Apart from the domestic debates, considerable attention has been paid to welfare entitlements and subsistence rights in international law. The International Covenant on Economic, Social and Cultural Rights of 1966 proclaims a right to “adequate food, clothing, and housing.” Through 2003, however, the United States had failed to ratify this covenant, and the economic privations of some countries that have ratified it ensure that its language will not translate into a meaningful and enforceable entitlement. In the international sphere, as in the domestic sphere, in order for the status of legal entitlements to rise above rhetoric, they must be viewed in the context of the distribution of wealth and the eradication of poverty.

*Robert Rubinson*

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## Environmental ethics

**DEFINITION:** Standard of conduct which treats the preservation of the integrity of the environment as a moral good and the needless destruction of any part of nature as a moral evil

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** In contrast to many other branches of moral thought, environmental ethics is based pri-

marily upon the concept of obligation—recognizing obligations to the natural world, future generations, and one another—rather than upon virtues, rights, or freedoms.

Humans have long exploited nature in the belief that their planet was so vast and enduring that people could never inflict devastating harm on it. Events since the 1980’s have called this perception into question. Half the biospheric change caused by humans has taken place since World War II. Humans have transformed or manipulated half the ice-free ecosystems on the planet and have made a significant impact on most of the rest. People have steadily reduced the number of other species in the world through pollution, hunting, and the destruction of natural habitat.

Projections vary. Some argue that if human activity continues at the present rate, within a few decades humans will “overshoot” the carrying capacity of the biosphere and precipitate a collapse. Other scientists say that the earth itself is in no danger at the hands of humans. Still others acknowledge harm to the biosphere but justify it because of the benefits received from growth, development, and technology. They assert that some degree of harm to the biosphere is a cost of the Western lifestyle. Increasingly, complex problems are reduced to a “jobs or owls” choice.

Is it possible to prevent broad damage to the biosphere while accommodating the economic needs of a growing population? The answer is no, unless the world adopts a new model for environmental ethics—one based on common values. Once people agree at a values level, they can begin to communicate and develop solutions to perhaps the greatest challenge faced by humanity.

### DO NO HARM—UNLESS . . .

Much of the debate about business and the environment has involved harm versus benefits. Industrial accidents happen, factories shut down, the stock market takes a plunge, pollutants are released into the atmosphere; in all cases, some people suffer harm. The benefits of economic activity are weighed against the harm they cause. In this model of environmental ethics, decisions are based on whether the harm is offset to a significant extent by a corresponding benefit. For example, clear-cutting tropical rain forests causes long-term ecological harm. That harm

may outweigh any immediate economic concerns, but the argument is that stopping the activity would deprive many people of their only means of livelihood and further impoverish developing countries. If one can prove that its benefits outweigh its harmful effects, then a destructive activity is permitted. Few people disagree with this trade-off, provided it protects existing human beings. The controversy occurs when people consider the harm done to future generations of humans, animals, plants, or the planet itself.

Costs and profits guide corporate behavior in this ethical model. If an incident's long-term damage is small, it pays to adopt a strategy of reaction or defense. If the long-term damage is perceived to be high, the strategy should be one of proaction or accommodation.

Introduced during the 1960's, this management model, called the mechanistic school, entails an anthropocentric view in which humanity perceives itself to be the center and ultimate goal of the universe, viewing the environment as existing for its convenience. Nature is viewed as a mere storehouse of raw materials for human use. The environment is seen as relatively stable, unlimited, and well understood. Although many businesses now embrace newer models of environmental decision making, many large, hierarchical, rigid corporations are stuck at this level.

During the 1970's came the organic school. In this more adaptive model of decision making, the goal is the exploitation of rapid changes through innovations and the exploration of new opportunities. It views the environment as highly unpredictable, turbulent, dangerous, and presenting unlimited new market opportunities.

Organizations embracing this model look for opportunities in the environmental movement. Consumers and investors are voting with their dollars, and businesses see the opportunities. Sacha Millstone and Ferris Baker Watts, in *The Greening of American Business* (1992), cite surveys indicating that 77 percent of Americans say that a company's environmental reputation affects what they buy. Too often, however, businesses operating in this management model exploit the trend rather than integrate and fully embrace environmental responsibility.

One example of this type of thinking is explored in David Chittick's writings in *The Greening of American Business*. Chittick makes a strong financial case for proactive environmental programs. By being en-

vironmentally responsible, a corporation can save millions of dollars by avoiding costs of waste disposal, costs of penalties and fines for noncompliance, costs of handling hazardous materials (insurance, protective equipment), costs of negative publicity, and costs of decreased employee morale and community confidence. The emphasis, however, is on taking advantage of the opportunity presented by environmental programs.

### SHIFT TO BIOCENTRISM

By the late 1980's, more and more individuals and businesses began shifting to a model of environmental ethics that embraces biocentrism, viewing the planet Earth as a living system of interdependent species. This approach's "do no harm" principle provides an adaptive model of decision making. It takes a holistic view in which ethical and environmental considerations enter into all decisions. A balance is sought between organizational goals and environmentally based values. The environment is viewed as fragile, limited in resources, and vulnerable to organizational actions. The approach sees the planet as a community of life-forms in which each contributes to and depends upon all the others.

Every act of pollution and resource depletion is viewed not as an isolated event, but as a contributing factor to a collective impact of increasingly accelerating global proportions. As Brian Edwards Brown, an attorney and professor at Iona College, explains: "Nature is not merely an object of anthropocentric concern, an environment that, if contaminated or otherwise damaged, interferes with human use and enjoyment. . . . Nature is a subject in its own right, a totality of diverse, unique, interdependent life-forms, of which the human is but one and without which the human would not be possible."

### A DIFFERENCE OF VALUES

The difference in values prohibits the development of workable solutions. The anthropocentric view is the older one. The biocentric view reflects strides that the science of ecology has made in discovering and understanding the intricate interdependence of species, as well as the interconnectedness of their habitats. It reflects an increased understanding of the environment and its problems. It is an ethically based view. These value differences contribute to difficulties in communication between holders of the



two views. They lead to mistrust and misinterpretation of the other's arguments and proposals.

Both groups have an obligation to seek to understand the other's views and arguments. Candid, honest, and respectful communication can lead to the creation of shared values. Communication should include education. The anthropocentrists should un-

dertake to know and understand the workings and interdependencies of the biosphere. The biocentrists should seek to understand the concerns of business. A holistic view considers all the parts of the problem. It is not realistic to attempt to eliminate all business, to retreat to a lifestyle of a prior century, or to prevent growth in developing countries. People must, how-

### The Valdez Principles

Protection of the biosphere	"Minimize and strive to eliminate the release of any pollutant that may cause environmental damage to the air, water, or earth or its inhabitants."
Sustainable use of natural resources	"Make sustainable use of renewable natural resources, such as water, soils and forests . . . conserve nonrenewable resources through efficient use and careful planning . . . protect wildlife habitat, open spaces, and wilderness, while preserving biodiversity."
Reduction and disposal of waste	"Minimize the creation of waste, especially hazardous waste, and wherever possible recycle materials . . . dispose of all waste through safe and responsible methods."
Wise use of energy	"Make every effort to use environmentally safe and sustainable energy sources . . . invest in improved energy efficiency and conservation . . . maximize the energy efficiency of products" produced or sold.
Risk reduction	"Minimize the environmental, health and safety risks to . . . employees and the communities . . . by employing safe technologies and operating procedures and by being constantly prepared for emergencies."
Marketing of safe products and services	"Sell products or services that minimize adverse environmental impacts and that are safe as consumers commonly use them. Inform consumers of the environmental impacts" of products and services.
Damage compensation	"Take responsibility for any harm . . . caused to the environment by making every effort to fully restore the environment and to compensate those persons who are adversely affected."
Disclosure	Disclose to employees and to the public incidents or potential harm caused by the operation relating to environmental harm or that pose health or safety hazards. Take no action "against employees who report any condition that creates a danger to the environment or poses health and safety hazards."
Environmental directors and managers	Put on the board of directors at least one member "qualified to represent environmental interests." Demonstrate the commitment to these principles by funding an "office of vice president for environmental affairs or an equivalent position, reporting directly to the CEO, to monitor and report" the implementation efforts.
Assessment and annual audit	Conduct and make public an annual self-evaluation of progress in implementing these principles and complying with all applicable laws and regulations throughout worldwide operations.

ever, evaluate the ways in which they live and make appropriate changes. People must consider ethics and the environment in all of their decision making.

### **WE ARE ALL RESPONSIBLE**

If, for example, one asks who is responsible for the pollution caused by automobiles, the answer is the auto manufacturers, the gasoline manufacturers, the auto users, and perhaps even the members of the community that do not provide mass transportation. Everyone shares the responsibility, and everyone must work together for solutions.

Environmental problems are ethical dilemmas. People begin to solve any ethical dilemma with an acknowledgment of facts and perceptions. Next, with a new model, people change their perception of the biosphere and their relationship to it. Then, as in solving all ethical dilemmas, it is necessary to begin with an analysis of the alternatives and their various effects on each stakeholder. A new model of environmental ethics broadens the stakeholder concept. The old model did not include all components of the biosphere, or future generations, as stakeholders. It is not surprising that the solutions put forth have been less than adequate. With the stakeholder analysis complete, it is possible to proceed to synthesis, choice, action, and communication.

This new model creates a permanent shift in the way business operates. With an environmental ethics view, the mission of a corporation is to “manage in an ethical and effective manner in order to maximize shareholder value,” replacing the less restrictive, “maximize shareholder value.”

In 1989, the Coalition for Environmentally Responsible Economies (CERES) adopted the Valdez Principles, which define guidelines for responsible corporate behavior regarding the environment. Although the Valdez Principles are a good start, they are noticeably general. They do not identify specific standards of conduct. There are also loopholes, in that these principles are expressed in terms of “take every effort” or “minimize.” Still, they set the stage for a new look at environmental ethics.

Collaboration is a key word in successful environmental programs. For example, a joint effort of the Environmental Defense Fund and McDonald’s Corporation sought solutions to McDonald’s environmental problems. The organizations jointly commissioned four scientists to examine ways in which

McDonald’s could reduce and recycle waste. The result was a set of sound proposals, including the phasing out of bleached paper; the testing of reusable cups, coffee filters, and shipping containers; the use of recycled materials; and continuing experimentation.

More and more companies are looking at what consultant Joel S. Hirschhorn calls taking a total approach to environmental ethics. In this approach, the company culture is permanently changed to include environmental values. Since culture can be broadly defined as the collection of the individual values of the people in the organization, a total approach must begin with individuals. It recognizes the importance of having every person in the organization passionately interested in environmental responsibility.

In this new model, a company does not look at regulatory compliance, which concentrates on better management of wastes and control of pollutants. It looks instead at the beginning of the process—at what the company produces, how it produces it, and how it markets its products and services.

An example of this new type of company is The Body Shop, which not only uses posters, pamphlets, and window displays in the shop to promote environmental messages but also starts with the product. The Body Shop manufactures and markets naturally based skin and hair products. It actively seeks out suppliers in remote parts of the world, including many developing countries. It has an ambitious recycling program and does not test cosmetics on animals. Its marketing programs do not promote idealized notions of beauty or claim that the company’s products will perform cosmetic miracles. Practicing what it preaches, The Body Shop encourages its employees to devote time and energy to volunteer projects in their communities.

### **FIRST STEPS**

Hirschhorn calls for setting three priorities in redefining the corporate culture: First, focus on people and the corporate culture to develop and deepen the commitment to corporate environmental responsibility. Second, focus on technology, manufacturing facilities, and products to improve environmental performance. Third, focus on products and customers to incorporate effective “green marketing” into the strategic planning of the firm.

A significant first step was taken in June, 1992,

when most of the world's top political, spiritual, and business leaders gathered with leading environmentalists in Rio de Janeiro for the historic United Nations Conference on Environment and Development—the Earth Summit. The purpose of the Summit was to reconcile the conflicting demands of the environment and development into global strategies that will ensure a viable future. Among the Summit's accomplishments were the following:

Establishing the environment as an international issue—a point of transition on how to deal with global issues.

An agreement on the concept that human development and protection of the earth's environment are inextricably intertwined.

A legally binding treaty that recommends curbing emissions of carbon dioxide, methane, and other “greenhouse” gases thought to warm the climate by trapping the sun's heat close to Earth.

A legally binding treaty that requires making inventories of plants and wildlife and planning to protect endangered species.

A realization of the difficulties of negotiating worldwide solutions to worldwide problems.

Gathering together the greatest number of world leaders ever assembled with a single aim.

The creation of a Sustainable Development Commission to monitor compliance with the promises made at Rio. The commission will rely on evidence gathered by private environmental groups and will use peer pressure and public opinion to shame countries into following the policies agreed to at the Summit.

The realization that there is no common model for environmental ethics. There is a gap between those who say that humans are at the center of concerns and those who say that by putting humans at the center of things, with the implied right to dominate and exploit the rest of nature, humans perpetuate existing problems and create new ones.

The Earth Summit, by its very purpose, was a major step toward adopting a new model for environmental ethics. The human species now ranks with grand natural forces such as volcanoes as a transformer of the earth's life-support system. The model that people will embrace to solve environment and

development conflicts will determine not only the very survival of the human race but also the quality of life for future generations.

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## Environmental movement

**IDENTIFICATION:** Cooperative effort of individuals, organizations, and governments to make others aware of environmental issues and attempt to solve environmental problems

**DATE:** Began during the 1960's

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The environmental movement has successfully changed the ways in which many people in industrial societies understand their relationship to the environment. It has also created controversy in the business world, where it is sometimes perceived as an obstacle to maximizing profits.

The environmental movement—if it can properly be called a “movement”—is a loose, shifting, often sharply divided coalition of individuals and organizations concerned about environmental degradation. The modern movement began during the early 1960's, prompted by Rachel Carson's book *Silent Spring* (1962) and by concern over nuclear war and weapons testing, overpopulation, and the damage caused by postwar growth and technology.

*Silent Spring* was a widely read account of how pesticides damaged the environment. In 1963, in the face of industry attacks on Carson and her book, President Kennedy's Science Advisory Committee reviewed pesticide use, confirmed Carson's conclusions, and issued a call for legislative measures to safeguard the land and its people against pesticides and industrial toxins. In 1970, the Environmental

Protection Agency (EPA) was established, and in 1972 it banned production and use of DDT in the United States. Within fifteen years of *Silent Spring's* publication, Congress enacted the Endangered Species Act (1972), the Pesticide Control Act (1972), the Clean Air Act (1977), and other landmark environmental legislation. Carson's poetics were thus transformed into public policy.

### GOVERNMENT INVOLVEMENT

Since its founding, the EPA has grown to more than thirty times its original size. Moreover, dozens of other federal agencies and hundreds of state agencies, bureaus, and services deal with the environment. Around the turn of the twenty-first century, however, successful efforts were made in Congress and the executive branch to repeal or loosen laws and regulations in the name of economic efficiency.

Internationally, the United Nations Environment Programme has been called upon to coordinate the environmental efforts of numerous U.N. bodies with diverse international and regional organizations, both governmental and private sector. The Regional Seas Programme, for example, fosters cooperation among 140 nations to improve environmental quality in thirteen regional seas, including the Mediterranean, Caribbean, Red, and Black Seas.

### DIVERSE APPROACHES

The environmental movement in the United States is diverse and fragmented. Constituents differ not only in their approaches to environmental action but also in their philosophies. Most of the movement—mirroring American society—is from the Western anthropocentric tradition holding that, to one degree or another, the environment is here for the benefit of humankind and that the purpose of the environmental movement, whether through preservation or conservation or development of new resources or efficiencies, is to benefit people. This is exemplified historically by Theodore Roosevelt and Gifford Pinchot's efforts to create a National Park System and by twenty-first century environmentalists who would open the national forests to logging and recreation. At the other end of the spectrum are the eco-philosophers who view human beings and their culture as part of the seamless web of nature. They trace their roots to sources as varied as St. Francis of Assisi, Zen Buddhism, Baruch Spinoza, and Daoism.

Represented by deep ecologists and the Gaia movement, their emphasis is on the necessity of adapting human behavior to nature's terms, rather than controlling nature for the benefit of human beings.

This broad range is reflected in the variety of organizations in the United States. Conservationist organizations constitute the largest category; these broad-based membership groups, such as the Sierra Club, are typically moderate in their positions. Legalist organizations, such as the Environmental Defense Fund and the Natural Resources Defense Council, were founded to litigate environmental issues and are fighting to build a body of case law establishing a right to a clean environment. Other groups have a strong grassroots presence, professing citizen empowerment—getting ordinary people involved in local environmental problems. They may not have significant technical expertise, but they are experts on local conditions.

Outside the mainstream, organizations such as Earth First!, the Earth Liberation Front, and People for the Ethical Treatment of Animals (PETA) have opted for direct, often illegal, action aimed at halting or delaying projects they deem environmentally unsound. The nature of their activities—heavily inspired by Edward Abbey's novel *The Monkey-Wrench Gang* (1975)—makes reliable data difficult to obtain, but destruction of sport utility vehicles (SUVs), sabotage of earth-moving equipment, release of laboratory animals, and arson at construction sites in environmentally sensitive areas make occasional headlines. The Sea Shepherds carry out similar, sometimes illegal, operations against whaling and other controversial maritime activities, but do so openly.

### INFLUENCE

Environmental groups that were on the political fringes as 1960's activists were integral parts of the political process by the twenty-first century. The Green Party, though never gaining more than a few percent of votes nationally, has won local offices and may have altered the course of the 2000 presidential election, in which its candidate, Ralph Nader, may have taken away votes that would have given Democrat Al Gore the election. Some organizations have acquired economic clout similar to that of large industrial concerns. Greenpeace's worldwide revenues, for example, amounted to \$175 million in 2000. If the annual revenues of all the conservation

groups in the United States were collected together, the sum would exceed \$1 billion. This political and economic success has spawned countermovements and even sham environmental organizations, set up by industries to advance their positions under the guise of environmentalism. One influential countermovement is the Wise Use Movement, which borrowed its name from Gifford Pinchot but fights environmental preservation and regulation.

### RELIGIOUS CONCERNS

Environmental movements began to take root in the religious community simultaneously with the birth of the popular movement. Early evangelical thinking suggested that the chief value of creation was to fuel human industry, but in 1961, at the World Council of Churches Assembly in New Delhi, Lutheran theologian Joseph Sittler pointed out the declining health of the world's environment, sparking widespread Christian concern over environmental issues. In 1967, *Science* published an address by Lynn White, "Historic Roots of Our Ecologic Crisis." It asserted that through such ideas as human dominion, the desacralizing of nature, and the belief that ultimate human destiny is with God and not with Earth, Christendom has encouraged a destructive use of creation. Christian missions and relief organizations have come to recognize that environmental and developmental needs are not only compatible but also inseparable. During the 1990's, a significant environmental movement began developing within evangelical and Pentecostal Christianity.

The Islamic concept of *khalifa* rejects the Judeo-Christian doctrine of human dominion over creation, holding stewardship of the earth to be humankind's sacred duty, a concept also long held in several strains of Judaic theology. Care for the natural environment and the rights of animals and natural resources play a fundamental role in *shari'a*, Muslim religious law. In stark contrast to James Watt, a fundamentalist Christian and former U.S. secretary of the interior who denied the importance of environmental stewardship in light of the impending destruction of the earth on doomsday, the Prophet Muhammad said: "When doomsday comes, if someone has a palm shoot in his hand, he should plant it."

The aboriginal religions of the Americas and Australasia have inspired considerable activism with their emphases on the interrelatedness of land,



knowledge, and human identity. A common theme is reverence for the land and the incomprehensibility of treating it as a commodity, to be bought and sold.

### CRITICAL ISSUES

Many view overpopulation as the most serious environmental problem in the twenty-first century and the root of most other problems. Modern Malthusians, such as Paul Ehrlich and Garrett Hardin, predict that population will eventually outstrip resources and cause widespread poverty, starvation, and general disaster. Some governments have tried to encourage or mandate small families, with some success, but most leave this to individual families. In U.S. constitutional law, family-planning decisions constitute a fundamental right, subject only to narrow governmental interference under the most compelling circumstances. The population issue is vexing for religious groups concerned about the environment, as many oppose certain birth-control methods such as contraception and especially abortion.

Another concern of the environmental movement, spanning national boundaries, is that of nuclear weapons and energy. The threat of nuclear weapons proliferation appears not to have ended with the Cold War, as many had hoped. "Rogue states" and terrorists have replaced the Soviet Union as the West's primary concern. Even peaceful uses of nuclear energy pose serious threats. The 1979 accident at the Three Mile Island nuclear power plant, which called the American public's attention to the dangers of nuclear energy, paled in comparison to Soviet-era incidents at Chernobyl and the lesser-known but far more serious accidents at Chelyabinsk during the 1950's and 1960's. Since then, people of the Chelyabinsk region have become the core of the young but growing environmental movement in Russia.

A dilemma facing modern environmentalists is that nuclear technology promises cheap energy without depleting nonrenewable fossil fuels or polluting the atmosphere with burned hydrocarbons—on its face an environmentalist's dream. Opponents reply that "cheap" does not include the price of health and environmental threats or the yet-unknown costs of long-term disposal of nuclear waste, which has a half-life of up to fifty thousand years. On the whole, the environmental movement favors replacing nuclear energy with solar energy and renewable organic sources such as ethanol made from grain.

The U.S. government's announcement in 2004 that it intends to put astronauts on Mars by the year 2030 was certain to ignite another environmental debate, over the ethics of militarization, colonization, and exploitation of the resources of outer space.

David R. Teske

Updated by William V. Dunlap

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SEE ALSO: Conservation; Earth and humanity; Earth Day; Ecology; Endangered species; Environmental ethics; Environmental Protection Agency; Green parties; Greenpeace; Sierra Club; *Silent Spring*.

## Environmental Protection Agency

**IDENTIFICATION:** Independent federal government agency responsible for the development, implementation, and direction of all federal environmental management programs in the United States

**DATE:** Established on December 2, 1970

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The Environmental Protection Agency (EPA) monitors and regulates industrial activity

in order to protect the well-being of the nation's environment and the health of its citizens.

President Richard M. Nixon created the EPA by Executive Order, as Reorganization Plan 3 of 1970 (dated July 9, 1970) to be effective December 2, 1970. The Reorganization Plan brought fifteen separate components of five executive departments and agencies with programs related to the environment under one independent executive agency that reported directly to the president.

The EPA took responsibility for the control of pollution in seven environmental areas: air, water, solid and hazardous waste, pesticides, toxic substances, radiation, and noise. The EPA was created in response to rising public concerns about the increasing degradation of the environment in those areas. The job given to the EPA was to set and enforce standards that would adequately protect the environment, which constituted an acknowledgment of the seriousness of the problems of pollution and a recognition of the interrelated nature of environmental problems. The role of the EPA grew over time as the U.S. Congress passed more environmental protection legislation, although the issues upon which the EPA focuses shift from public health to the ecological depending on political and social concerns of the times.

*Sandra L. Christensen*

SEE ALSO: Clean Air Act; Clean Water Act; Congress; Environmental ethics; Environmental movement; Pollution permits; Toxic waste; Wilderness Act of 1964.

## Envy

**DEFINITION:** Ill-will toward those who have what one lacks

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Traditionally listed among the "seven deadly sins," envy can motivate immoral actions as well as damage the relationships or happiness of the person feeling it.

Envy is precipitated by occasions in which another person enjoys something that, though valued greatly, is lacked by the person who is subject to the envy. The

other's enjoyment and the person's lack are not by themselves sufficient to result in the experience of envy; the lack of the good thing must be regarded by the individual as evil, and must be so regarded simply because the other person possesses that good. A salient feature of this vice is that the envious individual's actual deprivation of the good at issue need not be caused by the envied person's possession of that good (as if there was "not enough to go around").

The envious response in such circumstances is felt as a gnawing, resentful anguish over the other person's possession or achievement of a good. Less frequently, joy may be felt when evils befall the envied person. Several types of desires typically arise in the envious person. First is the impulse to deny (to oneself and others) that one lacks the good at issue. Second is the urge to deny (to oneself and others) that the person who is envied really does possess the good for which he or she is envied. Third is the urge to deny that the envied one really does enjoy the good possessed or achieved. Finally, and most common, is the drive to disparage and denigrate the good that the other is acknowledged to possess and enjoy. The actions that all these desires prompt the envious person to choose may be manifested either in thought or in word and deed. If the envy is strong enough, the person may be prompted actually to destroy the good possessed by the one who is envied ("If I can't have it, no one can!"). This result of extreme envy is one reason why the vice is especially deadly; the other reason concerns the effect of the vice on the one who is envious.

Most vices appear to bring good at least to their practitioners; for example, a glutton derives pleasure from overindulgence, a slothful person enjoys chronic relaxation, and so forth. Envy, however, essentially involves a painful experience of deficiency or privation and accordingly is both agonizing to experience and difficult to acknowledge to oneself. Furthermore, the vice wreaks havoc with the envier's own system of values. As noted above, envy naturally leads to the urge to denigrate a good thing enjoyed by someone else. If this urge is acted upon, then the pain caused by the experience of deficiency (in the light of the other's enjoyment) is assuaged, since the object of envy no longer appears to be so good. The envious desire has prompted one to act, however, in a way that negates (at least in thought) precisely what one values.

**MANIFESTATIONS OF ENVY**

This most deadly vice has manifestations at the level of society; the object of envy can be the types of goods enjoyed by a whole class of people, in addition to a specific good enjoyed by a specific person. The “have-nots” may envy the “haves” for the great goods they enjoy. Because of this possibility, the haves may accuse the have-nots of merely acting out of envy when they (the have-nots) demand, in the name of justice, changes in society. This correlates with the accusation against the haves by the have-nots of merely acting out of avarice when they (the haves) demand, in the name of justice, maintenance of the status quo. The desire to *be* envied and the counter-tending *fear* of being envied must also be considered among the social aspects of this vice. A desire to be the object of others’ envy leads some people to engage in conspicuous displays of good fortune. The fear of being envied (based on anticipated efforts by enviers to deprive one of goods enjoyed) leads other people to engage in the reclusive and protected enjoyment of good fortune. An awareness of and commitment to what is truly good and just appears to be the only way to avoid these social manifestations of envy.

Envy is, however, an extremely difficult vice to overcome (in part, because it is so difficult to become aware of in oneself). The most rational response to an occasion of envy is to attempt to possess or achieve the good at issue for oneself. If this is not possible, one must try to admire or appreciate the fact that someone is enjoying something highly valued. Such a response, though very difficult, is consonant with one’s values. If this effort is too demanding, then simply trying to be content with the goods one does enjoy is the only reasonable remaining response. The difficulty arising in each of these rational reactions to what precipitates envy stems from the general principle operative in the vice; the primary cause of one’s lack of a good, being evil, is regarded as the mere fact that someone else enjoys that good. Thus, the surest remedy for envy is to rid oneself of this idea.

*Mark Stephen Pestana*

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SEE ALSO: Buddhist ethics; Compassion; Evil; Greed; Impartiality; Jealousy; Pride; Self-respect; Sin; Vice.

**Epictetus**

IDENTIFICATION: Stoic philosopher

BORN: c. 55, Hierapolis, Phrygia (now Pamukkale, Turkey)

DIED: c. 135, Nicopolis, Epirus (now in Greece)

TYPE OF ETHICS: Classical history

SIGNIFICANCE: Epictetus founded a school in which he taught Stoic philosophy. His teachings, preserved in the *Encheiridion* (c. 138) and *Discourses* (*Diatribai*, second century), advocated leading a disciplined life in accordance with natural law and influenced later religious and philosophical movements.

Epictetus’s ethical system identified areas in which personal freedom and individual responsibility coexist with a deterministic universe. His approach resembled that of earlier Stoics: The purpose of life is happiness, which is reached through conformity with a pantheistic natural order. Reason makes the good life possible by disclosing those things that are beyond human power and those that are not. Environmental forces such as health and status belong to Providence; freedom and responsibility operate in matters of opinion, aim, and desire. Attempts to dominate outside forces produce frustration and unhappiness. Disciplined impulses directed toward proper ends bring liberation, establish a proper relationship between the self and the cosmos, allow the exercise of responsibility toward others, and benefit society.

Much of Epictetus's work consisted of practical advice on controlling and directing impulses. His school at Nicopolis, in Epirus, presented Stoicism as a way of life as well as a set of general principles. Epictetus's austere, subjectivist ethics inspired later Roman stoics and reinforced stoic elements in Christianity. His approach to the problems of freedom and dependence also influenced later systems of natural religion and rationalistic philosophical movements such as Kantian idealism.

*Michael J. Fontenot*

SEE ALSO: Altruism; *Foundations of the Metaphysics of Morals*; Marcus Aurelius; Self-control; Stoic ethics.

## Epicurus

IDENTIFICATION: Greek philosopher

BORN: 341 B.C.E., Greek island of Samos

DIED: 270 B.C.E., Athens, Greece

TYPE OF ETHICS: Classical history

SIGNIFICANCE: Epicurus developed the ethical theory that personal pleasure is the greatest good and founded the Garden, a community which put that theory into practice.

The only writings of Epicurus that have survived are various fragments and three letters presented in Diogenes Laertius's *Life of Epicurus*. From these writings and from the writings of his disciples, however, one may obtain a reliable description of Epicurus's ethical theory. In an uncertain world, the immediate experiences of the senses are the most certain knowledge available. The senses respond to pleasure and pain. Thus, Epicurus equates pleasure with good and pain with evil. Practical wisdom is necessary if one is to weigh pleasures and pains. According to Epicurus, the duration of pleasure is more important than its intensity; thus, mental pleasures are preferred to physical ones. It is better to strive for the absence of pain than for the high peaks of pleasure.

Epicurus's theory of atomism, that everything is composed of material atoms, allows him to banish the two fears that bring so much pain to human beings: the fear of God and the fear of death. Epicurus sees philosophy as the medicine of the soul. If one de-



*Epicurus.* (Library of Congress)

sires little and is able to distinguish natural and necessary desires from those that are artificial, then one will be able to attain *ataraxia*, or serenity. This state involves peace of mind and bodily health. The best life is that lived with friends, engaged in moderation of the passions.

*Rita C. Hinton*

SEE ALSO: Altruism; Egoism; Evil; Friendship; Good, the; Hedonism; Human nature; Subjectivism.

## Epistemological ethics

DEFINITION: Branch of ethics that deals with the truth or falsity of ethical judgments and the basis for knowledge about right and wrong

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: In the post-Enlightenment philosophical tradition, epistemology is a necessary meta-discipline for all other branches of philosophy, including ethics, because it is the discipline that



grounds the judgments reached by the other disciplines. It is eschewed by antifoundational philosophies, which believe that grounding such judgments a priori is neither necessary nor possible.

When one makes a specific ethical claim, one presupposes that one knows what one is talking about. Epistemology deals with how one knows, what one knows, and the source of one's knowledge. If, for epistemological reasons, one must be skeptical about one's knowledge, then one must be skeptical about one's ethical claims. Thus, one might claim, "Not paying a worker a living wage is wrong." Someone might ask "How do you know that is true?" A complete answer to the question would involve an analysis of the terms used in the statement itself. Ethics is involved in making the claim of right and wrong, good or bad. Epistemology is involved in ensuring that the claim in this case is in contact with reality, that it is true or false.

When one moves from individual ethical and epistemological analysis to examine in general the relationship of ethical claims and reality, one is involved in metaethics and metaepistemology. One is also involved in a possible discussion of the relativity, subjectivity, and objectivity of ethics. The reason is that one is discussing whether what one ought to do is or is not reflected in the world outside one's conscience and in one's consciousness. Is ethics a mind game that has no contact with reality?

### **ETHICS AND REALITY**

Many people believe that what one ought to do or ought not do is not made up by one's imagination or desires. Some people believe that the way one thinks and what one thinks about puts one in contact with the world outside one—reality. That is why, they suggest, the human development of mathematics and the hard sciences has made it possible, through technology, to change the world. Ethical decisions are the same as scientific decisions. When one sees what a situation is and decides what is the right way to act in the situation, one is dealing with reality both in analyzing the situation and in deciding how to act. Ethical values are like scientific facts: They hold true no matter what the circumstances, everywhere in the world. There is an ethical order beyond human wishes, knowledge, and desires. One can know that order, and when one disagrees with it, one acts at one's own peril.

Those who obtain their ethical order from the revelation of a God also believe in the human ability to know what God reveals and, with God's help, to follow God's commands. God created an ordered world. God reveals how humans fit into that order, and humans must follow God's will or suffer the consequences.

Many modern ethicists have difficulties with the seemingly naive realism of the previous position. Empirically, they observe the variety of ethical systems throughout the world. There is no single system in today's world. Human values are, from this perspective, more like opinions than like facts. Facts can be proved by the scientific method. Values cannot be proved; they exist only within human beings and are expressed in their actions. Psychological, sociological, and cultural circumstances do make a difference in what is held to be right and wrong. To say that there is some objective norm that can be known with certainty is to make a claim that is contrary to experience and also to claim that ethics can never change because of circumstances.

### **CONTACT WITH A REAL WORLD**

If one stops thinking of humanity and reality as separate and begins to realize that one's thoughts both express and influence reality, one can begin to see that the ethical as well as the epistemological endeavor is an involvement with an ever-changing reality, which means that when one does the good that one claims one must do, one has already changed the reality that motivated that claim. When one swims in the ocean, one can do so only because of the water (reality), and every stroke (doing good) places one in a different part of the ocean, providing one with courage to continue to swim to shore and the necessity to swim differently in order to get there. The waves one makes change the ocean in which one swims. One's thoughts as well as one's ethical actions happen only because one is part of the reality in which one wishes to become better. Each person swims in the reality of an ever-changing ethical sea.

While the sea changes, however, one must realize that there are constants—one is in the sea, one is swimming, and there is a shore toward which to strive. Most modern ethicists agree that ethical statements are action guiding. If one says that it is immoral to lie, one's actions will be guided by this principle. Most would also agree that when one uses



words such as “right,” “wrong,” “good,” and “bad,” one is, at the very least, saying that actions that coincide with these judgments should be judged accordingly. Thus, when someone tells a lie in a situation that is nearly identical to one in which it is judged wrong to tell a lie, that person has not acted ethically.

Although there are many ethical theories and systems of lived ethics, as the world becomes more homogeneous and its languages similar, the desire for universal moral judgments will increase. The fact of language and the fact of the human ability to communicate with those of vastly different cultures and languages suggest that a common sense of right and wrong will grow as the ability to communicate in this ever-shrinking world increases. If people cannot communicate about general principles of right and wrong, there is little hope of any significant communication taking place.

*Nathan R. Kollar*

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SEE ALSO: Derrida, Jacques; Descartes, René; Ethics; Gewirth, Alan; Ideal observer; Language; Locke, John; Metaethics; Subjectivism; Truth.

## **Equal pay for equal work**

**DEFINITION:** Principle that persons who perform the same tasks in the workplace must be paid the same regardless of racial, ethnic, or gender differences

**DATE:** Codified in law in 1964

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** The concept of equal pay for equal work presupposes that the value of labor is determined by the labor itself regardless of who performs it, and that justice demands all laborers be paid what their labor is worth, rather than taking into account the relative needs of different laborers or the extraneous value judgments of the employer or society.

The principle of equal pay for equal work was formally established in United States federal law by the Civil Rights Act of 1964. The principle was long contended for by the labor, civil rights, and feminist movements in the United States. Throughout most of the twentieth century, there was great workplace discrimination against women and nonwhites. At the time of the passage of the Civil Rights Act, women who were doing the same jobs as men were being paid salaries that were about two-thirds the amounts of those that were being paid to men. People of color were similarly disadvantaged. The Civil Rights Act of 1964 makes these practices unlawful, though it does not address the greater problem of the relegation of minorities to inferior jobs.

*Robert Jacobs*

SEE ALSO: Americans with Disabilities Act; Civil Rights Act of 1964; Egalitarianism; Equality; Gender bias; Hiring practices; Inequality; Minimum-wage laws; Wage discrimination; Women’s ethics.

## **Equal Rights Amendment**

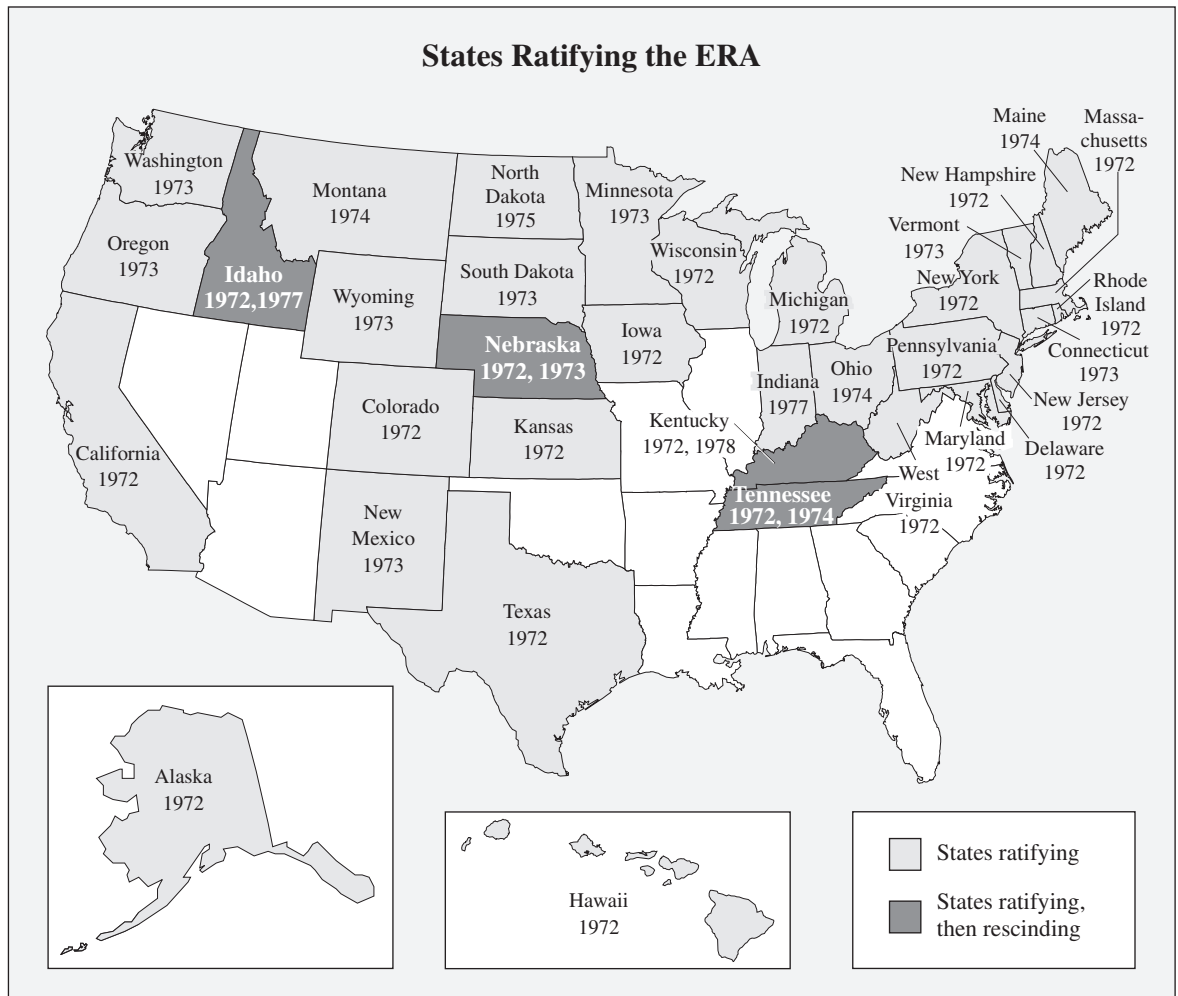
**IDENTIFICATION:** Failed constitutional amendment that would have mandated that both sexes be treated equally under U.S. law

**DATE:** First proposed in 1923

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** If passed, the Equal Rights Amendment (ERA) would abrogate legal distinctions between the sexes.

In 1921, the National Woman’s Party, fresh from its battles for woman suffrage, decided to push for passage of an Equal Rights Amendment. The party thought that the equal protection clause of the Four-



Source: Data are from Janet K. Boles, *The Politics of the Equal Rights Amendment*. New York: Longman, 1979.

teenth Amendment did little to address those areas of discrimination against women that still remained. Under the leadership of Alice Paul, the ERA was first introduced to Congress in 1923.

Resolutions proposing the ERA were introduced in every succeeding Congress until 1971. Several times the ERA almost passed the Houses, but with riders attached that effectively nullified the resolution. In 1971, Representative Martha Griffiths introduced it again. This time, the ERA passed both Houses and was sent out to the states for ratification. Originally, the time limit for ratification was seven years. President Jimmy Carter extended the deadline for an additional thirty-nine months. At the end of that period, the ERA had still failed to achieve ratifi-

cation by a margin of three states. Seventeen months later, in 1983, when it was introduced in Congress again, it failed to pass. Afterward, public interest in the ERA waned.

The success and failure in passage of the ERA in both the Congress and the states have had much to do with changing conditions and circumstances in the country. For example, opponents have always feared that legislation that protected women's rights in the workplace would be negated by passage of the ERA. This fear was undercut when Title VII of the Civil Rights Act of 1964 included women as a protected class. Opponents have also feared that if the ERA passed, women would be drafted into the military. The ERA passed Congress when the Vietnam War



*Women marching in support of the Equal Rights Amendment in 1970. (Library of Congress)*

was coming to an end and the fear of women being drafted was diminished; it did not command enough of the states' votes when the war in Afghanistan was starting and the fear had returned.

At the time that the ERA passed Congress, there had been no gender discrimination cases that the Supreme Court had decided in favor of women. After the ERA passed Congress, the Supreme Court began deciding cases under the equal protection clause of the Fourteenth Amendment favorably to women, thus diminishing the need for an ERA.

*Jennifer Eastman*

SEE ALSO: Civil Rights Act of 1964; Egalitarianism; Equal pay for equal work; Equality; Gender bias; Sexual stereotypes; Title IX; Wage discrimination; Women's ethics; Women's liberation movement.

## Equality

**DEFINITION:** Moral entitlement of all people to the same legal, civil, economic, and social rights

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The belief in a fundamental equality of all people, and the enactment of laws to ensure equal protection and equal treatment, is based upon the belief that all people have the same innate value as moral agents and that they are entitled to the same levels of opportunity and respect.

Most analyses of human life find that individuals are unequal in many respects—in intelligence, talents, wealth, lifestyles, and so forth. Further, equality is difficult to define precisely and is, indeed, ambiguous, unless qualifiers are added. Equality can be expressed as an equation. What is on the right side must be exactly equal to what is on the left side; for example:  $4 + 4 = 7 + 1$ . To express this equation in relation

to human equality, one must specify which entities are under consideration and in what dimension those entities exist.

Although opinions vary as to the exact nature of equality, most people would agree that human beings share many characteristics. All are members of one species and are the same “class” of objects (*Homo sapiens*). All have basic needs to sustain their lives (food, for example), all can feel pleasure and pain, and all are thinking creatures and have some capacity for reason and “common sense” logic. It follows, then, that all should be of equal dignity and worth. It follows, next, that all people are entitled to be treated equally because they all have the same moral and natural rights to life. Likewise, in a just society, all people deserve legal equality. In this view, equality simply seems to be the norm and inequality a deviation. Equality should never be abandoned unless there are strong reasons to do so—as when equality as a basic value collides with another value, in the case, for example, of wartime hoarders of food who leave others to starve. The hoarders demand equal treatment in terms of property rights, but because the starving have a right to live, the hoarders’ excess food might be confiscated.

Perhaps the “idea” of basic equality could be expressed thus: If I have a pizza party with four friends and I split the pizza into five equal parts, I will have no critics and need make no justification. Alternatively, if I give one-half of the pizza to one friend and split the other half into four very small but equal pieces, I will be expected to give an explanation for my action.

Given the general belief that in many ways humans are equal, it is not surprising that almost all literature that depicts humankind’s societal dreams depicts an egalitarian society. Many fictional paradises may not be democratic and may be ruled by a benevolent despot, but virtually all stress equality of people.

### EQUALITY AND RELIGION

Modern religious thinkers often assert that all people are equal but then talk and act as if all are unequal. The sixteenth century Protestant reformer Martin Luther believed that all people were equal in possessing capacity for spiritual understanding, but his contemporary John Calvin turned that notion on its head, arguing that, yes, people were equal—equally depraved and sinful.

Jacob Viner argued that it was an error to see egalitarianism in religion, for the rich do not usually voluntarily share with their poor brothers—except to put a little money in the weekly collection plate. Further, he maintained that such equality as did exist in churches was equality in the next world—“pie in the sky when you die”—not in this world. Viner added that in “Heaven” egalitarianism may be practiced, but only in that all must accept common subordination to God’s authority.

### HISTORY

Plato believed in the political equality of men and women, and Aristotle thought that all free citizens were equal, but the ancient Greek Stoics were the first philosophers to assert that all humans were rational beings who had an equal capacity for virtue. The religious expression of a similar idea is found in the New Testament, which recognizes the equality of all souls.

Although the Lollards and Hussites of the late Middle Ages also espoused a doctrine of equality, they were not influential, because they were trapped in a world where hierarchy and antiegalitarianism ruled. The modern concept of egalitarianism arose in the seventeenth century. In a limited way, Calvinists advanced the cause by stressing the equality of the “elect.” Some of the Parliamentarians in the English civil war gave secular expression to the same idea when they spoke of natural rights and the social contract. Such ideas became so popular during Thomas Hobbes’s times that he took it for granted that humans were equal in the state of nature.

Some later philosophers supported Hobbes’s assumption. They agreed with critics who still scorned egalitarianism and who still pointed to the obvious inequalities they saw all about them; they argued that among humans differences of intelligence and talents did indeed exist, but that they existed because people lived in different environments and had different life experiences. At birth, they believed, all people have similar, virtually unlimited, potentialities. Even Jean-Jacques Rousseau granted this argument, while holding that the world’s “sophisticated” societies bred social inequalities. Indeed, Rousseau tried to square natural equality with the political authority of the one or the few who ruled the many.

The doctrine of equality saw its greatest manifestation near the close of the eighteenth century in both

the American and the French Revolutions, revolutions wherein leaders made explicit the freedoms that human beings should have. The revolutionaries focused on political and social rights, however, while ignoring economics and the great chasm between the rich and the poor.

Nineteenth and twentieth century socialists emerged to champion the cause of economic equality, but they found followers in only a few areas. Indeed, the collapse of the Soviet Union during the 1990's probably ended the last hope of those who favored worldwide socialism. The world might, however, one day evolve into a moderate socialist society such as Sweden's. Still, it is ironic that the world appeared to be "captured" by the capitalistic system, which revels in human avarice and which allows the exploitation of many humans by the few who control the means of production. Workers actually produce the profit that the rich reap, but the workers receive few rewards. Unequal capitalistic exploitation is also unconcerned about "means and ends." Whatever makes money counts, and profits remain the measure of all things. The fate of human beings in the capitalistic systems matters not, as long as they are consumers who put money on the table.

Even within the capitalistic system, reformers still try to ensure some elements of equality. Various welfare programs in the United States, for example, provide aid to the poor, programs including outright monetary payments, food stamps, free or partially subsidized medical aid, and so forth. Mothers with dependent children also receive assistance, as do the physically or mentally disabled. Likewise, the unemployed at any age qualify for temporary assistance. In addition, the poorest students qualify for aid and receive a subsidized education. All the above examples work to "level the playing field" in that they all relate to equal opportunity and are intended to allow industrious people to "work" their way out of dangerous poverty.

#### CHARACTERISTICS OF EGALITARIANISM

The traditional definition of the term "egalitarianism" included impartiality, a view that required equal responsibilities and equal rewards for all who performed similar jobs. Other related values include equal justice instead of justice according to rank, wealth, other personal consideration, and so on; and equal economic opportunity rather than discrimina-

tion based on race, ethnic group, gender, age, sexual preference, and so forth. Further, humans are thought to deserve the equal satisfaction of basic needs such as food, housing, and personal freedoms.

In many cases, cries for equality have been directed at specific inequalities. Patrician misrule of the Roman Empire led plebeians to revolt on many occasions, demanding a greater voice in the empire's affairs (political equality). The American Civil Rights movement of the 1950's and 1960's attacked racial inequality. The women's movement, from the 1960's to the present, demanded that gender inequality cease. The modern senior citizen movement sought to end discrimination based on age. Even the modern environmental movement embraces the concept of equality by holding that small minorities (big business, for example) should not be allowed to forever foul the environment that all people need to share for their ultimate survival. Reformers who advocated change such as that mentioned above are pursuing a secular version of a religious doctrine that held that God created the world and wanted it to be a vast treasure trove that all people would share equally.

#### EQUALITY AND PROBLEMATIC ISSUES

Typical dictionary definitions of equality, while leaving much to be desired, nevertheless include the condition of having equal dignity and rank as others, the condition of being equal in power, and society operating with fairness and equity. Applying these definitions has sometimes led to contradictions. Critics of the equality doctrine pointed out that if humans (in the real world) are unequal in talents, skills, and excellence, then adherence to definition 3 will violate definition 1. Likewise, adherence to definition 1 will violate definition 3.

After observing the above contradictions, some thinkers have held that, because humans operating in the real world are not all equal in terms of ability and excellence, elevating those people who have inferior ability and intelligence would be an injustice to the former group. A degree of inequality, therefore, seemed to be the natural result of equity and fairness. To continue arguing for maximum equality in an unequal world, some thinkers developed the concept of "equal shares to equals"—equal pay for equal work in an economic world in which differing levels of talent and skills supposedly justify some inequalities.



In reference to economic issues, critics of the equality doctrine threw yet one more dart: Equality of opportunity, through time, usually produces inequalities of wealth, given people's differing intelligence, motivation, and career choices. Further, some critics question the equality doctrine by referring to the concept of justice, which demands that each person be given his or her due but that only equal people receive equal rewards, given differences in intelligence and drive—in other words, to each according to personal merit. Additionally, some philosophers pointed out that if all work rewards were equal, rational people would probably minimize their work as much as possible, a pattern that would lead to gross inefficiency. Thus, equality, critics contended, would work only in a perfect world in which work was not necessary or in which work was a pleasure.

Some philosophers asserted further that, at times, egalitarian rules sometimes conflict not only with each other (equal opportunity and welfare, for example) but also with important social goals. Critics contended that tension will always exist between equal welfare and equal freedom. In pursuing equal welfare, government necessarily imposed more restrictions on economically dominant groups. Yet it was freedom of opportunity that created the unequal situation in the first place. Likewise, political freedom for all citizens might lead to a situation wherein the dominant majority suppresses a certain minority (slavery is the best example). Worse, critics argued that egalitarianism could lead to a decline of civilization, for it might bring a downward leveling of society, wherein cultural excellence, great diversity, and individuality would be stifled.

### **REFORMS LEADING TO GREATER EGALITARIANISM**

In modern America, President Franklin D. Roosevelt in 1941 signed Executive Order 8802, which banned racial discrimination in the defense industry. By 1945, at least two million African Americans were working in that industry. In 1948, President Harry S. Truman, campaigning for another term, advocated national health insurance. Although Truman did not have enough congressional support to accomplish the goal, he made the effort. On that issue, he proved to be a progressive egalitarian who was more than half a century ahead of his time.

Truman also campaigned against racism and later

set up the Civil Rights Commission; its investigations led to a well-researched report condemning racial segregation and discrimination. Success in resolving the civil rights question would have to wait more than fifteen years. Nevertheless, President Lyndon B. Johnson signed the historic Civil Rights Act of 1964, and that act, enforced over time, changed the social and political face of the United States. Johnson also shared Truman's concern for health insurance and older people. When he signed his Medicare legislation, Johnson flew to Truman's home in Independence, Missouri, to allow the former president to witness the signing.

The Medicare Act of 1965 was only one of a host of reforms that Johnson advocated in his Great Society program. Although his program affected many different groups in society (notably the poor), to show the egalitarian intent, one need mention only the massive financial aid that the federal government poured into education—education being one avenue that could provide equal opportunity for millions of people and allow them to rise both economically and socially.

### **EQUALITY IN MODERN AMERICA**

From the 1970's to the early twenty-first century, there has been an apparent retreat from equality. American society appears to have become more inequalitarian. In American economic life, the rich added much to their coffers at the expense of the poor. When President Johnson began his "Great Society" during the mid-1960's, approximately 25 percent of all Americans fell below the government's definition of the "poverty line." When Johnson left office, that definition fit only 11 percent of the people. At the threshold of the twenty-first century, the figure was again rising above 25 percent.

Economic gloom aside, the inequalitarian trend was also seen in social life. Now, more than ever, the "underclass" (people who live in soul-crushing poverty) is further away from the middle and upper classes. Likewise, the gap is growing between the middle and upper classes, with the latter engaging in vulgar conspicuous consumption and the former trying desperately to keep up. In many other aspects of life, inequality can be seen. In the health care field, for example, despite some modern reforms, the rich continue to get the best care, while the poor do without care because they cannot pay the price. In law,

modern America said that all were equal, for justice was blind and knew no prejudice. In fact, however, the wealthy hire the best lawyers while the poor settle for public defenders or abandon their rights and stay out of court altogether.

Although there have been more inegalitarian setbacks, such as the failure to ratify the Equal Rights Amendment and the institution of unfair taxation policies (regressive taxes that unfairly hurt the poor and the aged), general trends suggest that the country is still moving slowly in the direction of greater egalitarianism. During the 1990's, reformers began gaining more support and therefore exercised more power to bring change.

### CONCLUSIONS

The simplest ethical or moral argument in favor of continuing to extend the doctrine of equality is an appeal to reason. A person should grant equalities to others that he or she would demand for himself or herself; one should grant equalities that no rational human would be willing to give up voluntarily. No human should be so morally deficient as to withhold from others in similar circumstances benefits that he or she has demanded for himself or herself. In other words, one's equality may well be conditional; for a person to maintain and protect his or her own equality, it may be necessary to grant equality to all.

There are remedies for inequalities in American life, but a new "Great Society" program or another "New Deal" likely will be necessary. Further, the elite (economic and social) must stop taking more than its share and must remember that others must live, too.

*James Smallwood*

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Slote, Michael A. *From Morality to Virtue*. New York: Oxford University Press, 1992. Reexamining the philosophy of Immanuel Kant, Slote surveys many topics, including ethics, virtue, "common sense," and utilitarianism.

SEE ALSO: Dignity; Egalitarianism; Equal Rights Amendment; Fairness; Human rights; Inequality; Natural rights; Taxes; Women's liberation movement.

## Erroneous convictions

**DEFINITION:** Cases in which legally convicted persons are later found to be innocent

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Establishing one's innocence after one has been convicted is difficult in the American legal system, and getting an innocent person to be released from prison following an erroneous conviction is even more difficult.

The difficulty of overturning erroneous convictions of innocent persons can be traced to the idea that although a criminal defendant is presumed innocent until proven guilty in trials, once they are convicted by juries, the presumption of innocence is no longer applicable. Indeed, the opposite presumption now applies: that the convicted defendant is, in fact, guilty. That presumption is actually stronger than the original presumption of innocence.

In *Herrera v. Collins* (1993), the U.S. Supreme Court considered a claim raised by a death row inmate in Texas who argued that he was actually innocent of the crime of which he had been convicted and that it would therefore be unconstitutional for the state to carry out his execution. In an opinion by Chief Justice William Rehnquist, the Court conceded that the proposition that the U.S. Constitution forbids the execution of someone who is innocent has an "elemental appeal," but the Court nonetheless held that a mere claim of innocence (that is, a claim of innocence unaccompanied by the identification of any other constitutional violation) does not permit a federal court to grant relief and order that the inmate be released from custody. As a result, inmates seeking to overturn a conviction on the grounds that they are innocent must seek relief through either state court systems or the states' clemency processes.

In *Ohio Adult Parole Authority v. Woodard* (1998), the Supreme Court ruled that states are not constitutionally required to have clemency systems. However, if the states do have such programs, the systems must be fair. Fairness in this context means that the inmate must have the opportunity to have the decision maker receive and give effect to his or her evi-

dence of innocence. Since inmates have had opportunities to present evidence of their innocence to juries, evidence adduced in clemency procedures typically consists of at least some new material that was unavailable during the original trials.

The standard for having wrongful convictions overturned in clemency proceedings varies widely from state to state. In general, such decisions lie within the discretion of the states' governors. If governors believe that inmates have demonstrated their innocence, then the appropriate relief will be granted.

In addition, inmates may seek relief in state courts by filing *habeas corpus* petitions raising their claims of actual innocence. Unlike the federal court system, which does not view mere innocence as a sufficient ground for overturning a conviction, most states do permit a pure claim of innocence to be raised as a challenge to the conviction. The precise legal standard for obtaining such relief varies somewhat from state to state. In general, however, inmates are required to establish that, in light of the newly discovered evidence, no reasonable juror could have voted to convict them. Evidence other than DNA evidence rarely satisfies this standard. However, DNA evidence alone had led to more than 130 exonerations throughout the United States by the end of 2003.

David R. Dow

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SEE ALSO: Accused, rights of; Arrest records; Capital punishment; Parole of convicted prisoners; Peltier conviction; Punishment; Scottsboro case; Three-strikes laws; Victims' rights.

## Espionage

**DEFINITION:** Attempting to discover, through clandestine means, the secrets of others

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Political espionage traditionally has an unusual moral status, since the citizens of a given nation often believe that it is morally wrong for others to spy upon them but morally permissible and even necessary for their agents to spy upon others. Industrial espionage is less justifiable but is also considered a less extreme transgression.

Secrecy exists, and is maintained, for the advantage of one entity over another. Keeping information secret has always been recognized as a highly effective means of ensuring success in military operations, diplomatic negotiations, private enterprise, and even many personal interactions. The fact that secrets exist and are maintained for one entity's advantage over another makes it imperative that the opposition acquire the secrets of rivals. The acquisition of secrets is the fundamental task of espionage.

The element of secrecy is responsible for the distinction between standard intelligence gathering and espionage. Most electronic and human intelligence gathering, despite its elaborate secrecy, is carried out overtly. Espionage, however, is carried out entirely in a covert manner: Espionage is the effort to discover by clandestine methods the secrets of others. It must be made clear that espionage is the secret act of information gathering and should not be confused with other covert activities such as sabotage, misinformation campaigns, the placement of agents of influence or agents provocateurs, and assassination.

In all forms of espionage, the act of secretly gathering information is carried out by espionage agents, or spies. Usually highly trained and motivated individuals dedicated to their information-gathering mission, spies are sent from one entity to secretly gather information about another entity. People from one entity who sell information to another entity are not spies, but traitors. This is an important and often overlooked distinction. A spy is required to conceal his or her true identity by assuming a false one; to hide the nature of his or her mission and lines of communication, operate under a cloak of secrecy, and if captured deny organizational affiliation. Because the ultimate

goal of any spy is to steal secrets, spies must often employ tactics that are perceived as immoral to fulfill their information-gathering missions; for example, blackmail, bribery, coercion, deception, burglary, and subterfuge. As a result, no matter how noble the cause, spies are commonly regarded as criminals and outcasts even by their own organizations.

### IMAGES OF SPIES

Historically, the portrayal of the spy as a criminal has been reinforced by propaganda and popular entertainment venues. Because of the spy's cultural image and the amoral or even immoral aspects of espionage operations, the organizations initiating them camouflage or deny their existence. Most governments and businesses publicly disavow use of espionage agents and, when a spy is captured, deny any association with that person. Those who employ spies to gather information, however, do so believing that their spies are noble, self-sacrificing individuals, while the opposition's spies are evil interlopers.

Despite many negative societal attitudes regarding the secret nature of espionage, it is a legitimate and essential function of every government and many large corporations that are aware of their responsibilities to either citizens or shareholders. The practice of espionage is justified by the knowledge that all nations, and most competitive businesses, conceal important phases of their activities from rivals. With this understanding, it then becomes a necessity to acquire knowledge about the disposition of concealed information that may influence or threaten a nation's peace and security or a corporation's competitive standing in the marketplace. Espionage gathers this important information and places it in the hands of authorities who use it to build a database of intelligence from which they can plan future decisions and actions.

By this definition, espionage is an important activity that is separate from any moral view of the act of spying. Because of the clandestine nature of espionage and the fact that its ultimate goal is to steal secrets, it is perceived as the most unethical and lawless activity in which a government or corporation may engage, short of unwarranted hostilities. Using clandestine means to obtain secret information is ethically justifiable, however, if the end use of the gathered intelligence meets the goals and objectives of the society or organization that initiates the espionage.

nage activity. The setting of goals and objectives for espionage operations is reflective of the culture initiating the espionage activity. In totalitarian states and many private corporations, espionage operations are initiated by individuals or small groups whose objectives and actions are not answerable to the remainder of society.

In open societies, representative governments and publicly owned corporations who use espionage are often obliged to defend their decisions before the public if the activities are disclosed.

*Randall L. Milstein*

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SEE ALSO: Computer crime; Computer databases; Covert action; Electronic surveillance; Industrial research; Treason.

## Ethical codes of organizations

**DEFINITION:** Guidelines adopted by professional organizations and businesses that seek to impose or encourage ethical conduct through either mandatory or permissive rules

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Numerous organizations of all sorts have adopted or are adopting ethical codes. How-

ever, whether such codes have a meaningful impact or are designed merely to project positive images to the public continues to be debated.

Ethical codes for organizations have both a long history and a recent resurgence of interest in light of the corporate scandals of the early twenty-first century. Such codes can be broken down into codes adopted by trade or professional associations to guide the conduct of members and codes adopted by businesses, typically corporations.

The first category has a long and established history. There are, for example, long-standing codes governing the conduct of lawyers, psychologists, accountants, doctors, journalists, engineers, and many others. Some of these efforts, such as the famous Hippocratic oath taken by physicians, are of ancient vintage, while others began early in the twentieth century. The first attempt to institute an ethical code by the American Bar Association, for example, was in 1908.

The second category tends to be of more recent vintage and has become increasingly common. A prime reason for this movement is that companies that want to be perceived as good corporate citizens adopt codes of ethics, particularly in the wake of publicity surrounding corporate scandals involving WorldCom, Enron, and others. Moreover, the Sarbanes-Oxley Act, passed by the U.S. Congress as a response to corporate scandals, requires, among other things, that public companies adopt codes of ethics for their senior financial officers, and that their codes be made publicly available. In a similar vein, many stock exchanges mandate that the companies they list adopt codes of ethics for all their corporate employees. In light of these trends, the vast majority of Fortune 500 companies had codes of ethics by 2003.

### THE CONTENT OF ETHICAL CODES

Given the variety of organizations and issues ethical codes can address, on one code is typical. Many, perhaps most, address issues such as conflicts of interest, confidentiality of information, labor relations, and political contributions. Other codes cover such matters as business goals and aspirations and social responsibility.

A critical issue involving such codes has to do with how and when they are enforced. Some codes



permit or mandate discharging employees or other disciplinary action if they are violated. Others, however, contain provisions allowing appropriate authorities within the organizations to waive the codes' prohibitions. With the passage of the Sarbanes-Oxley Act, such waivers may need to be publicly disclosed—an attempt by Congress to discourage corporate boards of directors from rubber-stamping unethical behavior, such as self-dealing among corporate senior executives.

### RATIONALES AND CRITIQUES

Drafters of ethical codes justify them as a means of embodying best practices and ideals for a group. In a similar vein, codes raise group consciousness so that members of organizations are sensitized to ethical issues that may not be immediately obvious, such as subtle conflicts of interest. This is seen as especially important in light of what some perceive as a moral decline in culture generally. Moreover, in some instances, violations of a code can serve as the basis for discipline within or expulsion from a professional organization, thus maintaining the organization's integrity and reputation.

Ethical codes are not without their critics. Some people argue that ethics are, by definition, deliberative and collaborative—something that no code of

ethics can be. Others question the ability of a code either to encourage ethical behavior or to discourage unethical behavior. Another critique is that such codes may foster a misleading sense of complacency; the very existence of such a code may be taken to mean that an organization and, by extension, its members take ethics seriously. An infamous example is that the Enron Corporation had its own code of ethics. That code, like many similar ones, had a conflict-of-interest provision that prohibited Enron employees from participating in both sides of any transaction taking place between Enron and other entities with which it did business. However, such forbidden practices were later found to have been done repeatedly within the organization.

Some people have argued that an organization's "culture"—the "way things are done" and the types of behavior that garner recognition and advancement within an organization—influences the behavior of its members far more than a written code of ethics ever could.

A major influence and perhaps disincentive in the adoption of codes of ethics is the looming threat of litigation. Many companies fear that their adoption of codes will enable litigants to sue them privately for violations of codes. As a matter of public policy, some argue that this is a good way to impose account-

### Finding Ethical Codes on the Web

The full texts of many organizations' ethical codes are posted on the World Wide Web. Those codes may be found by searching on the names of the individual organizations. An overview of the range and variety of codes, as well as a shortcut to their texts, is available at the Web site of the Center for the Study of Ethics in the Professions of the Illinois Institute of Technology ([www.iit.edu/departments/csep/PublicWWW/codes/index.html](http://www.iit.edu/departments/csep/PublicWWW/codes/index.html)). The institute's Web site offers the texts of nearly one thousand different organizations' ethical codes (most as of 1996), organized under these headings:

- Agriculture
- Animal Breeding and Care
- Arts
- Business
- Communications
- Computing and Information Systems
- Construction Trades
- Education and Academia
- Engineering
- Finance
- Fraternal and Social Organizations
- Government and Military
- Health Care
- Industrial
- Law and Legal
- Management
- Media
- Other Professions
- Real Estate
- Religion
- Service Organizations
- Science
- Sports and Athletics
- Travel and Transportation

ability on corporate behavior. Others, however, argue that such litigation will simply increase the cost of doing business, which is in the interest of neither the company nor the public.

*Robert Rubinson*

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SEE ALSO: Applied ethics; Code of Professional Responsibility; Codes of civility; Corporate scandal; Dress codes; Ethical Principles of Psychologists; Honor systems and codes; Judicial conduct code; Medical bills of rights; *Principles of Medical Ethics*; Professional ethics.

## **Ethical monotheism**

**DEFINITION:** Belief in a single personal and transcendent God who requires strict moral conduct and metes out rewards or punishments

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** All three of the world's dominant monotheistic religions—Christianity, Islam, and Judaism—have strong ethical components, which are observed and respected to a greater or lesser extent by individual practitioners.

The world's major monotheistic religions generally suppose that ethical monotheism was the original religion revealed to the first human parents (Adam and Eve) but was quickly corrupted through error and transgression. Judaism maintains that ethical monotheism was reconfirmed to the patriarch Abraham, who battled against the widespread belief in the many, often capricious and amoral, gods of the an-

cient Near East. He taught that God is ethical and demands the same from all adherents to true religions.

Islam validates the role of Abraham while claiming him as their progenitor and proclaiming Muḥammad to be the last and greatest of a long line of prophets to teach ethical monotheism. It has sometimes been asserted that Christianity does not profess pure monotheism because of its dogma of the Holy Trinity. Critical, scholarly, nineteenth century theories saw monotheism as an evolutionary step emerging from polytheism. More modern views have argued that ethical monotheism developed as a response in opposition to polytheism. Scholars see ethical monotheism as a remarkable achievement of Hebrew history, though they disagree about the period in which the explicit worship of "the one true God" began. There is no question, however, that ethical monotheism has been a major world force in determining the behavior of nations and civilizations, and that it formed the foundation for such codes as the Ten Commandments.

*Andrew C. Skinner*

SEE ALSO: Anthropomorphism of the divine; Christian ethics; God; Hammurabi's code; Islamic ethics; Jewish ethics; Muḥammad; Pantheism; Ten Commandments.

## **Ethical Principles of Psychologists**

**IDENTIFICATION:** Professional ethical code required of psychologists and enforceable through sanctions from various bodies

**DATE:** First enacted in December, 1992; revised on June 1, 2003

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** Health care professionals who deal with the mind and mental health face special ethical dilemmas over and above those common to all providers of care. The Ethical Principles set out by the American Psychological Association seek to aid practitioners in negotiating those issues, as well as reassuring the public that psychologists will not be permitted to abuse their position.

The Ethical Principles are primarily based on the potential for harming others through incompetence, im-

proper emotional coercion, or misinformation that curtails free and informed thought and behavior. Freedom of inquiry and expression is central to psychology, but discriminating against others or allowing the misuse of research is unethical. Psychologists have a particular responsibility to be self-aware, to be honest, and to use the methods of science, scientific explanation, and critique, rather than expressing mere personal opinion and authority. They must be aware of the basic and unique needs of other people and groups. Supervision, instruction, advisement, and treatment have considerable intellectual and emotional power.

Psychologists must avoid potential harm or exploitation by being candid about their services and fees, qualifications, confidentiality, allegiances, the requests they make of research volunteers (informed consent specifying risks and benefits, providing feedback, and minimizing deception), and avoiding potentially harmful multiple relationships. Psychologists do not engage in sexual relationships with students, supervisees, and patients because of the potential for biased judgment or exploitation through lack of interpersonal reciprocity. Tests, diagnoses, evaluations, and interventions must be based on scientific competence and avoidance of harm.

*John Santelli*

SEE ALSO: Animal research; Bioethics; Medical research; Metaethics; *Principles of Medical Ethics with Annotations Especially Applicable to Psychiatry*; Professional ethics; Psychology; Therapist-patient relationship.

## Ethics

DEFINITION: Philosophical science that deals with the rightness and wrongness of human actions

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: The formal practice of moral philosophy has profoundly influenced, and been influenced by, the course of social, political, intellectual, and religious history.

Ethics has been in many ways the most general study of human behavior, since every other form of analysis of human action, whether economic, psychologi-

cal, sociological, anthropological, or historical, can be subjected to an ethical analysis.

In Plato, the subordination of ethics to ontology and epistemology was manifest, and it was not until Aristotle that ethics achieved full status as an independent branch of the philosophical sciences. In the *Nicomachean Ethics* especially, Aristotle was at pains to distinguish ethical knowledge from other forms of human knowledge—as when he contrasted the exactitude to be anticipated in mathematics from that attainable in ethical reasoning.

Ethics is the name now given to that most general study of the rightness and wrongness of human actions, including not only the determination of whether particular acts are morally permissible but also the derivation of those theories by which such a determination may be made, as well as an analysis of the meaning of the language that is peculiar to such determinations and derivations.

Modern ethics is divided into normative ethics, on one hand, which involves both standard ethical theory and its application to particular actions and classes of actions, and metaethics, on the other hand, which examines the meaning of ethical language. From its beginnings, ethics—the more general term—has concerned itself with the human “mechanism” of morality: the faculties of the human soul and the needs, passions, and desires of the human mind and body.

Plato and Aristotle did not neglect the theoretical side of ethics, and Aristotle especially presented a rather systematic theoretical framework throughout his exposition of natural eudaimonism. In Plato, much of the emphasis on human character and motivations does not remain restricted to the words of the philosophical disputations but is embedded in the action/drama of the dialogues themselves. In the *Republic*, one sees Thrasymachus storm away from the discussion, driven by the angry passion that drove his lawless philosophy of unrestrained power. In the *Euthyphro*, the eponymous character fled from Socrates, motivated by the senseless pride that had imprisoned him in the darkness of ignorance. In the *Philebus*, Protarchus had to bear the burden of the argument for hedonism because Philebus, the arch-voluptuary, could not be bothered to defend his ethical position or to leave his pleasures to indulge in philosophical disputations.

Instead of considering the virtuous man in the ab-

stract, Plato related incidents from the life of Socrates. Socrates remained sober and articulate into the dawn in the *Symposium*, in which dialogue he is also shown resisting the sexual blandishments of Alcibiades. At his trial, Socrates (in the *Apologia*) was unmoved by the danger he faced and displayed compassion toward his accusers, whom he did not blame for their machinations. In the *Phaedo*, awaiting execution, Socrates calmly speaks with friends on the immortality of the soul, and in the *Crito*, he refuses to contemplate flight or any other stratagem to save his life. Thus, Socrates served as a kind of *spoudaios*—the wise, virtuous man whom Aristotle counsels the young to observe and imitate.

### THE MIDDLE AGES AND LATER

In the Middle Ages, patristic and Scholastic writers continued to explore the boundaries of ethics, but with a heavy concern for theological ethics. Saint Thomas Aquinas's ethics, for example, which are directly descended from Aristotle's natural eudaimonism, are designated supernatural, or theological, eudaimonism on account of the regard that his ethical system gives to the attainment of beatitude in the afterlife. This concentration upon theological concerns led to an emphasis upon free will for theodic purposes—making evil the product of the human will and the human will the necessary source of virtue, as well as the cause of evil.

From the coming of the Renaissance well into the latter half of the eighteenth century, ethical philosophy returned to its classical roots and once again emphasized the passions and sentiments in humanity that conflict and that drive those behaviors that support the institutions of society, from friendship and the family to cooperative activities and the nation-state.

In the latter half of the eighteenth century, Immanuel Kant returned ethics to a theoretical orientation with his development of the categorical imperative. Kant's deontology—or science of duty, as he called it—contained many complex aspects, such as the autonomous and heteronomous wills and the hypothetical and categorical imperatives, thus giving priority again to abstract, theoretical models of ethical thought. Indeed, Kantian formalism temporarily eclipsed the firm concretization that necessarily accompanies consequentialistic analysis.

Although the nineteenth century saw a step back

from the degree of formalistic abstraction inherent in Kantian ethics, Hegelian and other forms of idealist ethics, utilitarianism (of both the Benthamite and Millian variety), and the variegated Darwinistic ethical systems failed to return to the classical model of virtue analysis.

In the twentieth century, the proliferation of academic publications and university-based scholars was instrumental in the resurrection, if not the reinvigoration, of virtually every philosophical tradition in ethics. Nevertheless, virtue- and sentiment-based ethical theories enjoyed a rather desiccated existence, except in somewhat altered form under the various phenomenological approaches.

In general, metaethical investigations predominated throughout the discipline in the last years of the twentieth century, undoubtedly stimulated by G. E. Moore's discovery of the naturalistic fallacy and the renewed interest in the Humean is/ought dilemma that Moore caused. Contributing to the same effect was the dominance of logical positivism and its offshoots, which have insisted upon the analysis of language as the key methodological operation in philosophy.

Finally, the central role of commerce and the professions in modern life has led to a significant compartmentalization of normative ethics: Legal ethics, business ethics, biomedical ethics, ethics of engineering, and so forth, each with its specialized vocabulary and subject matter, have threatened to replace the general overview of the duties of person and citizen (the classical model) as the primary focus of normative ethical inquiry.

Patrick M. O'Neil

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SEE ALSO: Applied ethics; Ethics/morality distinction; Feminist ethics; Metaethics; Morality; *Nicomachean Ethics*; Normative vs. descriptive ethics; Situational ethics; Theory and practice; Virtue ethics.

## *Ethics*

IDENTIFICATION: Book by Baruch Spinoza (1632-1677)

DATE: *Ethica*, 1677 (English translation, 1870)

TYPE OF ETHICS: Renaissance and Restoration history

SIGNIFICANCE: Spinoza's *Ethics* argues that the knowledge of the systematic unity of all things, and of God as their source and essence, is humankind's greatest good and blessedness.

In Baruch Spinoza's chief work, the *Ethics*, he attempted to deduce his results from certain fundamental conceptions by using the geometric method. He even adopted the external form of Euclidean geometry, beginning each of the five parts into which the work is divided with definitions, axioms, and postulates, and advancing by formally demonstrating a series of definite propositions. Spinoza, like René Descartes before him, believed that mathematics furnished the universal type of true science, and he assumed that absolute certainty, which was then generally regarded as essential to science, could be attained only by following the same method. It has been pointed out that what is most valuable in Spinoza's system is not the result of his formal deductions, however, but the genius evident in his speculative intuition and keen psychological analysis.

In the *Ethics*, Spinoza is most directly concerned with the problem of humanity's place in nature—its relation to God or the total system of things—and the possibility of freedom. He demonstrates the possibility that human freedom depends upon first recognizing that one is part of nature and that one's mind, like everything else, is subject to uniform natural laws. It is not contingency or some peculiar power of free will that governs mental experiences; here as well as elsewhere, all takes place according to law and

necessity. Nature's laws, he argues, are always and everywhere the same. Thus, there should be one method of understanding the nature of all things: through nature's universal laws and rules.

### THE EMOTIONS

Spinoza goes on to consider human actions and desires in the same way that he considers lines, planes, and solids. From this standpoint, he gives a scientific account of the origin and nature of the emotions, showing how they necessarily arise from certain assignable causes and how their intensity depends on definite natural conditions. The emotions are all found to be variations of the primary states: desire, pleasure, or joy, which is the passage of the organism to a higher state of perfection; and pain, or sorrow, which is the passage to a lower state. To pass to a higher or lower state is not to become better or worse in the moral sense, but to become more or less active. The man of inadequate ideas is passive in that what he does depends on what happens to him rather than what he does or who he is.

This reduction of the emotions to law, however, is only a preliminary step in Spinoza's treatment. To attain freedom, it is first necessary to recognize the bondage of humanity, the fixed determination of the emotions through natural laws. Just as knowledge is power with regard to external nature, however, so one can free oneself from the emotions by understanding their laws. In Spinoza's view, the mind is something more than a series of passive states. Its essence consists in an effort to preserve its own being to promote its own good. In carrying out this purpose, it finds that nothing is so helpful as knowledge.

### KNOWLEDGE AND INTUITION

Through knowledge, it is possible to free humanity from the bondage of emotions. An emotion, when understood, becomes transformed and ceases to be a mere state of passivity. Moreover, when the conditions of an emotion are understood, it is possible to arrange and associate the various emotions in such a way as to strengthen and promote the occurrence of those that are desirable and to weaken and repress those that are harmful. The highest kind of knowledge for Spinoza is not scientific reason, but intuition, the direct insight that all things follow necessarily from the nature of God and hence form one system. To see all things not as a series of events in



time but in their necessary logical relation to God is what Spinoza calls viewing the world under the form of eternity. Spinoza's conception of God is very different from the ordinary theological one. For Spinoza, God is not transcendent, existing apart from nature, but nature itself as an active self-determining process.

### HUMANITY'S HIGHEST GOOD

This highest knowledge gives rise to the intellectual love of God, which is the highest good, or blessedness, for humanity. It is through the strength of this emotion, which is not a passion but the highest activity of mind, that the other emotions are most successfully governed and transformed. This intellectual love of God enables the mind to renounce entirely all finite or personal desires, as well as all envy and jealousy. Spinoza argues that he who loves God does not demand that God should love him in return. He demands nothing for himself; instead, he acquiesces completely in the order of the universe. Moreover, Spinoza maintains that since this knowledge and the intellectual love to which it gives rise are eternal, the mind that experiences these must have something in it that is eternal and that cannot be destroyed with the body. An interesting feature of Spinoza's philosophy is the close relationship between the individual and society. It is not merely the individual good that he sought but one that as many as possible would share. In many passages in the *Ethics*, Spinoza approaches the modern conception of the individual as standing in an organic relation to society.

*Genevieve Slomski*

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SEE ALSO: Freedom and liberty; Hate; Intuitionist ethics; Perry, R. B.; Spinoza, Baruch.

## Ethics in Government Act

IDENTIFICATION: U.S. federal law setting standards for appointments of government officials

DATE: Became law October 26, 1978

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: This law requires nominees for positions requiring Senate confirmation to make financial disclosure reports; it also established the Office of Government Ethics to oversee the administration of ethics policies in the executive branch of the federal government.

The Ethics in Government Act was passed in the aftermath of the scandals during the Nixon administration to lessen the likelihood that future presidential nominees for government positions would have conflicts of interest that might result in personal or financial gain. The law requires presidential nominees for positions requiring Senate confirmation to file financial disclosure reports. Their reports should list sources of income, assets and liabilities, and affiliations with organizations that may lead to conflicts of interest. The act also created the Office of Government Ethics, which reviews the disclosure reports of presidential nominees and issues opinion letters concerning possible conflicts of interest.

### POSSIBLE CONFLICTS OF INTEREST

The principal concerns that guide the reviews of financial disclosure reports are the potentials for officials to (1) participate in matters in which they have personal financial interests, (2) receive income from nongovernment sources for government service, (3) participate in outside activities that may involve the

government, and (4) experience conflicts following their government employment because of restrictions on dealings with former agencies. The latter issue primarily affects former officials, but it is frequently a concern for officials entering government service because it can affect their future employment prospects.

### THE REVIEW PROCESS

The Office of Counsel to the President typically solicits complete financial records to anticipate problems before nominations are announced and explains reporting requirements to potential nominees. The Office of Counsel provides forms to potential nominees and gives the completed reports to designated agency ethics officials and to the Office of Government Ethics. Agency heads are responsible for compliance with the ethics program, and they appoint the agency's ethics official. The financial disclosure reports are also reviewed by the employing agency's representative, and the agency's evaluation is included in the Office of Government Ethics's opinion letter. The opinion letters are reviewed by the president before the nomination is sent forward. The members of the Senate involved in the confirmation process review the letters and generally include their own assessment of possible conflicts of interest.

Identification of possible conflicts may result in nominees being asked to disqualify or recuse themselves from participation in decisions regarding firms or industries in which they may have personal or financial interests, divest themselves of financial interests in particular firms or industries which may cause conflicts of interest, or put their financial holdings into "blind trusts" so that they will have no knowledge of their financial interests in particular firms or industries. A waiver may also be granted if it is determined that a nominee's interests in a particular firm or industry are so slight or peripheral as to assure that any conflict of interest will be very minor.

### RESTRICTIONS ON FUTURE EMPLOYMENT

In 1989, President George Bush appointed a Commission on Federal Ethics Law Reform that recommended strengthening the provisions dealing with "influence peddling" as well as broadening the provisions dealing with conflicts of interest when officials may gain personally or financially. Subsequent amendment of the Ethics in Government Act

expanded its scope to include influence peddling by former officials. The act restricts what former government officials may do upon leaving office, principally in terms of a two-year prohibition against representing private interests before their former agencies. These provisions were designed to lessen conflicts of interest that may arise during an official's tenure with an agency, when he or she may be anticipating future employment outside government, and to help stop the "revolving door" pattern of employment in which individuals move from government agencies to the industries they were responsible for regulating and vice versa. The provisions also include a one-year prohibition on former officials representing private interests before their former government employer when the individual had no responsibilities relating to his or her current employer.

### IMPACT OF THE ACT

Critics of the Ethics in Government Act have charged that it makes it difficult to recruit potential officials from the private sector. This criticism was expressed numerous times during the Reagan administration. At issue are whether the financial disclosure requirements themselves are impediments to recruitment because individuals do not want to make their finances public or whether other restrictions on employment discourage individuals from accepting nominations. In addition to financial disclosure and limitations on relationships with former and future employers, the act restricts the freedom of officials to manage their own financial affairs.

Supporters of the act argue that it focuses attention on the issue of ethics and, in particular, reinforces the principle that even the appearance of impropriety is to be avoided in public-sector employment. The Ethics in Government Act also reaffirms the principles that government officials should not use their positions for personal gain and that government business should be conducted "in the sunshine." Moreover, the act serves to protect appointing officials from inadvertently selecting someone who might be motivated to seek public employment for personal gain or who might later be charged with bias in making decisions.

The standards set in the Ethics in Government Act have had a broad impact in government. States and municipalities are increasingly requiring financial disclosure by political appointees and elected offi-

cial to lessen the potential for conflicts of interest. Conflicts that may arise because of dual employment, financial interests in businesses that deal with government agencies, and the use of public positions to benefit private interests are examined closely. Conflicts arising from the employment of law enforcement officers in private security during their off-duty hours are cases in point.

*William L. Waugh, Jr.*

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SEE ALSO: Apologizing for past wrongs; Campaign finance reform; Conflict of interest; Constitutional government; Corruption; Lobbying; Politics; Private vs. public morality; Public's right to know; Realpolitik.

## **Ethics/morality distinction**

**DEFINITION:** Distinction drawn by moral philosophers between the study of moral judgments and choices (ethics) and the systems of rules and values governing those choices (morality)

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Ethics is the study of morality, but almost every system of ethics also attempts to create, formulate, or advocate its own moral principles, thus blurring the distinction.

Ethics refers to the most important values and beliefs of an individual or a society. These beliefs help shape the character of the people in that society, teaching them what is good and bad. Ethics implies knowledge of these basic principles and the responsibility to make the appropriate choice when necessary. The

strong bond between ethics and a society's customs raises the issue of relativism. Moral philosophers argue that ethics implies values that are universal and are not tied to one society or time period.

The particular rules implementing ethical beliefs in a specific society may change, but not the fundamental principles. In a society composed of subcultures, the specific laws or customs of each may be expressed differently. The distinction between ethics and morality becomes important when the rules used by different groups are not understood or accepted. Unacceptable behavior may be assumed to mean unacceptable values. In that case, the ethos, or unifying characteristics, of a society is weakened and individuals within that society must justify their actions, because morality cannot be assumed.

*James A. Baer*

SEE ALSO: Applied ethics; Choice; Ethics; Moral education; Morality; Multiculturalism; Normative vs. descriptive ethics; Pluralism; Relativism; Theory and practice.

## **Ethnic cleansing**

**DEFINITION:** Forced expulsion of a specific population from a territory

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** Ethnic cleansing is predicated either upon a judgment that the presence of a specific ethnic group in an area is harmful, or upon a judgment that the cleansing group has a moral right or imperative to create a homogeneous culture for itself. Either judgment will activate ethical concerns about violence, warfare, prejudice, human rights, minority rights, and the rights to self-determination of both groups.

"Ethnic cleansing" is a euphemism for murder and land theft that is sanctioned by a state government. It usually refers to the expulsion of an "undesirable" population from a given territory for political, strategic, or ideological reasons, or because of religious or ethnic discrimination. Forced emigration and population exchange are elements of ethnic cleansing. Forced population removal or transfers have occurred repeatedly throughout history, most often to

create or secure an ethnically homogeneous homeland or state.

The Assyrian king Tiglath-Pileser III (745-727 B.C.E.) carried out one of the earlier recorded cases of ethnic cleansing. One-half of the population of any land that he conquered was forcefully removed and replaced by settlers from other regions who were loyal to him. Many centuries later, European settlers in North America slowly “cleansed” the land of most Native Americans with the tacit consent of the state. By expelling the entire East Indian community from Uganda during the early 1970’s, Idi Amin of Uganda “cleansed” that country of East Indians so that indigenous Africans could take over their land and businesses. During the 1990’s, Serbians in the former Yugoslavia tried to “cleanse” territory that they claimed for Serbian Christians by driving out Muslim citizens. They used murder, rape, starvation, and a variety of other deplorable techniques to achieve their goal.

There is no moral justification for ethnic cleansing. It is carried out by those who hope that if they occupy the land long enough, their right to it will not be challenged. Yet history has shown that time neither heals every wound nor justifies every action. Ethnic cleansing is and has always been criminal. It should not be sanctioned by any self-respecting government, because it is ethically unjust.

*Dallas L. Browne*

SEE ALSO: Bosnia; Concentration camps; Genocide, cultural; Genocide and democide; Kosovo; Land mines; Refugees and stateless people.

## Ethnocentrism

**DEFINITION:** Attitude according to which one’s own race or society is the central criterion for evaluating other groups or cultures

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** Ethnocentrism promotes loyalty to the group, sacrifice for it, and hatred and contempt for those outside it.

Ethnocentrism is the emotional attitude that places a high value on one’s own customs and traditions and

belittles all others, rating as least valuable those who differ most. One’s own group is the center of everything, and all others are scaled with reference to it. Each group nourishes its own pride and vanity, believes itself to be superior, exalts its own divinities, and looks with contempt on outsiders.

Sociologists and anthropologists have found that people everywhere seem to believe that the groups to which they belong are the best and that their ways and morals are superior. Others outside their group are something else—perhaps not defined—but not real people: the Jews divided all mankind into themselves and the Gentiles, the Greeks and Romans called outsiders “barbarians,” the Arabs referred to others as “infidels,” and the whites in South Africa called the blacks “kaffirs.” Although ethnocentrism serves a useful purpose in that it performs the function of discipline and social control within the group, it can be very irritating and disruptive, and when it gets out of hand, it may be dangerous and even fatal.

*Olusoji A. Akomolafe*

SEE ALSO: Anthropological ethics; Bigotry; Multiculturalism; Oppression; Post-Enlightenment ethics; Racism; Social Darwinism.

## Etiquette

**DEFINITION:** Code of manners governing social behavior and interactions

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Disagreement exists as to whether etiquette should be considered a branch of ethics. The answer depends on the extent to which politeness and manners are judged to be moral requirements.

Normative ethics and etiquette are alike in that each offers prescriptions concerning how people ought to behave. Ethics tells people to avoid certain forms of conduct because they are morally reprehensible and recommends that they engage in others because they are morally admirable. Etiquette, in contrast, prohibits certain forms of conduct because they are discourteous or vulgar and recommends others as polite or elegant. Ethics and etiquette are separate at least

to the extent that ethical violations can be committed without violating etiquette, and to violate at least some aspects of etiquette, it is not necessary to violate ethics.

Etiquette, unlike ethics, is much concerned with characterizing the social meanings of forms of behavior, determining what behavior expresses respect, contempt, gratitude, aggression, and so forth. Different societies have very different conventions about these matters. For example, in Turkey, the normal way in which men greet one another with respect is by kissing, while in English-speaking lands, kissing is deemed improper and a handshake is preferred. Since these conventions vary so widely, the prescriptions of etiquette are far more socially relative than are those of ethics. The maxim “When in Rome do as the Romans do” generally applies to etiquette, though it is less sound as a maxim of ethics.

The *Instructions of Ptah Hotep*, an Egyptian text dating from about 2500 B.C.E., provides the earliest known account of polite behavior. Later Western notions of etiquette are rooted in medieval chivalry, according to which the knight should be not only a powerful warrior but also honorable and well mannered. In particular, he is to display gentle, sincere devotion toward ladies, and they, in turn, are to be delicately refined and of absolute purity. The Renaissance writer Baldassare Castiglione expresses these ideals in *The Courtier* (1528). Later, the term “etiquette” entered English with the publication of Lord Chesterfield’s *Letters to His Son* (1774), in which the author expounded gentlemanly deportment.

### ETIQUETTE AND CLASS

These codes of manners were aristocratic. Persons of lower-class birth did not understand or conform to them and therefore were marked off from the upper class. In the nineteenth and twentieth centuries, however, class divisions weakened and an expanding circle of people sought to advance themselves socially by cultivating good manners. Books on etiquette multiplied. In the United States, the writings of arbiters such as Emily Post, Amy Vanderbilt, and Miss Manners (Judith Martin) have enjoyed

### Categories of Personal Etiquette

<i>Behavior</i>	<i>Examples of prescriptions</i>
Eating	Style and self-restraint in table manners, table settings, and service.
Dressing	Modesty and elegance according to sex, age, and occasion—formal or informal.
Communicating	Tact and skill in handling introductions, polite conversation, writing letters, telephoning, use of calling cards.
Socializing	Graciousness in giving and attending parties and other entertainments, having and being houseguests, making and receiving social visits.
Celebrating	Appropriate degrees of ostentatious formality in private celebrations of weddings, engagements, births, graduations, and anniversaries.
Rituals	Propriety in observing formalities of official diplomatic, religious, military, or governmental ceremonies.

wide circulation. These authors have sought to present etiquette not class-consciously but democratically, offering guidance in civility for everyone. They consider not only everyday personal etiquette but also special areas of etiquette; for example, in business, in the professions, in diplomacy, and so on.

Iconoclastic persons often view etiquette with contempt, because they condemn class-conscious snobbishness and artificial conventions and because they suppose that the ethical virtues of sincerity and truthfulness are all that are needed in life. They are right, of course, that arbiters of etiquette sometimes have defended frivolous rules and sometimes have done so for blameworthy reasons. They are wrong, however, to suppose that egalitarian society has no need of etiquette and that social interactions could successfully proceed were manners guided by sincerity and truthfulness alone. The point that they miss is that human beings in their everyday contacts readily generate antagonisms that can become destructive unless they are covered by the cloak of tact-



fulness and smoothed by the oil of polite formalities. A society that is polite, at least to a judicious degree, can function more efficiently and more happily than can a sincerely truthful but uncivil society.

### ETIQUETTE VS. ETHICS

Do ethics and etiquette sometimes conflict? It might seem so, since ethics is thought to prescribe that people not engage in lying or deception, while etiquette encourages the use of white lies. ("I'm so sorry, but I'm busy that night," one is supposed to say, instead of the more truthful "I don't like you and don't want to come.") This supposed conflict between ethics and etiquette is not deep-seated, however, since the white lies of etiquette can be justified in terms of the ethical principle of nonmaleficence (avoiding hurting the feelings of others). Moreover, the saying of something not literally true is scarcely a lie when everyone knows that it is prescribed by social custom.

Etiquette enjoins people always to be polite. In rare cases, when there are strongly countervailing ethical considerations, one ought to abandon politeness in order to do what is morally right (for example, a firefighter, in order to extinguish a fire, may have to intrude violently on someone's privacy). Usually, however, etiquette conflicts very little with ethics, and violations of etiquette commonly are violations of ethics also, because they tend to injure others, at least mildly.

A controversial question that philosophers have not discussed extensively is whether politeness itself should be classified as a moral virtue, along with honesty, fidelity, modesty, and the like. If by "moral virtues" are meant those admirable human qualities that enhance a person's capacity for contributing to the well-being of society, then politeness can be a virtue in this sense. Notice, however, that being polite is not the same thing as being favorably disposed toward everyone else. Someone possessing the virtue of politeness knows ways of politely expressing negative reactions toward others, and especially toward those who are out of line.

*Stephen F. Barker*

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SEE ALSO: Cell-phone etiquette; Chivalry; Codes of civility; Gossip; Internet chat rooms; Legal ethics; Scientology.

## Eugenics

DEFINITION: Attempt to alter human evolution through selection

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: Even in its most benign form, eugenics raises serious ethical questions, since it almost unavoidably involves some people making reproductive choices for others, and making decisions about which genetic traits should be preserved, strengthened, and eliminated from the human race. The darker forms of the science entail much clearer and more heinous transgressions, up to and including involuntary sterilization and genocide.

Although the idea of selective breeding dates back to antiquity, the first detailed exposition of eugenics founded in genetic and evolutionary science was produced by Sir Francis Galton in *Hereditary Genius* (1869). Two main strategies of eugenics are possible: increasing the gene contributions of those who have desirable traits (positive eugenics) and decreasing the gene contributions of those who have undesired traits (negative eugenics). Genetic testing must first determine what traits people have and to what extent each trait is heritable. Supporters of eugenics claim that intelligence is genetically determined, but most data concerning this claim are suspect, and the true heritability of intelligence is still hotly debated.

Positive eugenics encourages people with desirable traits to produce more numerous offspring. Encouragement may take the form of monetary rewards, paying the educational expenses for children, and so forth. Sperm of desirable men could be collected and stored for the future artificial insemination of selected women, but this suggestion has rarely been followed because of the expense of the procedure.

Negative eugenics applications may mean that individuals carrying undesired traits might be killed or sterilized. Advocates of eugenics say that this cruelty is for the greater good of humanity, but opponents strongly object. Beyond this issue, other ethical questions arise: Which traits are desired? Who will make the decisions? Since many traits vary by race, negative eugenics raises questions of racism and brings humanity close to the dangers of genocide. (The only nationwide eugenics laws in history were used in Nazi Germany to exterminate Jews and other non-“Aryans.”) Geneticists have also determined that negative eugenics is very limited in its ability to change gene frequencies. Most genetic defects are rare, and selection against rare traits is very ineffective. Selection is especially ineffective if a trait is influenced by environment or education, as intelligence scores are. Also, if negative eugenics could succeed, it would reduce the genetic variability of the population, and variability may itself be desirable, especially if future environments change.

*Eli C. Minkoff*

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SEE ALSO: Bioethics; Cloning; Evolutionary theory; Future-oriented ethics; Genetic counseling; Genetic engineering; Genetic testing; Genocide and democide; Intelligence testing; Nazi science; Social Darwinism; Sterilization of women.

## **Euthanasia**

**DEFINITION:** Active or passive encouragement of the death of a person to prevent further suffering

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Euthanasia continues to be an extremely controversial issue, since it engages one of the most fundamental moral questions: Under what circumstances, if any, is it ethical to cause the death of another person?

The term “euthanasia” is derived from the Greek phrase that means a pleasant or easy death. Relieving suffering was part of the Hippocratic oath, dating from the fourth century B.C.E., when Greek physicians were sworn to preserve life and never willingly to take it. This sanctity-of-life principle was not, however, honored always and in all places. The Greeks and Romans, for example, ruled that slaves and “barbarians” had no right to life. In Sparta, the law required the death of deformed infants. The philosophers Plato and Aristotle regarded infanticide and abortion as acceptable, and Plato himself was a victim of compulsory suicide.

Before and during World War II, Nazi Germany practiced euthanasia on those viewed as socially unproductive: Jews, older people, the deformed, the chronically ill. Memories of these compulsory deaths have caused many people to resist the idea and practice of euthanasia, even by what would be considered humane methods. In 1969, however, Great Britain's House of Lords passed a voluntary euthanasia law; earlier bills had been defeated in 1938 and 1950. The main purpose of the British law was to authorize physicians to give euthanasia to a patient thought to be suffering from an incurable physical condition and who has made a declaration requesting euthanasia. A clause provides that a declaration may be revoked at any time. Passive euthanasia had been generally accepted, but Parliament by this act legalized active euthanasia.

Euthanasia is divided into two types: active and passive. Active euthanasia is direct intervention to bring about the death of one suffering from a terminal illness, while passive euthanasia is letting nature take its course. The intent to bring about death requires ethical analysis to find a moral consensus, since the rights of an individual and those of society come into play.

### CHRISTIANITY AND EUTHANASIA

Throughout the twentieth century, Western churches—the Roman Catholic Church in particular—took strong stands against both types of euthanasia. During the medieval era, Saint Augustine of Hippo and Saint Thomas Aquinas affirmed that only God is the arbiter of life and death. They taught that pain and suffering have purpose in God's sight. In 1940, the Catholic Church officially condemned the administration of euthanasia for any reason as contrary to natural and divine law. In late 1957, however, Pope Pius XII, speaking to an International Congress of Anaesthesiologists, stated that "morally one is held to use only ordinary means" to sustain life and that in cases of terminal illness, there is no obligation to continue lifesaving measures. Differences exist, however, regarding what constitutes ordinary versus extraordinary means and who should decide when death is preferable to treatment.

Ordinary means of treating a sick or dying person are means that are in common use, while extraordinary means involve nonstandard treatment, the new and the rare. Scientific and technological advances have transformed the extraordinary into the ordinary. This development complicates the issue, since such factors as scarce funds and facilities also come into play, introducing another ethical problem: the acceptability of utilitarianism.

The sanctity-of-life principle holds that it is absolutely prohibited either intentionally to kill a patient or intentionally to let a patient die and to base decisions for the prolongation or shortening of human life on considerations of the quality of that life. Under no circumstances is there a "right to die." This is true irrespective of the competency or noncompetency of a person to decide for himself or herself whether to choose euthanasia.

Patients, doctors, and the patients' families are generally the decision makers in cases of possible euthanasia, whether active or passive. By 2004, virtually all states accepted living wills whereby competent adults give directions for the health care they want if they become terminally ill and cannot direct their own care. Those who believe in the sanctity of life fear that these living wills are a wedge that will allow nonvoluntary euthanasia to become acceptable.

While staunchly opposed to euthanasia, some churches and courts accept the "double-effect" prin-

ciple. This principle holds that an action whose primary effect is to relieve suffering may be ethically justified, although a secondary effect may be death. Physicians, they argue, have a duty to relieve pain as well as to preserve life—although doing so may shorten the person's life.

### THE QUALITY-OF-LIFE ETHIC

Much debate centers on the quality-of-life ethic. Some argue that if there is little hope that a given treatment prolonging a person's life will allow that person to live a beneficial, satisfactory life, then euthanasia is justified. In such cases, the sanctity-of-life principle is set against the quality-of-life approach. How can a proper quality of life be guaranteed to all citizens and an equitable distribution of medical care be ensured? Using utilitarianism as a guideline, providing high-quality life for a majority takes priority over prolonging the lives of a few. Cost-effectiveness becomes a major factor in the decision to choose or not to choose euthanasia. This is unacceptable to many persons, since it places an economic value on people.

The counterargument is made that while every person is equal to all others, not every life is of equal value. The case of Karen Ann Quinlan is cited as an example of the quality-of-life and sanctity-of-life dilemma. The victim of an accident, Quinlan went into a coma in 1975 and was kept on a respirator for several years. After repeated requests from her guardian, a court decision allowed discontinuance of the respirator. Quinlan's life was not benefiting her and was burdening her parents unduly. The quality-of-life judgment prevailed in that case.

In 1990, the U.S. Supreme Court ruled that patients have a constitutional right to discontinue unwanted life-sustaining medical treatment. In 1992, the Netherlands's parliament approved liberal rules on euthanasia and doctor-assisted suicide. The guidelines require, however, that the patient must be mentally competent, be suffering unbearable pain, and request euthanasia repeatedly; and the doctor must consult a second physician before proceeding.

The right to die with dignity, free of terminal agony, is a concept that enjoys strong public support. Most of this support, however, is for passive euthanasia; support for active euthanasia is more moderate. The notion of a right to die is still very controversial, making moral standards of judgment ever more im-

perative. Whether supporting the sanctity-of-life doctrine or the quality-of-life argument, there is general agreement among those most engaged with this issue that not every patient's life ought to be prolonged. The moral debate is over how this life should be ended. Individuals, families, courts, and ethics committees struggle over euthanasia, striving for justice for both patient and society.

S. Carol Berg

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## Evers, Medgar

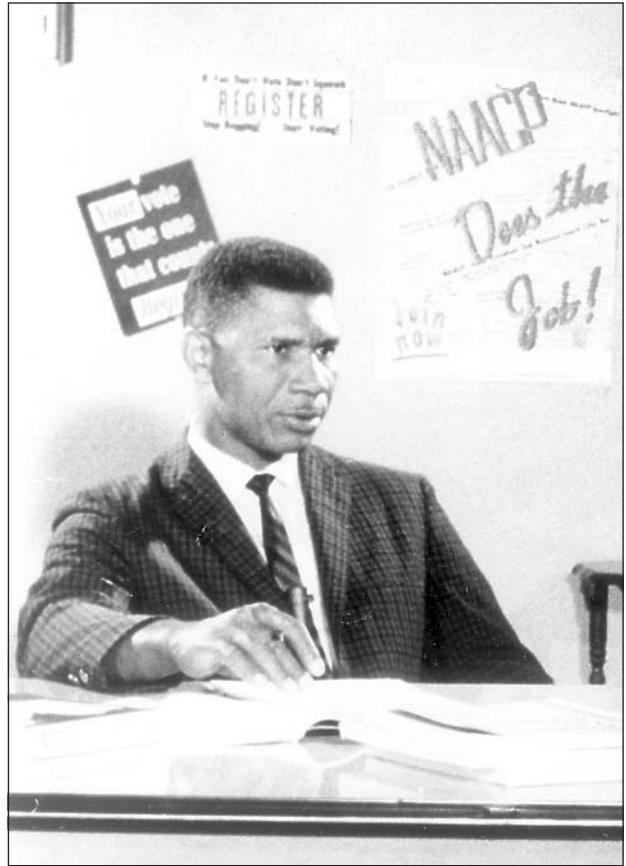
IDENTIFICATION: Martyred American civil rights activist

BORN: July 2, 1925, Decatur, Mississippi

DIED: June 12, 1963, Jackson, Mississippi

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: The National Association for the Advancement of Colored People's (NAACP) first



Medgar Evers during a television interview in 1962. (Library of Congress)

field secretary in Mississippi, Evers was an important civil rights activist and organizer. His assassination received widespread news coverage and was a source of national outrage that helped to galvanize the Civil Rights movement.

After growing up and attending segregated high schools in Decatur and Newton, Mississippi, Evers served in the army, seeing action in the European theater of World War II. Afterward, he attended the all-black Alcorn Agricultural and Mechanical College, graduating in 1950. He became an insurance salesman but devoted much spare time to his work for the NAACP. Trying to organize local affiliates for the NAACP, he visited most areas of the state and began building a wide-ranging base of support. By 1954, he had moved to Jackson to become field secretary for the entire state.

In relocating to Jackson, Evers had moved to a city that had rigid segregation. To bring change, in 1963 Evers organized a massive nonviolent protest movement. Day in, day out, Evers challenged segregation and discrimination by personally leading the protests. The protests and Evers’s life were cut short when, on June 12, 1963, Evers was assassinated by Byron de La Beckwith. De La Beckwith was tried twice for the crime in 1964, but both trials resulted in hung juries. He was finally retried and convicted in 1994 and spent over six years in prison before dying of heart problems on January 21, 2001.

In the twelve weeks after Evers’s death, 758 racial demonstrations occurred in the United States. Such pressures convinced President John F. Kennedy to send a civil rights bill to Congress, a bill that eventually became the Civil Rights Act of 1964, a law that gave minorities more justice than they had ever had before.

*James Smallwood  
Updated by the editors*

SEE ALSO: Assassination; Civil Rights Act of 1964; Civil Rights movement; King, Martin Luther, Jr.; National Association for the Advancement of Colored People; Racism.

## “Everyone does it”

**DEFINITION:** Rationalization invoked to excuse, justify, or otherwise neutralize the moral bind of law, freeing one to commit acts deemed morally, legally, and socially undesirable

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Originally thought to explain delinquency among delinquent youth, the idea that “everyone does it” has been shown to explain why white-collar offenders commit crime and simultaneously maintain their sense of being upright citizens.

In his 1994 book *“Everybody Does It!”*, criminologist Thomas Gabor describes how people justify their involvement in dishonest, unethical, or immoral behavior, using phrases that “normalize” their actions to themselves and others. Phrases such as “everyone’s doing it” were first identified by sociologists

David Matza and Gresham Sykes during the late 1950’s as techniques of “neutralization” for questionable behavior.

Neutralizations are words and phrases that negate the moral and ethical binds of law. Those who use them draw on the explicit exceptions to law such as “I was not myself at the time” or “I was acting in self-defense.” Embezzlers commonly describe their stealing as “borrowing.” Dishonest employees typically blame their excessive expense-account claims, time thefts, or thefts of company property on their companies or unscrupulous supervisors, claiming that their companies have treated them badly, their bosses have cheated them out of vacation days, or their managers have prevented them from receiving deserved raises or promotions.

### LANGUAGE OF NEUTRALIZATION

Similarly, corporations themselves use neutralizing words and phrases to explain that their fraudulent actions are necessary for them to remain competitive. Government agencies may explain their abuses of power as necessary to “protect the public.” The use of such phrases is self-serving, in that they reduce the sense of moral culpability of wrongdoers, while also freeing them to commit further offenses, especially if they sense that their excuses will be accepted by judging audiences.

Neutralizations may be excuses that people use to acknowledge committing misdeeds, while denying responsibility for them; an example is “I was ordered to do it.” Alternatively, neutralizations may be justifications offered to accept responsibility for misdeeds or to assert the rightfulness of the actions, such as “no one got hurt.”

Most people use such “claims to normality” in varying degrees to excuse or justify their deviant behavior; some to negate serious deviant, and even criminal, behavior. As a claim of normality, saying that “everyone does it” promotes the commonality of the action over any principle of ethics or law.

A crucial issue of neutralizations is their timing. When they occur after the acts, neutralizations are seen merely as rationalizations seeking to minimize the culpability or consequences for questionable behavior. When they occur prior to the acts, they can motivate misbehavior by freeing potential wrongdoers from the moral and ethical bind of law.

Criminologists argue that to counteract the effect



### Examples of Neutralizing Accounts

Claim of normality	“Everyone cheats on their taxes.”
Denial of responsibility	“It’s not <i>my</i> fault.”
Denial of injury	“No one got hurt.”
Denial of victim	“They had it coming!”
Condemning the condemners	“The police are corrupt.” “Judges are biased.” “Our priests are immoral.”
Appeal to higher loyalties	“I did it for the good of my family.”
Metaphor of the ledger	“If you weigh all the good things I’ve done against all the bad things, I must come out on the good side.”

of neutralization that undermines morality and ethics, it is necessary continuously to point out the harm caused by the misdeeds—through the media, meetings, and interpersonal relations. It is also important to be clear that words and phrases used to neutralize are nothing less than self-deception, designed at best to minimize the consequences for the offenders, and at worst, to justify doing harm to others because of harm others have done in the past. An example of the latter would be to justify any action that undermines corporate power because of the damage corporations have done to the environment in the past.

*Stuart Henry*

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SEE ALSO: Bystanders; Choice; Conscience; Corruption; Hypocrisy; Role models; White-collar crime.

## Evil

**DEFINITION:** Morally reprehensible behavior or force

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The existence of evil poses a problem for any religious system that posits a benevolent, omnipotent deity or for any secular system that represents human history as fundamentally meaningful. Indeed, many such systems seem to have been created precisely in order to explain or to mitigate evil’s presence in the world.

The contradiction within the problem cited above can be solved logically only by denying any one of the three propositions. One must hold that God is not all powerful or that God is not all good. Alternately, theists such as Saint Augustine denied that evil exists; instead, there is only privation caused by

humankind’s distance from God. Modern Christian Scientists and Stoics generally follow the thought of Augustine. Some philosophers, however, such as William James, tried to solve the contradiction by denying the omnipotence of God, arguing instead that God had much, but limited, power.

All monotheistic religions that stress the omnipotence and goodness of God develop a system of ethics that defines what is right, what is wrong, what is good, and what is bad. The presence of evil in the world, however, threatened to destroy belief in God and thereby destroy absolute ethical values. In God’s defense, theodicy developed. Theodicy, in its classical form, is the philosophical and/or theological attempt to justify the righteousness of God.

The Greek philosopher Epicurus (341-270 B.C.E.) was apparently the first to articulate the dilemma that the “question of evil” raises. The ancient Hebrews also grappled with the problem, as did early Christian theorists such as Saint Irenaeus, Saint Augustine, and Saint Thomas Aquinas. In the modern era, scholars who have examined the problem include Immanuel Kant, David Hume, John Stuart Mill, and Albert Camus.

### DEFINITIONS

Several kinds of evil exist. The first is moral “radical” evil that occurs when an intelligent person knowingly and willingly inflicts suffering upon and harms another being, human or animal. The second type is natural evil, which is self-explanatory and which includes all manner of natural calamities such as earthquakes, tornadoes, tidal waves, cancer, heart disease, and so forth. The third is metaphysical evil, an abstract concept that “wonders” why a perfect, all-powerful God did not create a perfect universe.

Within the definitions above, the magnitude of evil varies. Some evil is personal, as is the case when an individual beats, robs, or murders another person. Evil can be “transpersonal,” as is the case when one group (German Nazis, for example) tries to murder millions of other people. Evil can be “transgeneric”; that is, if imperfect beings exist on other planets, evil goes beyond humanity as we know it. Finally, evil can be cosmic, as is the case when nuclear powers threaten to blow up the world or when greed-driven corporations foul the world’s environment beyond repair.

Genocide, terrorism, threats of nuclear war, individual callousness, and cruelty—all are evil. In a Texas town during the early 1990’s, eight adults were charged with multiple counts of sexual assault on children who were related to the perpetrators—this is radical evil. In another state, four teenagers were found guilty of the murder of a twelve-year-old girl who was beaten, whipped, sodomized with a tire iron, raped, and—finally—doused with gasoline and burned alive; this is radical evil. Such evils, multiplied thousands of times are, according to nonbelievers, what the “silent” God must explain.

### THE PROBLEM’S COMPLEXITY

Within the framework of monotheism, the existence of evil suggests that God does not exist. If God does exist amid flourishing evil, then He is either not all-powerful or is not all good. To paraphrase philosopher David Hume: Is God willing but not able to stop evil? Then he is impotent. Can he stop evil but is not willing to do so? Then he is not all good, and is probably malevolent. If he is willing and able, how does evil survive?

Looking at the problem another way, one might formulate the following set of ideas: Individuals are aware of the world around them; they see the world’s

evil, which causes death and suffering; they then have *prima facie* evidence that either there is no God or God is not all-benevolent; if God is not all-benevolent, if he allows innocents to suffer, he is capricious and cannot be trusted. Some critics say that it would be better to have no God than to have one who is capricious enough to allow evil.

Philosophically and theologically, the problem can be solved only through “belief” in the unknown, only with some rapid mental “footwork,” with a mental “leap” of logic. For example, various scholars, including Saint Augustine, the historic defender of the faith, advance the “free will” concept, which blames humankind for most evils, beginning with the original “sin” of Adam and Eve (either literally or symbolically). Critics reply, however, that a good God would have made the pair incapable of sin, would have given them such basic values that they would always choose not to do wrong.

One nineteenth century German critic, Friedrich Schleiermacher, argued that God, being perfectly good, could only have created a perfectly good Adam and Eve. They would have been free to sin, but they would never have to do so. To cite them as the authors of a willful evil crime is to assert a major contradiction—it is, in effect, to assert that evil has created itself *ex nihilo* (out of nothing).

### OTHER ASPECTS OF THE DEBATE

Another rationalization hinges on the process of “soul-making,” which incorporates ideas that imperfect humans who created evil must, with God’s help, evolve into better beings and that evil and suffering are a part of the evolutionary process. Critics charge, again, that a perfect God could have created better beings in the first place. Furthermore, they point out that part of the “soul-making” has to do with developing virtues, but why should this be necessary if everything is perfect in Heaven?

Another aspect of the debate is the Augustinian and Calvinist doctrine of predestination. Indeed, predestination sets up another dilemma. If God wants to “save” all humans but cannot do so, he has limited power. If, on the other hand, he chooses to “save” some and eternally damn all others to eons of torture, then he is not perfectly good and, indeed, has a streak of sadism. Sadism is a form of evil. Therefore, is God himself evil?

The concept of “hell” also raises problems. Hell

as laypeople understand it is a place of torment to which “bad” people go to be punished forever through eternity. How could a good God create such a place or allow it to exist? Why would a good God create such a place or allow it to exist? Is God, then, not good? Is he again playing the role of a sadist who enjoys watching people suffer? Many fundamentalist televangelists would gleefully tell one so.

Associated with Hell is Satan, or the “Devil,” a supposed fallen angel that, many Christians, Jews, and Muslims believe, causes moral and natural evil. The concept of Satan probably had its origins in “extreme” religious dualism, one way that some people tried to rationalize about the existence of evil in a good world. One such dualistic religion was founded by Zarathustra (Zoroaster) about 1200 B.C.E. Zoroastrianism (or Mazdaism) taught that God—called Ohrmazd—was perfectly good but not all-powerful. Ohrmazd had a powerful antagonist, Ahriman, the personification of evil, destruction, and death.

Zoroastrianism also had its Adam and Eve, whose names were Mashye and Mashyane. Ahriman tempted them with lies, and they believed him—thus committing their first “sin.” Then they offered an ox as a sacrifice—their second “sin.” Zoroastrianism has various concepts in common with Christianity; for example, the fighting between God and the Devil (Ahriman) generally follows the Christian pattern.

Another example of dualism—a good being fighting a bad being, with the two having almost equal power—is found in Manichaeism, a movement that was contemporary with early Christianity; indeed, Manichaeism attracted Saint Augustine for a time.

Other philosophers turn to natural evils and explain them on the basis of the natural scientific laws of the universe. God, they argue, will never change those laws, because humankind needs their stability; without them, each new day would bring chaos to the natural world. Detractors again point out that an all-powerful God could intervene when necessary to modify natural laws (in the interest of saving human lives, for example).

### ZOROASTRIANISM

As if they have taken a “lesson” from Zoroastrianism and Manichaeism, some lay Christians have “promoted” Satan to the post of junior god; they believe that this world is ruled by Satan and has been

since he was cast down from Heaven. True, demonology does not have the following that it did in the medieval era, but even so, many laypersons, especially fundamentalist Protestants, still believe that the Devil exists and has power over this world. Even if the Devil is directly responsible for evil, a philosophical problem still exists, because God is responsible for everything in the universe, including Satan. If Satan is responsible for evil, why does a perfectly good all-powerful God allow “him” to exist?

Just as some modern theists and believers deny that real radical evil exists, many also deny that Satan exists. Again, such a view is problematic; it contradicts what is found in the Bible. Specifically, belief in the Devil permeates the New Testament. The Gospels show that Jesus knew that Satan and demons really existed, because he was forever speaking of them and trying to cast them out of people. It appears that, dogma aside, Christianity has developed a type of dualism within monotheism. The dualism is represented by the struggle between the good God and the Devil; hence, evil results.

Some philosophers, such as Friedrich Nietzsche, did not grapple with the above questions, but instead rejected God on other grounds. Nietzsche argued that the very definitions of the words “good” and “evil” had become corrupted. Christian good led to meekness, humility, and cowardliness. Conversely, Christians labeled as evil such traits as creativity, passion, self-assertion, and the willingness to fight for ideals. Nietzsche then proclaimed that “God is dead” and said that people should go beyond “good and evil”; Nietzsche stressed moral pluralism rather than moral absolutism. Christianity had only mired people in guilt and made them escapists who would settle for rewards in Heaven because, surely, they would get no rewards in this world. Nietzsche argued that the strong, with a “will to power,” were the right people to lead a civilization; they could lead without guilt or regret.

Twentieth century horrors such as the death and destruction of two world wars—the last of which witnessed the killing of approximately six million Jews and at least that many Slavs—convinced many intellectuals that God did not exist, since he would have stopped such evil. The optimistic progressivism that characterized philosophical theism before 1914 gave way when mass destruction and death forced many thinkers to confront evil directly.

After living to see such evil, the existentialist Jean-Paul Sartre stressed the apparent powerlessness of God and went on to present a unique criticism. Sartre held that of the many people who try to believe in one God, a good number suffer overwhelming anxiety and puzzlement; they try to believe but are torn by doubt. After referring to the anxiety, the puzzlement, and the doubt, Sartre added simply that an all-powerful and all-good God would never allow his “children” to have such negative and perhaps destructive thoughts and feelings. Sartre’s contemporary and countryman Albert Camus developed the concept of the absurd—that is, the nonexistence of God, the meaningless of human life, and the existence of evil all around. Camus believed that the appropriate response was to face the meaninglessness, to create personal meaning by making a commitment to something larger than oneself, and to work to make life as meaningful as possible.

### THEODICY

Other writers have attacked theodicy in more specific ways. For example, some scholars have studied the testimony given at the Nuremberg Trials after World War II. One particularly unsettling type of murder at Auschwitz was committed by Nazi guards who isolated children who were too young or too sick to work. Those children would then be thrown directly into crematorium furnaces or into blazing pits. Some witnesses noted that the children were thrown in while still alive and that their screams could be heard all over the camp. No witnesses knew just how many children were viciously murdered in this way.

After he had studied the appropriate trial transcripts and had learned of the burning children, Irving Greenberg attacked theists with a vengeance. In making their defense of theodicy, Greenberg demanded that they should propose no argument, theological or otherwise, that would not be credible in the presence of the burning children. Greenberg submitted that no attempted justification of God was possible, that anyone who attempted it—with the burning children in mind—was guilty of something even worse than blasphemy.

Elie Wiesel, a victim who managed to stay alive in a Nazi death camp, added his own testimony about the problem of evil. He saw babies burned alive, yet the death by hanging of a small fifteen-year-old boy seemed to trouble him the most—perhaps because

the boy was so slight that the hanging did not immediately kill him. Instead, hanging by the rope, the boy struggled in the air, and twisted and turned; he suffered for at least an hour before he died. Just then, someone asked Wiesel “Where is God now?” Wiesel pointed at the boy on the gallows and spit out the word: “There!”

Animal pain is another aspect of evil. In the animal “kingdom,” one species preys on and devours another. Still-conscious animals are literally eaten alive by their predators. Painful accidents and diseases are also common. Indeed, nature is “red in tooth and claw.” How can nature’s struggle of survival be reconciled with an omnipotent and perfectly good Creator? Scholarly attempts to answer such a question fall short of the mark. Some argue that animals live totally in the present and lack the human abilities of memory and anticipation that give rise to suffering; even though an animal’s life may be violently terminated, the animal’s life is most likely active and pleasurable up to the point of death. Such arguments about animal suffering are morally bankrupt, and such rationalizations may well be part of the evil world that no one can adequately explain.

Another answer to nature’s brutal ways was advanced by such philosophers as C. S. Lewis, who, in *The Problem of Pain*, argued that Satan’s pre-mundane fall has had cosmic consequences, one of which was the perversion of the entire evolutionary process to create a savage world. Again, however, such statements can be criticized because the all-powerful God allows Satan to exist.

*James Smallwood*

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SEE ALSO: Augustine, Saint; *Beyond Good and Evil*; Epicurus; God; Hitler, Adolf; Moral principles, rules, and imperatives; Morality; Religion; Right and wrong; Wickedness.

## Evolutionary theory

DEFINITION: Theory that living species change over time due to a process of natural selection of genetic traits by the environment

DATE: Articulated by Charles Darwin in 1859

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Darwin's theory of evolution challenged the authority of revealed religion, strengthened biologically deterministic arguments, and encouraged an ethical outlook based on processes at work in the natural world.

In his seminal work *On the Origin of Species* (1859), Charles Darwin advanced a convincing explanation for the changes that occurred in life-forms throughout geological time. His conclusions, based partly on insights gleaned from prevailing economic theory and new geological discoveries and largely on his own extensive investigations, contradicted the biblical view of creation. It also challenged the previously dominant eighteenth century Deistic view of a benign, carefully designed cosmos. In place of a master watchmaker harmonizing creation, Darwin posited a violent, indifferent natural order in which advances occurred as the more fit vanquished the less fit. In the



Darwinian universe, values were placed at the service of natural selection.

## HISTORY

The idea of evolution gradually gained momentum throughout the eighteenth and nineteenth centuries. This was largely the result of significant advances in several specific areas: classification, which placed living beings in logical relationships with one another; comparative anatomy and embryology, which allowed comparisons between simpler and more complicated organisms; and paleontology,

which increasingly revealed a progressive fossil record. Pre-Darwinian evolutionary theories, however, were overspeculative, lacked sufficient evidence, and had weak theoretical underpinnings. Darwin's work profited from Sir George Lyell's geological analyses, which greatly extended the known age of the earth, and the economic writings of David Ricardo and Thomas Malthus, which introduced the allied concepts of population pressure on scarce resources and the struggle for existence. Darwin's theory of evolution through natural selection intertwined a massive volume of evidence with those leading ideas. The re-

### Charles Darwin and the *Beagle*

In 1831, a twenty-two-year-old Charles Darwin, who had been studying for the ministry at Cambridge, by luck was offered a position as naturalist on the ship HMS *Beagle*, which was about to embark on a round-the-world voyage of exploration. His domineering father was against the trip at first, but he finally relented. The expedition would turn the young man into a scientist. Over the next five years, Darwin recorded hundreds of details about plants and animals and began to notice some consistent patterns. His work led him to develop new ideas about what causes variations in different plant and animal species:

[The] preservation of favourable individual differences and variations, and the destruction of those which are injurious, I have called Natural Selection, or the Survival of the Fittest. . . slight modifications, which in any way favoured the individuals of any species, by better adapting them to their altered conditions, would tend to be preserved. . . .

—*On the Origin of Species by Means of Natural Selection*, 1859

Until Darwin and such colleagues as Alfred Russel Wallace, the “fixity” or unchangingness of species had been

accepted as fact, and the appearance over time of new species remained a mystery. Darwin's lucky trip laid the foundation for today's understanding of life and its diversity.



sult was a methodologically convincing tour de force; criticism of Darwinian evolutionism was generally based on its religious and ethical implications rather than on any pronounced scientific deficiencies.

### ETHICAL IMPLICATIONS

The theory of evolution advanced the view of an amoral universe in which change occurred blindly and was perpetuated through impersonal mechanistic processes. Random mutations made a given organism more or less able to cope with its environment and more or less able to propagate itself. Its relative success in the struggle for existence defined its value. In the intense interspecies and intraspecies competition for scarce resources, the rule was survival of the fittest. Individuals and species were naturally selected; that is, harsh environmental factors determined survivability. Favorable changes accumulating through time produced more fit, and therefore more highly evolved, individuals and species. Darwin did not always present the selection process as a direct function of an unforgiving environment, since he discussed the possible impact of variables such as accidents and sexual selection.

In a later work, *The Descent of Man* (1871), Darwin also praised the value of cooperation, altruism, and self-sacrifice. Even then, however, perpetual strife remained the motor of evolutionary change. Sexual selection was competitive, accidents were chance outcomes issuing from a violent context, and the value of traits such as cooperation and altruism lay in their contribution to the survival of one group that was engaged in competition with others. Darwin's dour deterministic theory impartially challenged beliefs in a benign universe, a personal savior, the biblical view of special creation, and ethical systems derived from revealed religion.

### SOCIAL DARWINISM

Darwin noted that humans were less subject to evolutionary pressure than lower organisms were because societies modified their environments. Social theorists such as Herbert Spencer, Benjamin Kidd, and Lewis H. Morgan, however, were less exacting; known as Social Darwinists, they applied Darwin's ideas to human behavior in a wholesale fashion. Adopting concepts such as variation and natural selection, they placed social and cultural differences in an evolutionary context and justified existing power

relationships as examples of survival of the fittest. During the late nineteenth century and early twentieth century, Social Darwinists promoted unrestricted competition, laissez-faire economics, and neocolonialism in the belief that survival of the fittest invariably produced advances in civilization. The movement declined as it became apparent that human societies could not easily be classified as more or less primitive, that evolutionary change did not automatically mean progress, and that the notion of survival of the fittest provided cover for the unequal treatment of individuals and groups.

### NATURE VS. NURTURE

The theory of evolution perpetuated, in secularized form, traditional disputes regarding free will and predestination. That issue was exacerbated in the second half of the twentieth century by two important developments: breakthroughs in genetics that further underscored the characteristic biological determinism of Darwinism, and advances in the study of animal behavior (ethology), which had immediate sociological implications. The activities of ethologists such as Nikolaas Tinbergen, Konrad Lorenz, and E. O. Wilson were particularly significant because they related human behavior to the wider context of ethology. By rigorously examining evolutionary antecedents, parallels, and alternatives to human behavior, they reopened the nature/nurture controversy in the sharpest possible way. In one way or another, their investigations touched upon numerous ethical issues. Was aggression learned or biologically dictated? What was the evolutionary value of aggression? Were gender roles social constructs or did they reflect natural, necessary biological relationships? By placing such issues into an evolutionary context, they revisited an investigative path followed cautiously by Darwin and much less carefully by the Social Darwinists—that is, the attempt to align human behavior with the physical laws of nature.

*Michael J. Fontenot*

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SEE ALSO: Aggression; Darwin, Charles; Endangered species; Eugenics; Human nature; Racism; Social Darwinism; Sociobiology.

## Excellence

DEFINITION: Superiority at performing a given practice or function

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: While innate excellence is of no particular moral significance, excellence as an ideal toward which one strives is an important value for many ethical systems.

Although “excellence” is prominently associated with the ethical thought of Plato and Aristotle, the concept dates back at least as far as Homeric Greece (eighth century B.C.E.), when it designated not strictly the virtues of personal character but the uniquely Greek *aretê*, the skillful performance of any function, be it running, fighting, or even thinking. It applied also to certain masculine and feminine virtues necessary for the protection of countrymen and family.

The masculine and feminine excellences may be viewed as “competitive” and “cooperative” excellences, respectively, denoting the proper fulfillment by men and women of the obligations entailed by their social and cultural roles. The competitive excellences of men were indispensable to the defense of

countrymen, family, guests, and friends. To be virtuous, a man had to be well-armed, strong, swift on his feet, and skilled in the strategy and techniques of warfare, qualities that explain why courage was a centrally important virtue in Homeric Greece. He also had to possess wealth, which implied high social status. A man in whom all these conditions were met was the epitome of Homeric excellence. Women, who had no need for the competitive excellences and were not permitted to demonstrate them, were designated as excellent by virtue of the cooperative or “quiet” excellences—beauty, skillful weaving, house-keeping, chastity, and fidelity, the latter being the central feminine virtue. Hence, whereas men protected society and family by acquiring largely military virtues, women offered protection of a different sort to home and family by cultivating the domestic virtues.

Homeric excellence was modified by fifth-century Athenians to include additional virtues. *Sôphrosynê*, self-control, had greater importance as a virtue for both men and women, indicating that men were judged in the fifth century according to a “quiet” virtue that had once been considered a criterion of feminine excellence. In addition, social status was less a determinant of excellence than it had been during the Homeric period. This evolution of the understanding of “aretê” culminated in the sense that the term ultimately acquired in the moral theory of Plato and Aristotle, although it was Aristotle who, in his *Nicomachean Ethics*, conferred upon this concept its most prominent philosophical status.

### CLASSICAL VIEWS

In the classical view epitomized by the thinkers of fifth and fourth century B.C.E. Athens, excellence was determined by one’s generic role as a human being in addition to one’s particular societal role. There were now as many excellences as there were functions for an individual to perform. One could be an excellent father, physician, and citizen, and therefore an excellent human being. The latter excellence, however, denoting the quality of intellect as well as character, both encompassed and eclipsed in importance the virtues derived from more specialized (and therefore secondary) roles. The cooperative virtues played a more prominent role in classical excellence. In addition to the competitive Homeric virtue of courage, there were the virtues of friendship, self-control, wis-

dom, and justice, all contributing to the civic virtue of citizenship, without which one could not be good. There was general agreement that these virtues were proper to humanity even while there was disagreement about their definition, as in Plato's *Republic*, in which the point of contention was the nature of justice.

*The Republic* was the culmination of Plato's earlier dialogues in which the nature of virtue was a common theme. Plato depicted virtue as highly personalized, attainable by the individual who controlled his passions and made constructive use of his ambition through the exercise of disciplined intelligence. Platonic excellence, therefore, consisted of the harmonious interaction of the virtues of self-control, courage, and wisdom, which together constituted the civic virtue of justice. It was achieved only by the most intellectually gifted—Plato's "philosopher-kings"—who, after an educational process marked by rigorous intellectual discipline, were endowed with intuitive insight into genuine moral goodness. In a larger context, the excellence of the state was an extension of this personal excellence, constituted by the wise, disciplined governance by the philosopher-kings of their fellow citizens, whose natural capabilities relegated them to the more mundane activities of society.

#### ARISTOTLE

Whereas for Plato true excellence was confined to the philosopher-kings, Aristotle believed that excellence was achievable in various degrees by anyone with sufficient experience and rational judgment. While Aristotelian excellence was to some extent compatible with the common wisdom of ordinary men, it was, however, refined and most prominently exemplified in the intellectually accomplished. This reflected Aristotle's division of excellence into intellectual and moral excellence, intellectual excellence being attained through education, and moral excellence through virtuous habits. Genuine human excellence, therefore, consisted of being intelligent enough to judge correctly how to do the right thing at the right time in the right place and in the right manner, and to do so consistently and deliberately, thus fulfilling the proper function of a human being.

Although for Aristotle excellence was essentially a "mean"—a point of equilibrium between extremes—it was, paradoxically, an extreme as well:

It was the mean, or perfect moderation, between two vices, while also the extreme, or highest degree of what is right and good, with respect to feeling and action. Successfully ascertaining the mean and avoiding extremes of feeling and action required the keenest exercise of the powers of rational judgment. For Aristotle, as for Plato, excellence was highly personalized but also inextricably linked to citizenship; the exercise of personal virtue could not be comprehended apart from the political context.

The idea of excellence as virtue is found in the ethical theory of modern thinkers. Alasdair MacIntyre, in *After Virtue: A Study in Moral Theory*, retains the understanding of excellence as virtue in essentially its original Aristotelian form. John Rawls, in *A Theory of Justice* (1971), regards the "excellences" as natural talents and assets such as wit and beauty, as well as personal virtues such as courage and self-control. For both thinkers, excellence as the rational exercise of the virtues acquires significance only within a social and political context.

Barbara Forrest

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SEE ALSO: Aristotelian ethics; Golden mean; Justice; MacIntyre, Alasdair; *Nicomachean Ethics*; Platonic ethics; Rawls, John; *Republic*.

## Executive Order 10988

**IDENTIFICATION:** Federal executive order that gave federal employees the right to collective bargaining

**DATE:** Signed on January 17, 1962

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Executive Order 10988 made the labor policies of federal offices and agencies consistent throughout the country and influenced the labor policies of state and local agencies.

Before the 1960's, federal agencies dealt with organized labor unions individually; some agencies recognized unions, and some refused to negotiate with them. The administration of President John F. Kennedy took a more favorable attitude toward unions. On January 17, 1962, Kennedy signed Federal Executive Order (EO) 10988, giving federal employees the right to form unions and to bargain collectively through them. Under the terms of the order, employees had the right to form a union but could not be forced to join one. Federal agencies were required to bargain with properly elected unions. These unions were forbidden to strike.

Once the order was signed, there was a tremendous increase in the number of federal employees represented by unions, especially among white-collar workers. Some groups, including postal workers, are represented by unions for all of their contract negotiations. The rights of federal employees were amended several times during the late 1960's and the 1970's. In 1978, the Civil Service Reform Act became the first unified code of federal sector labor relations, formalizing the bargaining rights first endorsed by the executive order.

*Cynthia A. Bily*

SEE ALSO: American Federation of Labor; Fair Labor Standards Act; Hasidism; Knights of Labor; Labor-Management Relations Act; National Labor Relations Act; Work.

## Existentialism

**DEFINITION:** School of philosophy that emphasizes individual subjectivity, freedom and responsibility, and the irrational as primary features of the human condition

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** On one hand, existentialism denies that the individual is beholden to or constrained by any traditional system of morality. On the other hand, it asserts that the individual is morally obligated not merely to create and abide by his or her own moral values, but to create and abide by a worldview which will make sense of an otherwise meaningless cosmos.

The history of systematic ethics started with the ancient Greek philosopher Socrates' question "Is the unexamined life worth living?" Socrates, like most Western philosophers since, believed that the intellect was the key to answering this question. Moreover, prior to existentialism, most ethicists had assumed that humankind's essential nature was rational. Consistent with these views, Western ethical tradition has generally assumed that the rational individual pursuing the rational life is the essence of "the good life."

In contrast, existentialism—a broad movement in philosophy and literature—boldly challenges these basic assumptions of the Western tradition. Existential ethics refuses to understand the good as a norm or a law. Existentialists contend that Western thought has been obsessed by the idea of regulating the life of the world by reason. Hence, unlike previous ethics, existentialism emphasizes the tragic and absurd facets of life rather than the empirical and rational facets.

### THE TERM "EXISTENTIALISM"

It is impossible to discuss an existential theory of ethics without briefly considering the existential movement as such. The term "existentialism" may be properly used in at least two senses. The first is a narrow one referring to a movement in philosophy and literature that emerged in the nineteenth and twentieth centuries. The second and broader sense refers to a much earlier trend in Western thought dating back to the Old Testament book of Ecclesiastes (300 B.C.E.) and including such diverse works as *The Confessions* (c. 400) of Saint Augustine, the *Pensées*



(1670) of Blaise Pascal, and the works of William Shakespeare and Fyodor Dostoevski.

In the broader sense, the existential movement is seen in the tendency of some Western religious and literary writers to dwell upon the sense of paradox and tragedy in the human condition. Even within the narrow sense of the term, however, there is little substantive agreement among existentialists on specific ethical precepts; thus, easy generalizations about existential ethics cannot be drawn.

A partial list of existentialists will help readers appreciate the diversity of ideas and viewpoints that constitute this "school." Søren Kierkegaard, an early nineteenth century Danish existentialist, was a fanatical Christian. Friedrich Nietzsche, another nineteenth century existentialist, was a militant atheist. In twentieth century existentialism, there is an equal degree of heterogeneity. Martin Heidegger was a Nazi, Martin Buber a Jew, Albert Camus a humanist, Jean-Paul Sartre a communist, and Gabriel Marcel a Roman Catholic. The list could go on with further diversifications. It is sufficient to note, however, that there is no common denominator of substantive agreement within the existential movement. Existentialism does not predefine any substantive moral program. Many philosophers have described existentialism as more of a "mood" or "attitude" than a doctrine of thought.

### SOME COMMON EXISTENTIAL THEMES

In spite of all this diversity, there do appear to be several elements upon which most existentialists agree. For example, existentialists generally regard freedom, responsibility, suffering, and commitment as the highest of human values. They tend to have a pessimistic or despairing view of the human condition. The religious existentialists, however, balance this with a great hope. Although existentialists generally reject such a thing as human nature, they agree that it is meaningful to speak of the human condition. The existential approach to ethics emphasizes the freedom and responsibility of the existing individual as the wellspring of all ethical considerations. Several other common themes appear to run through most, if not all, existentialist ethics: People are free to choose how they will live and no system can guide them, and the highest good is in the struggle to be one's authentic self. Existentialists endlessly contrast the "authentic" with the "inauthentic" and agree that any philosophy that is not actually lived is worth-

less. Any appeal to a transcendent rule or utilitarian principle would constitute "bad faith"—that is, self-deception.

By looking at the historical situation in which existentialism arose and the systems against which existential thought protested, one may see some of the common core of existential thought. Historically, existentialism arose as a reaction against idealism, materialism, and empirical science. The existentialists have staunchly protested any "ism" that would encapsulate humanity. A review of several historical examples may sift out several of the unique qualities that are associated with existential ethics.

### SOME HISTORICAL EXAMPLES

Søren Kierkegaard's writings were an attack upon the work of Georg Wilhelm Friedrich Hegel, who was an idealist philosopher of the metaphysical system-building variety. Hegel proposed that the individual was a subordinate cell in the organic whole of the cosmos. Kierkegaard rebelled fiercely against what he believed was the excess rationalism and collectivism of Hegel. In this sense, Kierkegaard was antirational and opposed to any system that made society greater than any existing individual member.

In existential ethics, the question "What ought I do?" can never be answered by appeals to logic or society's norms. For Kierkegaard, the ethical act is unique and unrepeatable—in other words, existential. Only the existing individual in the crucible of his or her own inner life can answer the question. Here no elder, no rule book, no formula can apply. Consequently, authentic ethical behavior has no ultimate court of appeal except the individual. There is only the existing individual, with his or her freedom and responsibility. Sartre puts it unequivocally: "Man is the undisputed author of his own behavior."

Nietzsche, the militant atheistic existentialist, proclaimed that "God is dead!" The God who was the basis for all ethical and moral values underpinning the old rules for guiding conduct has become obsolete. Nietzsche notes that this strange and awful event of God's death, which at first seemed so terrible, is actually a great gift, for now humankind is truly free to create its own values. The only criterion for ethical conduct becomes the quality of life. Is the quality of life enhanced or ennobled by this action? Nietzsche does not refer to the maximum quantity of life; the quality of life that he hoped would guide people's ac-

tions has more to do with human nobility and the individual overcoming his or her all-too-human weaknesses.

### ETHICAL KNOWLEDGE

Existential ethical knowledge attempts to give a concrete presentation of human life—its meaning, aims, and values. The basis of existential ethics is concrete moral experience. A dialectic that does not rest upon any moral experience is only an intellectual game. Ethics cannot be a merely theoretical discipline; it is also a moral and existential activity. Existential ethics attempts to turn to reality itself, to actual life, and to overcome the duality that undermines the value of academic or traditional philosophy.

According to Nikolay Berdyayev, a Russian Christian existentialist, the dilemma of ethical knowledge is that existence is irrational and individual, but people can know only the general and universal. Consequently, existential ethics moves from the epistemological subject of traditional philosophy to the concrete individual. Existential writers believe that what is essential about ethics is not that people should have ideas about what authenticity is, but that they should live authentically. Ethical knowledge is communion with truth and existence. Ethical objects cannot be described in a formal scientific way at all. They are revealed only to the person who performs creative acts of valuation and commitment.

Abstract a priori systems of ethics have minimal value. Sartre's often quoted existential dictum "Existence precedes essence" points to the irrelevance of any a priori system. One's identity and values emerge from one's choices, not from some essence of human nature that was given to one at birth. The individual, in struggle and anguish, must wrest his or her essence from existence by means of concrete moral choices. Humankind cannot rely on animal instinct, and people do not have some prepackaged morality that will serve to guide their choices. Nothing is authoritative. Thus, Sartre notes that people are "condemned to freedom." Moral life presupposes freedom in evil as well as good. Yet for Sartre it is unclear how it is possible to escape the no-win scenario of "bad faith" that he depicted. Sartre appeared to believe that it was impossible for humans to escape one form or another of "self-deception," no matter how hard or what they tried.

### EXISTENTIALISM AND PLEASURE

Hedonistic ethics, whether it be heavenly or earthly, ultimately rests on fear. A hedonistic individual is bound to fear for his or her happiness and the happiness of others. Happiness is threatened with danger on all sides and bought at the cost of opportunism in actions and judgments. Berdyayev notes, "If I make happiness my aim I am doomed to fear all the time." Thus, the existentialists univocally renounce pleasure or happiness as a criterion of action. This renunciation takes resolve and courage. For Heidegger, the resolve of the authentic life alone liberates one from fear. For Paul Tillich, a Christian existentialist, the "courage to be" triumphs over fear.

Existentialists often recognize a dual nature of human beings and an ensuing inherent tension between these contradictory natures. Although humans are endowed with reason, they are irrational beings. The human being is a wounded creature. For the Christian existentialist, human beings aspire to the loftiest values and divine reality. Kierkegaard, discovering in human nature fathomless darkness, conflict, and pain, also recognized that the human being is a creator of values in the image and likeness of God. For Christian existentialists, human beings do not exist apart from the divine element in them. Thus, the authentic person is a bearer of the divine image. The soul is afraid of emptiness: Without *commitment*, it has no positive creative content and becomes filled with false illusions and fictions. At the same time, each person is a sick being, divided within and influenced by a dark subconscious. Sartre, taking a consistently atheistic position, defines each individual as a "useless passion."

The cognitive and optimistic psychology of either humanism or behaviorism, according to which people seek bliss and positive reinforcement, is erroneous. Humans are irrational beings who may long for suffering rather than happiness. "Happiness" is a meaningless and empty human word. Existential ethics, far from seeking happiness, may call people to the line of greatest resistance to the world, demanding heroic efforts.

### SUFFERING AND AUTHENTICITY

Kierkegaard notes there are two kinds of suffering: the redeeming suffering that leads to life and the dark suffering that leads to death. Suffering may raise and purify people or crush and humiliate them. An

individual may go through life suffering serenely and graciously and be born into a new life as a result of it. All the suffering sent to humankind—the death of nearest and dearest, illness, poverty, humiliation, and disappointments—may serve to purify and regenerate an individual depending on the attitude that the individual takes toward them.

Victor Frankl, a twentieth century existential psychiatrist, points out that individuals can endure tremendous suffering if they see meaning in it. Attempts to avoid suffering only create more suffering; such an escape is one of the greatest delusions of life. Paradoxically, suffering is tied to alienation and despair, but it is also the way to light and renewal.

Existential ethics may be contrasted with Eastern thought. Unlike Hinduism, for example, existentialism stresses the individual's separateness from the world as a positive value. There is no *tat twam asi* (That art thou) in existentialism. The "other" is seen as truly "other," which serves to enrich the individual self through communion rather than merger. For the existentialist, the highest expression of selfhood does not entail the drop of water returning to the ocean; instead, it is an affirmation of the individual self and its higher destiny, which is, in some inescapable sense, separate from the world and from others.

### THE PRIMACY OF THE INDIVIDUAL

The history of ethics is complicated by the opposing rights of the individual and those of society. As early as the time of Socrates, Greek thought tried to free itself from the power of law and society and penetrate to the individual authentic conscience. The moral conscience of Socrates came into conflict with the Athenian democracy. As a consequence, Socrates was martyred by the mob. Socrates proclaimed the principle that "God ought to be obeyed more than men." This means that God, conscience, truth, or the inner light ought to be obeyed more than society or any formal law. Radical reliance on truth alone provides authenticity. Thus, Socrates made a tremendous advance toward the liberation of personality and the discovery of the individual conscience. Existentialists go further than Socrates, saying, "You must always act individually, and everyone must act differently." Authentic existential behavior is truly original, not determined by social influences.

Existentialists have been outspoken in declaring the tyranny of the social unit. The power of society

over the individual has been found everywhere in history. Because of Western society's conditioning, the individual is not aware of living in a madness that is only superficially concealed. R. D. Laing, an existential psychiatrist, argues that the "fleet" is off course; hence, the individual "deviating" ship may represent the true course. Thus, society's norms are useless. The task of existential ethics is to distinguish between the authentic and the social in moral life and to reveal the pure conscience. In its essence, the authentic moral life is independent of social life. Christian existentialists urge people to remember the eternal principle in the human soul that is independent of historical changes, which in this sense is not social. Existential ethics places the individual above the law. A person *is* a value. A living human being is of higher value than any abstract idea—even the idea of the good.

In the work of Nietzsche, ethics cannot depend upon the herd morality, since it represents a slavish image of humankind, an image based upon resentment and cowardice. Nietzsche's noble individual, who is a yea-sayer to life, embodies the highest good and the supreme value. Everything that increases life is good, and everything that decreases life, leading to death and nonbeing, is evil. Such an ethic rejects any form of hedonism. A rich, full life is good and valuable even if it brings with it suffering rather than happiness. Thus, Nietzsche's championing of the noble life led to his being a bitter enemy of hedonism and utilitarianism. The supreme value and good is not life as such, but the authenticity with which it is lived.

### DEATH, FREEDOM, AND EXISTENTIAL ETHICS

Existentialists, whether atheistic or religious, agree that one's attitude will be more authentic if one regards all people as though they were dying and determines one's relationships with them in the light of death—both their death and one's own. Berdyayev writes, "Every man is dying, I too am dying, I must never forget about death."

For Frankl, death is a message of hope, not doom. The imminence of death provides the impetus that is needed to live life authentically, above the petty cares that would otherwise fetter human fulfillment. The ever-present possibility of death, while terrifying, gives a sense of preciousness to the "now" that would otherwise be missing.

Ethics would be meaningless without freedom,

since “ought” implies “can.” Humans are free, creative beings who prefer freedom to happiness. Existential analysis details the insidious assaults upon human freedom. The mass media pose a number of false images of happiness as supreme values. These misrepresentations of “happiness” as the supreme good and final end have been instilled in people to keep them in slavery. Human freedom and dignity forbid the individual from regarding popular images of happiness and satisfaction as the primary goals of existence.

Any person—even a slave—can be inwardly free. Frankl’s experience in a Nazi concentration camp proved that acceptance of circumstances that have fallen to one’s lot can be interpreted as mastery over the external world. It is an existential victory. This does not mean that one must not try to improve one’s circumstances or strive for social reform. One must, however, remain spiritually free even in prison.

The point of fundamental importance for existential ethics is that one must strive first and foremost to free oneself from slavery. Because every state that is incompatible with existential freedom is evil, the inner conquest of slavery is the fundamental task of moral life. Every kind of slavery is meant here: slavery to the pull of the past and the future, slavery to the external world and one’s self, and slavery to one’s lower self. One’s existential task in life is to radiate creative energy that brings with it light, strength, and transfiguration.

*Paul August Rentz*

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Barnes, Hazel. *An Existentialist Ethics*. New York: Alfred A. Knopf, 1967. An exciting book dealing with an existential approach to liberating the individual that is based on the groundwork of Jean-Paul Sartre. Barnes, unlike Sartre, finds alternatives to bad faith. Especially useful for those interested in how existentialism relates to Eastern philosophy; seventy pages of the text explicitly compare the two. A good reference for those already familiar with the basics of existential ethics.

Barrett, William. *Irrational Man: A Study in Existential Philosophy*. Garden City, N.Y.: Doubleday, 1962. A superb introductory reference to existential philosophy. This work is widely recognized as the finest discussion of existentialism written by

an American. This book addresses the literary and religious approaches to existentialism as well as the rigorously philosophical approach. Strongly recommended.

Berdyaev, Nikolai. *The Destiny of Man*. Translated by Natalie Duddington. New York: Harper & Row, 1960. A somewhat advanced work in existential ethics written by a former Russian communist who converted to Christianity after the Russian Revolution. In “Concrete Problems of Ethics,” Berdyaev deals with sex, love, family, technical progress, and other topics from a rigorously existential viewpoint. An excellent reference for the serious student.

Frankl, Viktor. *Man’s Search for Meaning: An Introduction to Logotherapy*. 4th ed. Boston: Beacon Press, 1992. Millions of copies of this book have been sold to both laypersons and mental health professionals who wish to understand how existential ethics were lived in a Nazi concentration camp. The original title of this work was *From Death Camp to Existentialism*. An excellent reference for those interested in psychology, ethics, and existentialism.

Golomb, Jacob. *In Search of Authenticity: Existentialism from Kierkegaard to Camus*. New York: Routledge, 1995. An analysis of existentialist ethics in terms of the existentialist’s drive for authenticity. Golomb embraces authenticity as a way out of postmodern scepticism and detachment, and he reads classic existentialist texts for clues as to how to live today.

Kaufmann, Walter. *Existentialism from Dostoevsky to Sartre*. Rev. ed. New York: New American Library, 1975. An extremely rich anthology of readings from ten leading representatives of the existential movement. Kaufmann’s introduction tells the reader how to approach the specific texts. An excellent collection of primary sources in existentialism for the beginning student who would like to read what the existentialists actually said. Accessible and widely available.

SEE ALSO: Atheism; Beauvoir, Simone de; Berdyaev, Nikolai; Buber, Martin; Camus, Albert; Hare, R. M.; Hegel, Georg Wilhelm Friedrich; Heidegger, Martin; Kierkegaard, Søren; Life, meaning of; Nietzsche, Friedrich; Sartre, Jean-Paul.

## Experimentation

**DEFINITION:** Conduct of practical scientific or medical research

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** Experiments conducted on humans and animals are governed by formal and informal codes of ethics designed to protect the rights and welfare of the subjects, to ensure that the experiments serve a legitimate public interest, and to regulate the use of the information obtained as a result of the experiments.

What are the moral principles to be considered in evaluating the rightness or wrongness of using humans as research subjects? In *The Patient as Partner* (1987), Robert M. Veatch summarized the ethical principles and issues involved in research: The principle of beneficence, which has its roots in the ethics of medical treatment, states that research with humans is justified only when some good can come from it; this is the minimum justification for human research.

Research may do good (therefore meeting the criterion of beneficence) but may also cause harm. Research that causes harm is morally wrong; that is, it does not meet the principle of nonmaleficence. When research causes both good and harm, which principle, beneficence or nonmaleficence, takes priority? If avoiding harm takes priority, then a vast amount of research with human subjects with the potential for doing much good would be considered unethical. Therefore, the ratio of benefit to harm is a more reasonable criterion for justifying human experimentation.

If benefit/harm is adopted as the moral principle, a new problem emerges, because this principle would justify inhumane experimental procedures such as those employed by the Nazis as long as it could be shown that severe harm or death to a few human subjects was of benefit to large numbers of people.

Benefit/harm, a form of beneficence, is therefore a necessary but insufficient justification for research with human subjects. Additional principles are required.

The principle of autonomy recognizes that among the inalienable rights of persons is the right to liberty. The principle of autonomy implies a right to self-determination, including the right, when informed of

the benefits and harms, to consent to participate in research that may entail certain risks to the subject. Therefore, autonomy is the basis for the use of informed consent in research with human subjects; informed consent helps to mitigate some of the problems posed by sole reliance on beneficence as a moral criterion.

Still another principle involves considerations of justice (fairness) in the conduct of human research. According to one theory of justice, distributive justice, fairness involves attempting to equalize the benefits and harms among the members of society. This principle has implications for the selection of subjects for research in the sense that disadvantaged subjects—for example, members of minority groups—should not be chosen as subjects, since this would add another burden to an already unduly burdened group. This principle would not apply when minority status was a variable under study in the research.

The principles of beneficence, autonomy, and justice form the basis for some of the criteria set by the U.S. Department of Health and Human Services (DHHS) and used by institutional review boards (IRBs) for judging whether proposed research involving human subjects is ethically sound. These criteria are (1) risks to subjects are minimized, (2) risks are reasonable relative to anticipated benefits, (3) prior informed consent will be obtained from subjects or their legal representatives, (4) informed consent will be documented, and (5) selection of subjects will be equitable. Two additional criteria are that (6) subjects' privacy and confidentiality will be maintained and that (7) the research plan involves monitoring the data, when applicable, so as to ensure subject safety.

The application of ethical principles to particular instances of research with human subjects highlights the complexities involved in the use of these principles. One question that arises concerns the obligations of a scientist when the nature of the research precludes informed consent, as in psychological research that involves the use of deception. While many people believe that deception is permissible under certain limited conditions—for example, when there is little or no risk to subjects and there are no alternative ways of gathering the data—others feel that deception is intrinsically harmful to subjects and is never justified.

Another question has to do with the issue of in-



formed consent with subjects who may not be competent to give informed consent; for example, in cases involving children or individuals who were formerly competent but are no longer so (such as individuals who have some form of dementia). When risks are minimal, informed consent by parents of children and informed consent by guardians of the formerly competent have been employed as criteria.

In circumstances in which the subject is competent but informed consent may be obtained under potentially coercive conditions, as in the case of prisoners or clinic patients, complex ethical questions are raised.

The ethics of experimentation also extend into such other areas as issues of animal care and rights, and the ethical obligations of scientists with regard to the integrity of the research process.

*Sanford Golin*

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SEE ALSO: Animal research; Animal rights; Bioethics; Consent; Medical research; Milgram experiment; National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research; Nazi science; Science.

## **Exploitation**

**DEFINITIONS:** The indecent or illegitimate use of others for one's own advantage or profit

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Exploitation of individuals violates the post-Kantian ethical principle that people should be treated as ends in themselves, or subjects, and not as means to ends, or objects. The systematic exploitation of groups or classes by other groups or classes may be cause for the moral condemnation of an entire social structure or society.

Many ethicists find that the definition of what exploitation is and what can be effected by it are inextricably linked. By examining the categories of existence that are understood to be capable of being exploited, however, a clearer, broader view of the definition can be seen.

What is considered as decent or legitimate must be sorted out in the context of what is merely socially acceptable and what is ethical, correct conduct. According to Peter Singer, "Ethics takes a universal point of view. This does not mean that a particular ethical judgment must be universally applicable. . . . What it does mean is that in making ethical judgments we go beyond our own likes and dislikes."

#### **EXPLOITATION OF HUMAN BEINGS**

The area in which exploitation has been studied most is the ethical treatment of human beings. Even so, there are many unanswered questions, and new ones arise as technology advances. Yet human behavior has still not even caught up with ethical standards that are already well established in nearly every society. For example, slavery is no longer deemed acceptable in most cultures, but near-slavery conditions continue to exist in many of these cultures. To provide for the wealthy minority in the technologically developed industrialized world, millions of people

live in desperate poverty. These people earn lower than subsistence wages by performing hazardous and strenuous jobs, live in unsanitary and unsafe housing, eat a diet that does not provide adequate nutrition, receive insufficient medical care, and are unable to obtain enough education to be informed citizens. Surely these pitiable people are being exploited.

How can such an unethical situation exist? There are at least three possible explanations. First, perhaps not many people are aware of the situation. Second, perhaps there are not sufficient numbers of aware people with both enough political power and enough ethical strength to stop the situation. Third, perhaps humanity has ceased to care. As Elizabeth Pybus states, "If it is possible to turn a blind eye to suffering, it may also be possible to direct a steady seeing eye towards it."

The situation of near slavery, however, is an old problem. Other human problems that have arisen in more recent times have to do with dilemmas such as the mass marketing of untested medical devices, double-blind drug tests, the whole range of uses of the information obtained from the human genome study, the use of prison labor for commercial enterprises, and informed consent in medical testing and treatments.

### EXPLOITATION OF ANIMALS

Exploitation does not always involve humans as its objects. Various people are working on the problems of animal rights and the humane treatment of animals. One of the first philosophers to formalize a system of proposals for the ethical treatment of animals was Jeremy Bentham. He believed that the basis for human behavior toward animals is in exploitation's definition of "other." He maintained that the point is not whether animals can reason or speak, but whether they can suffer. Their capacity to feel is called sentience. Peter Singer believes that what will determine ethical treatment of animals is for humans to give them "equal consideration" of their interests. Ethicists such as Singer believe that people will come to realize that the use of animals for food, to test cosmetics and drugs, or as pets constitutes animal exploitation and that understanding this concept will guide people to treat animals more humanely.

Most philosophers have maintained that only sentient, living creatures can be exploited, because those that are not in this category have no interests that

need to be considered. Yet the concept that even plant species can be exploited has crept into the human consciousness and vocabulary. Consider trees in an old-growth forest that are exploited for their timber or patches of tasty wild mushrooms that are harvested to extinction. Are these truly cases of exploitation? The answer lies in the definition of the concept. Are these human uses indecent or illegitimate? Yes, because people have planned poorly in using forest products and have wasted vast amounts of forest "resources." Yes, because the mushrooms are not essential for human sustenance.

In these examples concerning plants, two conditions in the definition of exploitation—indecent or illegitimate use for advantage or profit—have been met. The problem lies with the third condition: that in these situations, a nonsentient "other" has been so used. Singer asks that humans do not practice "speciesism" in their treatment of animals, yet even he maintains that only sentient creatures need be given this consideration. It is when ethicists push past animal rights into the area of ecoethics that equal consideration for plants comes into question.

Ecoethics has existed throughout the ages, manifesting itself in such systems as Jainism and Native American belief systems. Since the nineteenth century, there has been a growing formalized understanding of what ecoethics involves. The study has become much more intense since about 1950, with Aldo Leopold's discussions of a "land ethic," and the early 1960's, with Rachel Carson's revelations in *Silent Spring* about pesticides accumulating in the environment.

The concept of ecoethics allows that it is possible for humankind to exploit any of the environment's manifestations, capacities, or systems. Each of these elements has been recognized as one of the "others" from the definition of exploitation. Therefore, it is possible to exploit not only plants but also mineral deposits or other geologic formations. It is possible to exploit a water table or an oil deposit. Wetlands and whole forests are potential victims of exploitation. So are the oceans and the atmosphere.

Terms that have been used with increasing frequency in discussing the environment are the biosphere and the Gaia concept. Using this expanded vocabulary, humankind is beginning to understand its potential for damaging, through exploitation, all that sustains human life.

As human technology progresses, people are beginning to discuss whether it will be necessary to apply ethical standards to any potential “rights” of artificial intelligence systems and robots.

Since organized human behavior seems to lag far behind the establishment of ethical injunctions, it might seem unlikely that humankind will ever stop its practice of exploiting all that it encounters. Yet it is in an increasing awareness of these universal views and in self-examination that the possibility of the human practice of exploitation coming to an end exists.

*Marcella T. Joy*

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SEE ALSO: Abuse; Animal rights; Child labor legislation; Human rights; Ideal observer; Medical research; Nature, rights of; Personal injury attorneys; Robotics; Therapist-patient relationship.

# F

## Fact/value distinction

**DEFINITION:** Distinction between that which is either true or false and that which can be neither true nor false

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Because it is so difficult to justify placing normative judgment within the domain of fact, the fact/value distinction suggests that normative ethics is ultimately a subjective discipline that cannot be evaluated in terms of truth or falsity. Postmodern and some other late-twentieth-century ethics hold that it is morally wrong to treat values as facts, or to obscure the value-laden nature of purportedly factual statements and judgments.

The fact/value distinction is based upon the intuition that there is an important difference between sentences whose truth-value can and sentences whose truth-value cannot be determined empirically (with one or more of the five senses) or mathematically (by thinking about logical, numerical, or spatial relationships). Among the sentences whose truth-value cannot be determined empirically or mathematically are those of normative ethics: sentences about what is ethically obligatory, permissible, and forbidden, good and evil, right and wrong. Few would deny that there is such a difference and that it is important, but there is profound disagreement concerning the nature of the difference. In one camp are those who maintain that even though it is not possible to determine the truth-value of normative-ethical language by empirical observation or mathematical reflection, it is just as true, or just as false, as the language of physics and biology, geometry, and logic.

Just as there is a real, material world and a real world of mathematics, so there is moral reality. Normative ethical statements are true when they conform to that moral reality and false when they do not. In the opposing camp are those who say that since the truth-value of normative ethical sentences cannot be deter-

mined by empirical or mathematical means, they are neither true nor false. (This is an oversimplification, because there is disagreement within each camp, and some ethical theorists attempt to stake out intermediate positions, but seeing the disagreement between the extremes is the best way to understand the importance of determining whether the domains of fact and value are mutually exclusive.)

### HISTORY OF THE CONCEPT

Like most concepts in ethical theory, the fact/value distinction has a long history. While its roots can be found in ancient ethical theory, its rapid growth began with the Enlightenment. In English-language ethical theory, “fact” was contrasted with “right” before being opposed to “value.” In *Leviathan* (1651), Thomas Hobbes distinguishes “matters of fact” and “matters of right,” and the third earl of Shaftesbury draws a distinction between a “mistake of fact” and a “mistake of right” in his *Inquiry Concerning Virtue, or Merit* (1711). The meaning of the English word “value,” as used in phrases such as “fact/value distinction” and “value judgment,” owes its origin in part to the influence of nineteenth century German writers, especially theologian Albrecht Ritschl and philosopher Friedrich Nietzsche.

Perhaps the clearest explicit distinction between statements of fact and judgments of value is found in British philosopher A. J. Ayer’s *Language, Truth, and Logic* (1936; 1946). Many philosophers observe a distinction between sentences and propositions, in order to account for both the fact that different sentences, in different languages or different contexts, for example, can have the same meaning, and the fact that a single sentence can have different meanings, for example, when written by or about different persons. Given this distinction, propositions are either true or false; it is possible, however, for a sentence to be neither true nor false, because not all sentences express propositions. With this distinction in mind, Ayer writes: “Since the expression of a value judgment is not a proposition, the question of truth or

falsehood does not here arise.” At another point he adds: “In saying that a certain type of action is right or wrong, I am not making any factual statement.”

Ayer did not claim that to say that a certain type of action is right or wrong is to do nothing. He argued that sentences of normative ethics express emotions rather than propositions and are sometimes calculated to change other persons’ behavior by arousing their emotions. Thus, the metaethical theory that normative ethical language does not express propositions is called “emotivism.”

While ethical subjectivism, relativism, and emotivism are clearly distinct from one another at the level of metaethical theorizing, they frequently have the same cash value for those whose life’s work is not the study of ethical theory. According to both subjectivism and emotivism, the meaning of normative ethical language is to be understood in terms of emotions. The difference is that according to subjectivism such language states propositions about the speaker’s emotions, while emotivism says that such language expresses the speaker’s emotions. According to both relativism and emotivism, there is no absolute truth in normative ethics. The difference is that according to relativism there is only relative truth in normative ethics, while emotivism says there is no truth at all. For someone wondering whether, for example, abortion is immoral, these distinctions have little relevance and often tend to blur.

Although the question of whether the domains of fact and value are mutually exclusive cannot be answered by empirical observation or mathematical reflection, simple logic does reveal the magnitude of the bullet one must bite in order to maintain that they are. If only one sentence about the immorality of child abuse, torture, rape, murder, cannibalism, or genocide both makes a value judgment and states a fact, then no line can be drawn between facts and values.

*David Lutz*

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SEE ALSO: Cognitivism; Deconstruction; Emotivist ethics; Epistemological ethics; Foucault, Michel; Is/ought distinction; Normative vs. descriptive ethics; Objectivism; Postmodernism; Subjectivism.

## Fair Labor Standards Act

IDENTIFICATION: Labor legislation regulating wages, hours of labor, and the use of child labor

DATE: October 24, 1938

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: The Fair Labor Standards Act arose out of a progressive ideal that holds government responsible for protecting the economic and social welfare of laboring people by regulating business.

The Supreme Court ruled unconstitutional attempts such as the National Industrial Recovery Act of 1933 by the Roosevelt administration to regulate prices, wages, hours, and other labor conditions. In 1938, however, Congress passed wages and hours legislation as an omnibus bill, and the Supreme Court upheld it in 1941. The Fair Labor Standards Act regulated minimum wages, overtime pay, child labor, and the production of goods for interstate commerce.

Beginning with the third year after its effective date, the act raised the minimum wage to forty cents per hour, made it subject thereafter to review by a congressional committee, and required overtime pay of one and one-half times the employees’ regular pay above forty hours work per week. The act eliminated child labor (by children under age sixteen) with certain exceptions. One of the most significant amend-





*Unemployed men form a long breadline during the depression. New Deal legislation such as the Fair Labor Standards Act was designed to reduce the need for such services. (Library of Congress)*

ments to the act, which came in 1963, required equal pay for equal work without regard to sex. Although more than forty exemptions to the act exist, including the regulation of professional employees and outside salespersons, the act is a milestone for labor, since in it Congress and the president recognized their responsibility to be the guardians of economic and social justice for labor.

*Stephen D. Livesay*

SEE ALSO: Child labor legislation; Congress; International Labour Organisation; Minimum-wage laws; National Labor Relations Act.

## Fairness

**DEFINITION:** Moral principle used to judge procedures for distributing benefits and burdens justly and equally among parties

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** As an ethical principle, fairness regulates an exceptionally wide range of activities, from the conduct of games and other frivolous pastimes, to hiring and employment practices, to equal protection of the law and other fundamental civil rights.

Fairness is one of several ethical concepts, along with justice and equity, that are concerned with the distribution of benefits and burdens among individuals

and groups. It is sometimes used in a broad sense, connoting attitudes and features characteristic of much wrongdoing, including putting one's own interests ahead of others and favoring oneself or one's own at the expense of others. In this broad sense, fairness is a central component of the moral point of view, in contrast to a purely egoistic or self-interested standpoint. The individual adopting the moral point of view is fair-minded, looking at claims in a balanced, impartial, and reasonable way.

The ancient Greek philosopher Aristotle, in his classic discussion of justice in book 5 of the *Nicomachean Ethics*, observed that justice is used in a narrow sense as well as a broad sense. Fairness, like justice, seems to have a narrower sense as well. In fact, it might be more accurate to say it has several narrower senses or uses. One of these senses is exemplified in cases of the differential treatment of individuals on arbitrary or irrelevant grounds. The awarding of a job on the basis of political favoritism or nepotism is usually condemned as unfair. Another related sense is that used in connection with procedures; for example, when people speak of a fair trial or a fair contest. In these cases, fairness is a matter of there being rules or guidelines that are closely followed. Additionally, the rules or guidelines shaping the procedure should not give an undue advantage to certain parties. Sometimes these notions are referred to as "procedural fairness" and "background fairness."

A third sense involves profiting at another's expense; if such advantage-taking is not allowed by the rules of some competition, it is deemed unfair. Oddly, however, allowing another to gain at one's own expense is not regarded as unfair. A fourth sense of fairness and unfairness is found in situations of blame and punishment: Punishing an innocent person ("scapegoating") and blaming or punishing an individual more than is deserved are seen as unfair. While several elements of unfairness are present in such cases, the main offense to fairness seems to be the singling out of the individual for disfavor, the sacrificing of that individual even if he or she is not totally innocent and even if some greater good will come of it.

#### **"FAIRNESS" VS. "JUSTNESS"**

While the concepts of justice and fairness are closely related and are used interchangeably in some contexts, they are not identical. The terms "just" and

"unjust" often carry a stronger tone of condemnation than do "fair" and "unfair." At times, there is a readiness to admit that something is unfair but to tolerate it nevertheless, perhaps with an observation that "life is not fair." By contrast, the idea of tolerable or justifiable injustices is not countenanced. John Stuart Mill, in his discussion of justice in *Utilitarianism* (1861), made note of the avoidance of the idea that there can be "laudable injustice" by accommodating language so that "we usually say, not that justice must give way to some other moral principle, but that what is just in the ordinary case is, by reason of that other principle, not just in the particular case." Furthermore, fairness seems more appropriately applied to procedures and processes, while justice is often used for outcomes. Familiar examples of this are references to fair trials and just verdicts.

In *A Theory of Justice* (1971), philosopher John Rawls develops a theory of social justice that he calls "justice as fairness." He makes use of this association of the idea of fairness with procedures to extract principles of a just society as ones that would be the outcome of a bargaining process among parties under conditions marked by background fairness. One notion of fairness discussed by Rawls is identified with pure procedural justice. Pure procedural justice is characterized by the existence of a correct or fair procedure without an independent criterion of a correct or right result. In such a situation, provided the procedure has been followed, the result is correct or fair, whatever it happens to be. The fairness of the procedure transfers to the result.

In *A Theory of Justice*, Rawls attempts to develop a theory of a just society by treating social justice as a type of fairness or pure procedural justice. Pure procedural justice is contrasted with perfect procedural justice, in which there is an independent criterion of a correct result and the possibility of devising a procedure to arrive at that result, and imperfect procedural justice, in which there is an independent criterion of a correct outcome but no possibility of devising a procedure to consistently achieve that outcome.

Rawls also provides an extensive discussion of the principle of fairness or fair play. This is a principle of duty or right action, which relates to the sense of fairness in not taking advantage of others. If people enjoy the benefits of cooperative activities, benefits made possible by the contributions of others, then they have a duty to contribute their share or to do their

part. Otherwise they are “free-riding.” The tax evader who benefits from tax-supported programs is an example of a person unfairly benefiting from the efforts of others.

*Mario F. Morelli*

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SEE ALSO: Equality; Free-riding; Justice; Mill, John Stuart; Rawls, John; Social contract theory; Social justice and responsibility; *Theory of Justice, A*; Utilitarianism.

## **Fairness and Accuracy in Reporting**

**IDENTIFICATION:** Left-leaning watchdog group that encourages the news media to report the diverse concerns and opinions of the American public rather than privileging mainstream conservative voices.

**DATE:** Founded in 1986

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** FAIR works to correct what it perceives as a conservative bias in news reporting.

FAIR believes that the national and local news media are increasingly influenced by political and economic powers—that instead of independently chal-

lenging and criticizing government and big business, the news media tend to accept and pass along official versions of events. For example, FAIR examined news coverage of the 1991 Gulf War and found that most news stories and editorials echoed official government press releases and statements, and reflected little or no attempt to confirm or refine government versions of events. When some official statements turned out to be exaggerated or false, corrections were given minimal attention. FAIR also found that on talk shows and other analysis programs, only a small range of views was presented, and the views of those opposed to the war were seldom heard.

In 1989, FAIR published an important report showing that the guest analysts on two of the most widely watched television news programs were overwhelmingly white males from large institutions. Representatives of labor, social movements, minority groups, and local civic groups were very rarely featured on these programs. FAIR maintains contact with the public through a magazine that is published eight times a year and through a weekly radio program.

*Cynthia A. Bily*

SEE ALSO: Accuracy in Media; Journalistic ethics; Media ownership; News sources; Photojournalism.

## **Faith healers**

**DEFINITION:** People who use prayer, religious faith, the power of suggestion, and touch to promote healing.

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The cures ostensibly effected by faith healers have never been adequately or scientifically proven and may keep patients from pursuing more beneficial medical care and advice and may cause the patient serious financial loss or difficulty.

Faith healers see themselves as instruments empowered by God to heal. They attract clients or “patients,” who seek relief from often serious medical or personal problems for which they have not found help and who seek assistance in divine intervention through faith healing.

Faith healers are also sometimes known as “spiritual healers.” Spiritual healing, however, has a broader significance that encompasses cultural relationships and spiritual dimensions of the personality. Research has shown that spiritual perspectives and religious beliefs do influence personal values, attitudes and behaviors, and therefore biochemistry. For example, beliefs in healing powers of magical objects, people, and places have always been known. Faith healers, on the other hand, have generally been associated with evangelical and fundamentalist religions based on literal biblical interpretations and Christian healing traditions. A common theme in the various types of spiritual and faith healing is an appeal to God or gods to change for the better a person’s physical or mental condition.

Some faith healers, such as those in the Pentecostal Church who use divine healing as part of their denominational dogma, do not prohibit use of professional medical care. They see professional physicians as receiving their healing skills from God. Some religious groups, notably Christian Scientists, however, reject the use of professional medical care in treating illness. They use Christian Science practitioners to help encourage faith directed to healing through God, teaching that illness is an illusion.

Spiritual healing has ancient origins. However, James Randi, an investigator of paranormal claims, has shown that the modern day faith-healing movement, which is fueled by claims of nineteenth century European and American evangelists, may have originated in the 1940’s with the Reverend William Branham. A Jefferson, Indiana, resident, Branham conducted charismatic sermons and healings and acquired a huge following. Similar healers quickly multiplied, conducting sessions in the homes of clients and in their own churches, or traveling around the country holding healing tent “revivals.”

### **EFFICACY OF FAITH HEALING**

Various investigators have tried to determine the validity of faith healing by attempting to follow up on cases of numerous well-known faith healers including Oral Roberts, Pat Robertson, Father DiOrio, and Kathryn Kuhlman. Similar outcomes were obtained in all cases, with no criteria offered for failure and no cooperation or success in obtaining provable results through thorough pre- and post-healing medical examinations. Where some follow-up was possible, the

healings were not substantiated. William Nolen, a Minnesota physician who attempted to approach investigation of healing miracles with an open mind, was unable to confirm a single case. He did find that many people who thought themselves healed had relapses of their medical conditions within one to two weeks. Although physicians point out that around 80 percent of human illnesses will heal themselves without medical or spiritual intervention, successful cures are often credited to faith healers. Nolen concluded that people with disorders having psychological components may have benefited on a psychological level but others, who were not “healed,” perceived themselves as unworthy or undeserving in God’s eyes and therefore suffered heavy burdens of guilt and despair.

There are other problems with proving the results of faith healing. Since healers claim that an absolute and unquestioning faith is required from the client in order to be healed, failure can be blamed on insufficient faith or on personal transgressions and shortcomings of the client. Randi and other investigators point out that many techniques used by faith healers are identical to, or adaptations of, techniques used by magicians and mentalists, including use of memory techniques in calling out names and afflictions based upon data collected by associates before the service. Psychological conditioning sets up behavioral expectations for hands-on healing when a strike on the forehead causes the recipient to fall backward into the hands of assistants. Speaking in tongues relates to a psychological phenomenon called glossolalia, which was described by Plato long before the Christian manifestation and was noted in pronouncements by Greek and Roman oracles. These techniques, even when understood and exposed, do not lessen the beliefs or faith of many followers.

### **ETHICAL ISSUES**

Modern scandals involving popular television evangelists, in addition to unproven results of their healings, have added to the concern of highly questionable ethics on the part of practitioners. Divinity appears to reside in the interpretation of the healer. There are no codes of ethics or any unifying organization. In fact, there is often intense competition for the minds and dollars of the clientele. It also seems that healing applies only to those clients who have afflictions that can be exploited before an audience. A



lost leg or body part never reappears, there is no way to prove the removal of a tumor without medical tests, and visible skin diseases, disfigurements, or afflictions always require days or weeks for a cure after the healers and audience are long gone. Television and radio add to the illusion and can be manipulated as required.

Commercialism is most certainly an issue, since faith healing generates millions of dollars. Many cases investigated by James Randi would, by law, constitute fraud. On the other hand, complaints were not forthcoming, and cases are difficult or impossible to prove without cooperation. Individuals who can least afford it may be defrauded of their limited resources and savings.

Where issues of consent are concerned, adults may make their own decisions regarding beliefs and practices. However, the courts have generally held that freedom of religion does not include the right to withhold medical care from a child. Faith healers do use children in their healing services, and if a child has afflictions that are not medically addressed, as in cases of Christian Science, this would constitute child abuse.

*Martha O. Loustaunau*

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SEE ALSO: Holistic medicine; Hypocrisy; Medical ethics; Televangelists.

## **Family**

**DEFINITION:** Fundamental social group, often consisting of a man, a woman, and their offspring

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Families are the basic social units that make up larger societies. They also constitute one of the core institutions that educate and inculcate children with ethical values.

All known societies value the family. In American society, the family is customarily defined as a social group based on a heterosexual partnership of procreation that creates a community of parents and children.

#### **FAMILY TYPES**

The concepts of household and family should not be confused. A household is a group of people who live together and share cooking and toilet facilities. Households may include unrelated boarders who rent rooms from a family, as is the case with many college students. "Household" is a descriptive term, whereas the term "family" is prescriptive. A family consists of people who are related to one another by blood or marriage and who thus ought to care for one another and share life's joys and sorrows. Duty and obligation bind family members as much as rights and privileges do. Family and household often overlap but do not necessarily do so. Members of a family may live in scattered households.

There are many types of family, each of which has evolved in response to different circumstances. In the United States, the term "family" commonly refers to the "nuclear family": a husband, a wife, and their children, all of whom share a home, often cook and eat together, and offer one another support. The word "family" also encompasses a person's ancestors and other relatives, such as aunts, uncles, and cousins. Most families are based on kinship, which simply means that the family members are related to one another by blood, marriage, or recognized forms of adoption. "Foster families" are an exception, because the children are neither adopted nor related to their foster parents by blood or marriage. Despite this fact, the members of such families live together and treat one another as family members.

Anthropologists, sociologists, and psychologists believe that nuclear families were well adapted to the



demands of industrial America. Their small size made it easy for industrial workers to relocate when employment demanded that they move. From the 1840's until the 1940's, the nuclear family was considered the norm in the United States and in the industrialized sections of Europe.

In the postindustrial United States, many other types of families are emerging. Skyrocketing housing costs have forced many parents with children to move in with grandparents, forming three- or even four-generational "extended families" made up of two or more nuclear families. Like the nuclear family, such a family is a "conjugal family," because some of its members are related by blood and others are related by marriage. Because many husbands and wives work, grandparents often provide no-cost child care for young couples. An extended family might also include aunts, uncles, and cousins. Many immigrant families form "joint extended families" composed of several related families that live together, pool their earnings, and share most expenses. Many of these families are headed by an old patriarch and his wife. Usually, married sons and their wives and children, as well as unmarried children, attach themselves to a grandfather's household to form a joint family. Such families are more common among families that own property or businesses than they are among the working class. Family type represents adaptation to circumstances, not moral imperatives. Ethics develop to justify and reinforce family structures.

Extended families can accumulate capital rapidly, which encourages early entry into small businesses. Family members often work in these businesses without pay in return for total support for themselves and their children. Since family members feel obligated to work for relatives, even without pay, some sociologists are critical of these families. They believe that this arrangement amounts to little more than slavery and exploitation. Sometimes, children are forced to work and, as a result, miss school to help maintain the family business.

These families raise many moral issues. Do obligations to extended family members limit an individual's freedom and stifle personal growth? If so, is a person justified in ignoring these demands? What duty do people owe their grandparents and relatives who are not within their immediate families? If one inherits financial benefits from distant relatives, es-

pecially as a result of heinous institutions, such as slavery, does one also inherit a moral obligation to right those persons' wrongs? Should those who prosper under a system work to change that system if they know that it is morally wrong? History has often provided examples of families that chose practicality and personal gain over morality; for example, slave-owning families.

Chinese immigrants to the United States provide an example of a type of extended family that is known as the "stem family." Betty Lee Sung's book *Mountain of Gold: The Story of the Chinese in America* (1967) notes that filial piety and a display of absolute loyalty to and respect for parents obligate one married son to live with his aging parents and become their caretaker. Other sons and daughters are free to marry and leave the family unit without being condemned for abandoning or neglecting the parents. This social obligation would make it both unethical and unthinkable for first-generation Chinese Americans to place their aging parents in homes for older people or allow them to struggle to maintain a household alone. Although caring for aging parents is a burden and may create economic hardships, moral imperatives take precedence in this situation. This tradition often changes in the second and third generation.

#### DECLINE OF THE NUCLEAR FAMILY

Some social scientists argue that the American family is doomed because "single-parent families" are a growing phenomenon. Rising levels of education make it possible for many women to support children without help from a father. Welfare creates similar options for less-well-educated poor women.

The conservative view of female-headed households implies that they are not ethical. Bearing children out of wedlock is considered immoral. Also important to conservatives is the fact that children born out of wedlock cost the government billions of dollars annually. Conservatives often assert that women who develop what conservatives like to think of as irresponsible sex lives contribute to the growing feminization of poverty. People who think in this way believe that character flaws, bad values, and personal weakness on the part of such women create "matrifocal families." These are "consanguineal families" in which the members are related by blood ties only. This view ignores the possibility that the man

may have abandoned the woman or that a woman may be widowed or divorced. Conservatives also believe that matrifocal families unfairly condemn millions of children to live as welfare wards and dependents of the state, plagued by persistent poverty.

### WELFARE

Most families on welfare are matrifocal. Some observers believe that welfare is debilitating because it undermines the work ethic, which values work rather than leisure. To many Americans, work is a moral duty and an obligation to the family, the community, and the state. As early as 1898, Jacob Riis's book *How the Other Half Lives* (1898) argued that poor families should be given jobs, not charity. Riis believed that work restored a moral environment, which was the key to reducing poverty, strengthening nuclear families, and restoring people's self-respect and dignity. Conservative supporters of welfare reform echo Riis's views. They want to tie welfare eligibility to moral norms. Workfare programs are built on this assumption, and some of them allow nuclear families to receive aid if parents assume responsibility for the family and seek work or self-improvement through education in preparation for future jobs.

When investigating how female-headed families form, a different picture emerges. In slum neighborhoods, many single mothers have that status thrust upon them by high levels of male unemployment. *The Truly Disadvantaged* (1990), by sociologist William Julius Wilson, notes that in 1950, 80 of every 100 ghetto men were gainfully employed; by 1980, however, the number had dropped to 17 of every 100. The result was that few ghetto men were able to support wives and children. Wilson believes that economics is largely responsible for this disaster. Fathers without families feel guilty because they accept society's dictate that they should care for their children. Such shame is dysfunctional, and many males seek to escape from it by means of alcohol, drug abuse, or crime. Consequently, 25 percent of African American males between the ages of 17 and 35 are caught up in the criminal justice system, and many others are in the armed forces. In either case, they are not in their communities.

The absence of these endangered men from slum communities creates a void. Many men contract AIDS while they are in prison because they engage in homosexual affairs or become intravenous drug users

and share dirty needles. Once the infected person is released from prison, the disease is transmitted to his female lovers. For this reason, epidemics and drug abuse threaten to destroy urban low-income families.

As medical science increases longevity, society strives to offer all its members that benefit, but often only wealthy families benefit. This problem is most evident in figures calculating life expectancy in terms of race. Whites can expect to live ten years longer than African Americans may expect to live, because many whites can afford better nutrition and medical care for their families. This fact creates an ethical dilemma. Are rich families entitled to live longer than poor families? Is access to adequate health care a privilege or a right?

### INFANT MORTALITY

Another cause of matrifocal families is the falling infant mortality rate, which is reflected in the increased number of adolescent girls who give birth. In *When Children Want Children* (1989), Leon Dash points out that although the overall rate of adolescent births has declined since 1970, the number of infants born to unwed mothers has increased threefold, from 91,700 in 1960 to 270,076 in 1983. Add to this the fact that 23 percent of these mothers said that they intentionally became pregnant and the moral crisis becomes clear. Early unmarried parenthood is closely tied to reduced education, marginal income-earning capacity, and welfare dependence. Teenage mothers also tend to have larger-than-average families, and married teenage couples have the highest divorce rate in the United States.

Children of teenage mothers have poorer-than-average health, lower-than-average IQ scores, low cognitive scores, and a better-than-average chance of living in a disruptive home during their high school years, and these children are more likely to become sexually active before marriage and repeat this tragic cycle than are other teenagers. The ethical crisis is clear, but the remedy is far from clear, despite the fact that Peter Laslett's book *Family Life and Illicit Love in Past Times* argues that this dilemma has faced Americans since the frontier era. In the past, high infant mortality rates and forced marriages covered up moral lapses. Decreasing infant death rates and greater freedom in mate selection are bringing old dilemmas into sharp focus, according to Laslett. Is

technology revealing a conflict between family ideals and reality?

### **POWER RELATIONSHIPS WITHIN FAMILIES**

Practical matters dictate that there are vast differences in power within families. Traditionally, American men were expected to be monarchs within the family and to wield great power. The father's word was final. It has become clear that, in an alarming number of cases, the intimacy of the family conceals abuses of this power involving incest and beatings of wives, children, and older relatives. Family members may engage in denial and hide such abuse even from themselves. The rights of women, children, and older people within families need to be made clear and public in order to protect these people. The abuse of power becomes institutionalized when fathers are also the sole judges of injustice and their victims are delegated roles as custodians of patience, forgiveness, and forbearance. Lord Acton noted that power corrupts and that absolute power corrupts absolutely. This seems to be true within families; relations should be democratized by distributing power within the family to minimize abuses of all kinds.

Plato charged that families were bad because they made people acquisitive and thus subverted devotion to the good of the community. In his ideal republic, the guardian class would live and reproduce in communal groups, thus creating one huge extended family based on group marriage. This would reduce psychological and material divisions. The practice was tried in Israel and Russia, with little success. Thomas Jefferson wanted to allow private households and nuclear families but limit inheritance as a method of reducing the advantages that family wealth would give one American over another. Inheritance is an element of the issues of family favoritism and nepotism, which are banned for those who hold public office because they give family members unfair opportunities to secure jobs, political office, income, and other benefits.

### **DIVORCE**

In 1930, American schoolchildren would have been shocked if any of their peers admitted to having divorced parents. By the early twenty-first century, such information was commonplace. Although this fact gives rise to fear that the family is breaking down, such fear is unrealistic. The highest divorce

rate of the twentieth century occurred in 1945, following World War II. This occurred because many couples married hurriedly, without knowing each other. The men went off to war, and the stress of separation caused both men and women to develop other relationships, leading to divorce after the war. The divorce rate dropped sharply after 1945 but began to rise steadily again between 1950 and 1980. Although the current rate is high, it is not nearly as high as the 1945 rate.

Divorce alone is not responsible for the increase in single-parent families, as some people have suggested. Drastic reductions in death rates mean that fewer parents are widowed and fewer children are orphans than was the case earlier in the century. These statistics offset the increase in single-parent households caused by divorce. Moreover, record numbers of parents remarry shortly after a divorce and form "blended families." Although stepparents assume responsibility for the children of their new spouses, remarriage raises questions. What are the best interests of the children? Who should have custody?

Children who have been given up for adoption can now use their rights to divorce their biological parents if there is an attempt to reunite them. Children who have done so have argued that they do not know their biological parents and are happy with their adopted social parents. Adopted parents choose these children out of love. In such cases, the genitor, or social parent, supersedes the biological parent. The courts have upheld the right of children to remain with adopted parents despite the wishes of the biological parents who put them up for adoption earlier in life. Is it ethical for the state to uphold individual rights at the expense of group rights?

### **CONCLUSIONS**

Although some people have predicted the demise of the American family, the evidence suggests that this is not a likely scenario. The family is undoubtedly changing in response to new social environments and new challenges, but it remains basically healthy. In fact, families may be stronger than ever. Lesbian and gay couples, for example, do not wish to destroy the family; instead, they view it as an institution that is so desirable that they want its definition expanded to include same-sex couples who wish to make lifelong commitments. In the years ahead, society will be challenged to redefine the family, its

mission, and the ethics of relationships within it as it becomes possible to reproduce asexually through cloning and as other developments take place. Future families are likely to be more democratic and to avoid abusive sexism. Families may even drift away from privatism and favoritism toward close relatives, but changes in this area should be expected to occur slowly. Since families play pivotal roles in shaping the morality of the nation, business is likely to become more involved in family issues in order to ensure a steady supply of trustworthy and reliable workers. The declining roles of churches and schools as shapers of values may force business to play such a role. Finally, as families become more democratic, children will acquire more power within them, and those children must be taught how to use that power appropriately. The future of the family holds many problems and many ethical challenges.

Dallas Browne

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SEE ALSO: Birth control; Child abuse; Children; Divorce; Family therapy; Family values; Incest; Marriage; Parenting; Personal relationships.

## Family therapy

**DEFINITION:** Type of group psychotherapy that seeks to address the needs of families or individuals within families by analyzing and modifying relationships and dynamics within the family

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** Family therapy raises all the ethical issues raised by individual psychotherapy, but it also raises special ethical concerns involving the need for evenhandedness in the relationship of the therapist to each member of the family group, the need for patients to balance honest work in therapy with the feelings of the other family members, and the confidentiality of information revealed between family members in therapy sessions.

Family therapy is guided by systems theory, which believes that psychological problems of the individual must be approached as a dysfunction of life within the family. Rather than attempting to promote behavioral and cognitive changes in the dysfunctional individual alone, the family therapist views the family unit as the agent or system for achieving change. It is through the family that understanding of individual behavior is achieved. Actions by any single family member have an effect on all other family members. Family therapists may work with individuals, couples, parents and children, siblings, the nuclear family, the family of origin, and social networks in order to understand their clients' problems and to formulate strategies for change.

#### ETHICAL STANDARDS IN FAMILY THERAPY

Gayla Margolin observed that the ethical questions facing the family therapist are even more different, numerous, and complicated than those faced by therapists who do individual therapy. In an attempt to provide guidance on how to deal with these ethical issues, the American Association of Marriage and Family Therapists published a code of ethics in 1991. The code addresses eight areas: (1) responsibility to

clients; (2) confidentiality; (3) professional competence and integrity; (4) responsibility to students, employees, and supervisees; (5) responsibility to research participants; (6) responsibility to the profession; (7) fees; and (8) advertising.

Most of these areas (areas 3 through 8) are essentially the same for individual and family therapists because they focus on only the therapist: his or her qualifications and training, behavior, and income. It is in the first two areas of responsibility to clients and confidentiality that unique ethical issues confront the family therapist. These unique ethical concerns have been summarized by Gerald Corey, Marianne Schneider Corey, and Patrick Callanan (1993) in four general areas:

1. *Treating the entire family.* Most family therapists believe that it is crucial for all members of the family to participate. Ethical questions arise when a family member or members refuse to participate. Coercing militant members to participate is unethical. Some therapists may withhold therapy until all members participate, but this strategy is controversial. Besides resembling coercion, it can be argued that this tactic denies therapy to the willing participants.

Conversely, Rachel T. Hare-Mustin contends that involving the whole family may not always be in the best interests of a particular member. Giving priority to the good of the entire family may jeopardize the legitimate goals or desires of that member. Ethical considerations require the therapist to minimize risks for any family member.

2. *Value system of the therapist.* The therapist's value system crucially influences the course of family therapy in two ways: first, when the therapist has values that are different from those of a member or members of the family, problems can arise; second, value systems influence the formulation and definition of the problems that are presented, the goals and plans for therapy, and the course the therapy takes. For example, Irene Goldenberg and Herbert Goldenberg contend that family therapists generally believe in maintaining the family way of life. Such a belief could, however, be harmful or inappropriate under some circumstances.

Ethical considerations demand that the therapist make known his or her attitudes and commitments to each family member. Gerald Corey et al. further state that it is not the function of the therapist to make decisions for clients or dictate how they should change.

The therapist's role is to provide insight into family dynamics and to help and encourage the family to make necessary changes. The therapist must be aware of how his or her values can influence the course of therapy.

3. *The ethics of consulting.* This issue arises if one of the family members terminates joint sessions and begins therapy with another therapist. To complicate the situation further, Corey et al. pose a situation in which a person might persuade other family members to also consult with his or her therapist while still seeing their original therapist. Is this new therapist ethically obligated to consult with the original therapist? Are the two therapists ethically obligated to receive permission of their clients before talking with each other? Would it be ethical for the two therapists to ignore each other? These are difficult questions to answer.

4. *The issue of confidentiality.* In the course of family therapy, the therapist will see the family as a group and also individually. During individual sessions, of course, the client may divulge information that is not known to other family members. What is the ethically correct approach regarding the confidentiality of information revealed during these one-to-one sessions? Some therapists will not reveal such information. Other therapists believe that it is appropriate to reveal such information under appropriate circumstances that would benefit the rest of the family. Again, this is a difficult issue to resolve.

The implications of revealing confidences can be serious. Revealing confidences may, however, facilitate resolution of the family's problems. Corey et al. suggest a middle position. The therapist is ethically obligated to inform the family that information revealed during private sessions may be divulged, if in the therapist's opinion that shared information would benefit the family. This position allows the therapist maximum flexibility and options to act in the family's best interests.

In conclusion, the increasing popularity and usefulness of family therapy require sensitivity to and understanding of the unique ethical issues it can present to the family therapist.

Laurence Miller

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SEE ALSO: Behavior therapy; Divorce; Ethical Principles of Psychologists; Family; Group therapy; Therapist-patient relationship.

## Family values

**DEFINITION:** Qualities of life that are necessary for the preservation of, or arise out of the practice of, the family as a social institution

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The family is one of the most important and powerful institutions for the creation, perpetuation, and inculcation of values. The precise meaning of the phrase "family values," however, is a source of controversy. The phrase has been used, beginning during the 1980's, to refer only to those values preserved within morally and politically conservative families. More recently, leftist political and moral leaders have attempted to reclaim the phrase to refer to their own value systems.

"Family values" is a complex concept, and such terms as "family," "family life," and "moral development" appear as frequently as does the term "family values." No one word or idea adequately expresses all that is involved; however, the two words in the

phrase suggest two vital elements: a family unit and values that hold the family unit together so that both social and personal needs are met.

"Family values" means, first of all, the existence of a family. In biblical thought (Gen. 1-2), the idea of family was integral to the creative activity of God. The beginning of humankind was cast in the form of family; namely, Adam and Eve and their children. Thus, values associated with the family are religious values or have religious connotations.

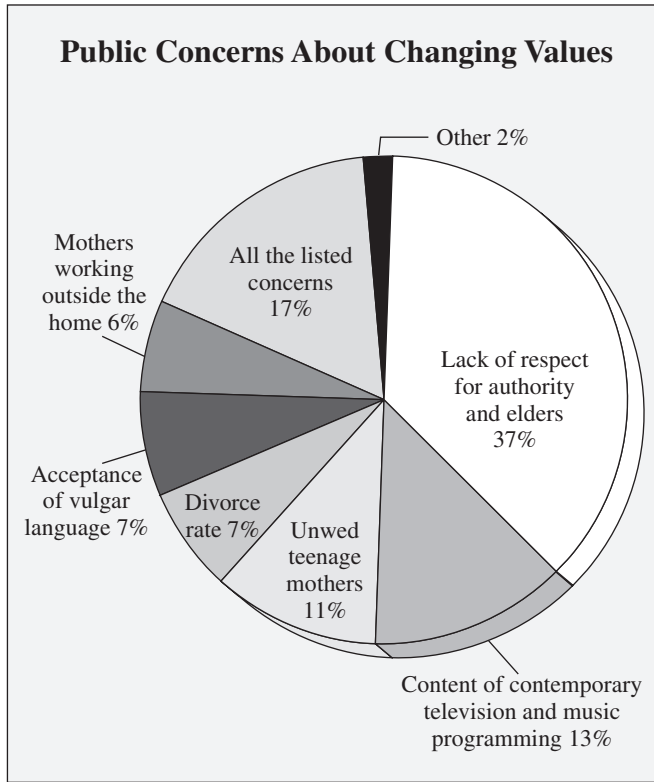
This religious idea of family carries through to the New Testament. When presenting a family code of behavior (Eph. 5-6), the apostle Paul specifically drew on Old Testament concepts. Ephesians 5.31 refers to Genesis 2.24, and Ephesians 6.2-3 refers to the Ten Commandments. Paul gave the family code as an example of walking (living) the Christian life (Eph. 4.1, 17; 5.1, 8, 15). Then he placed the code within the context of mutual submission of family members to one another (Eph. 5.21). The code itself (5.22-6.9) further emphasized these mutually beneficial relationships with a literary framework that may have roots in Aristotle (*Politics*, book 1, chapters 3, 12, 13). Thus, Paul Christianized the code and raised the status of every family member by emphasizing genuine care and concern of the members for one another—care based on Christian principles. Finally, the passage on walking the Christian life concluded with a call for Christians to overcome evil, not only in the home but everywhere, by means of all the defensive and offensive armor provided by God (Eph. 6.10-20).

With this as its background, the Christian concept of family takes on an aura of religious commitment. A man leaves his father and mother and cleaves to his wife. A woman leaves her father and mother and cleaves to her husband.

### LOVE

This commitment and the mutual care and concern of the members provide enough glue to hold the family together for its own sake and against all assaults from outside. Without the glue, the unit dissolves. Whatever the reasons for joining together in the first place, there is a sense of mutual responsibility and commitment. At the heart of the idea of "values" in "family values" is love.

For this reason, child abuse, for example, is regarded as a heinous crime, not only because an indi-



Source: NBC News/Wall Street Journal Poll, June 16-19, 1999. Figures based on poll of 2,011 adult Americans.

vidual is hurt but also because the whole concept of a caring family unit is endangered. Similarly, divorce is also regarded as the antithesis of family because it dissolves the unit. Because of these views, many religious groups reach out to embrace and care for these splintered families. The individuals are valued for themselves, and this caring also helps to preserve the picture of the ideal family by showing that splintering is not the ideal.

### IDEAL FAMILY

In "family values," the ideal family is one with at least two essential poles: mother and father. Children are usually included in the ideal. This traditional concept is generally consistent with both philosophical commentary on the family and Christian views. In Christian thought, however, the ideal family is considered to be an instrument of God and the best means of fulfilling human needs and development.

Alternative family concepts challenge this ideal. Some of these alternatives result from necessity. Oth-

ers exist because of choices people have made. For example, there are single-parent families with female or male parents, couples without children, and families with divorced or separated parents. The list can go on and on. According to traditional ideals of family values, however, these alternatives are not the ideal and are therefore deficient to some degree.

"Family values" are about the family, not about business or religion or politics, even though "family values" intersect other sets of values. For example, one set of "family values" may include belief in God as integral to the family itself. Obviously, this value intersects specifically religious values. Beliefs that prohibit family members from lying and stealing and cheating also affect other values. Economic, educational, and other social values interact with "family values." A family does not live in an ivory tower. Nevertheless, "family values" are usually given preference.

### RESPONSIBILITY

For there to be a family and "family values," someone must take responsibility for choosing and enforcing values. Someone must say, "We do this. We do not do that." Enforcing values usually has two aspects. On one hand, someone must exercise discipline to enforce the values. On the other hand, someone must say, "I love you" and hold out a comforting embrace when the values are not met. Choosing and enforcing values in autonomous families is traditionally the task of parents, not that of state or social agencies.

S. M. Mayo

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SEE ALSO: Children; Children's television; Christian ethics; Family; Individualism; Love; Marriage; Motion picture ratings systems; Personal relationships.

## Famine

**DEFINITION:** Extreme and protracted food shortages, causing widespread and persistent hunger and malnutrition, with associated health problems and substantial increases in death rates

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Throughout history governments have used famine to oppress citizens who oppose their policies or coerce them into participating in programs of the state.

Famines have occurred in many parts of the world throughout history. The earliest written reference to a

### Time Line of Major World Droughts and Famines

<i>Date</i>	<i>Place</i>	<i>Event and estimated casualties</i>
3500 B.C.E.	Egypt	Earliest recorded famine.
1700 B.C.E.	India	Indus Valley civilization collapses because of drought.
436 B.C.E.	Rome	Thousands are said to drown themselves in the Tiber River to avoid starvation.
450 C.E.	Italy (Dufresnoy)	Parents said to eat their own children to survive.
1300	Southwestern U.S.A.	Cliff Dwellers vanish after drought.
1769-1770	India	Drought kills 3-10 million.
1790-1792	India	Doji Bara, or skull famine—so named because skulls of the dead were too numerous to count.
1846-1851	Ireland	Potato famine kills more than 1 million and spurs emigration of 1 million people to America.
1876-1878	India	5 million die.
1876-1879	China	9-13 million die.
1921-1922	Soviet Union	5 million die.
1932-1934	Soviet Union	5 million die in failed collectivization scheme.
1943-1944	India	More than 1.5 million die.
1960-1980	Sahel (West Africa)	More than 1 million die.
1967-1970	Biafra (Nigeria)	More than 1.5 million starve to death during civil war.
1975-1979	Cambodia	More than 1 million die during civil war.
1984-1994	Ethiopia and Somalia	Wars and droughts lead to starvation of more than 1 million.
1990's-	North Korea	More than 1 million have died
2000-	Ethiopia	Unknown

famine was in Egypt in 3500 B.C.E. Famines develop in situations in which there are too many people and insufficient food to feed them. The many causes of famines usually can be broken down into natural and human categories. Natural causes spring from unfavorable weather conditions, such as drought, heavy rains and flooding, plant diseases, and insect and vermin infestations. Human causes are primarily political and cultural in nature and are indicative of underlying problems in food production, distribution, earning capacity, medical care, and levels of development.

Some social scientists see famines as products of power relations, of the use of violence by states that leads to mass starvation. Famines occurred in early Roman times because of Rome's inability or unwillingness to transport food to regions experiencing shortages. It was a common practice for the Roman emperors to hoard grain in the center of the empire, while famines gripped other regions of the empire. The violence of warfare by both attacking and defending forces has caused famines not only by deliberately destroying crops and food supplies but also by disrupting distribution by sieges and blockades. Scorched-earth policies used by retreating troops to deprive their attackers of food have also starved local peoples who are dependent on their land.

In famine-stricken areas, populations generally turn to their governments for relief but do not always receive the help they seek. Government authorities may not admit the severity of famine conditions for fear that they will be held responsible for them. Rulers may ignore or conceal famine conditions in order to maintain their international prestige. The greatest mortality from famine in the twentieth century resulted from communist regimes withholding food supplies in order to coerce unwilling citizens into collectivization. During the 1930's, peasants in the Ukraine who resisted the Soviet government's proscription against private ownership of property burned their own grain and slaughtered their livestock rather than turn them over to the government.

Communist authorities confiscated what remained and prevented other food from entering the area. The result was Joseph Stalin's greatest atrocity, the Great Famine of 1932-1933, in which six million people died. In a similar way, Chairman Mao Zedong's Great Leap Forward program in the People's Republic

of China in the late 1950's resulted in twenty million to thirty million fatalities through malnutrition and famine. In both the Soviet Union and China, the communist parties exported grain while the famines raged.

The prevalence of widespread famines has continued in parts of Africa, Southeast Asia, and Latin America, but the ability of countries to import food and the efforts of international relief organizations have lessened the effects of modern famines. Developed nations face the difficult ethical choice of either helping oppressive regimes develop their countries' agricultural productivity in order to avoid famines or waiting until famine conditions require the shipment of food aid.

*Theodore M. Vestal*

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SEE ALSO: Agribusiness; Developing world; Future-oriented ethics; Genocide and democide; Hunger; Lifeboat ethics; Malthus, Thomas; Outsourcing; Poverty and wealth; Power; Vegetarianism.

## al-Fārābī

IDENTIFICATION: Muslim philosopher

BORN: 870, Farab, north of Tashkent, Turkistan (now in Kazakhstan)

DIED: 950, Damascus, Syria

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Influential in Islamic ethics and in medieval European thought, al-Fārābī's *The Agreement of Plato and Aristotle* (tenth century) attempted a reconciliation of Plato, Aristotle, and Neoplatonic philosophy.

Al-Fārābī's ethical thought is intimately intertwined with his Neoplatonic emanation scheme, in which the One generates a hierarchy of concentric spheres. The intellect of the lunar sphere (the active intellect) emanates pure intelligibles to the human realm. In *The Opinions of the Inhabitants of the Virtuous City* (tenth century), al-Fārābī argued that the immortality of the soul was dependent on its actualization in apprehension of that Intellect. The virtuous city is well-ordered, so that its citizens are reminded of a life beyond this one. Its citizens achieve moral virtue, which allows reason to govern appetites and passions, and they turn their attention to the gifts of the Active Intellect. Such souls find bliss in the afterlife. Less-actualized souls simply cease to exist (if they were ignorant of the Active Intellect) or, if they were excessively attached to bodily pleasures, endure a limited series of transmigrations or torment caused by separation from the body after death.

Al-Fārābī had an important place in the philosophy of Avicenna, Albertus Magnus, and, through them, Saint Thomas Aquinas.

*Thomas Gaskill*

SEE ALSO: Avicenna; Ghazālī, al-; Kindī, al-

## Farrakhan, Louis

**IDENTIFICATION:** African American religious leader and minister of the Nation of Islam

**BORN:** May 11, 1933, New York, New York

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Louis Farrakhan filled an important leadership void in the Nation of Islam left by the death of Elijah Muhammad but became a controversial public figure.

Born with the name of Louis Eugene Walcott, Farrakhan changed his name to Louis X after joining the Nation of Islam. He later changed it again to Louis Farrakhan. Farrakhan was at one time the right-hand man of Malcolm X. Malcolm often referred to Farrakhan as his "little brother" when the latter was head minister of the Boston mosque and

Malcolm was the head minister of the Harlem, New York, mosque during the early 1960's.

After Malcolm was expelled from the Nation of Islam in 1964 for making disrespectful statements about the assassination of President John F. Kennedy, Farrakhan grew critical of Malcolm's attacks on the ethical behavior and sexual immorality of Elijah Muhammad. Farrakhan said that Malcolm deserved to die and that Malcolm would not get away because of his criticisms of the Nation of Islam and Elijah Muhammad. Although Farrakhan has never denied making such statements, he has steadfastly denied having anything to do with Malcolm X's assassination in 1965. Similarly, when Jesse Jackson ran in the democratic presidential primaries in 1984, Farrakhan threatened that harm would come to anyone who attempted bodily harm to Jackson.

In 1975, Farrakhan succeeded Elijah Muhammad as the head of the Nation of Islam after Muhammad's death. Questions related to Farrakhan's ethical conduct were raised in connection with his relationships with both Malcolm X and Jesse Jackson. In the first case, Farrakhan had implied (but later denied) that he would be associated with the death of Malcolm X. In the second case, he tacitly asserted that injury would come to anyone who harmed Jackson. Both cases raise the issue of ethical or unethical behavior related to threats outside the normal boundaries of morality in the political system.

*Mfanya D. Tryman*

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SEE ALSO: Islamic ethics; Jackson, Jesse; Malcolm X; Nation of Islam; Reverse racism.



## Fascism

**DEFINITION:** Governmental system of, or political belief advocating, autocratic rule by a charismatic leader and subordination of the individual to the nation or race

**DATE:** Term coined in 1919

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Fascism severely restricts or eliminates personal liberty; punishes opponents by imprisonment, torture, or death; and regards all peoples not of the officially decreed nationality as inferior.

Like communism, fascism is a type of totalitarian system that attempts to control every aspect of life (political, economic, and personal), usually through a secret police force. Unlike communism, however, fascism allows private ownership of industry as long

as the government or its authorities are served. Fascism also promotes extreme patriotism (“state over self”), militarism, and the organized persecution of minorities. A fascist government controls newspapers, radio, and other means of communication in order to issue propaganda supporting its policies and to silence all opposing views.

Some historians trace the origins of modern fascism to the dictatorship of Napoleon Bonaparte of France, who controlled his country through some fascist means. Later dictators adopted many of his methods, as well as harsher ones. Benito Mussolini, who first used the term “fascism,” controlled Italy from 1922 to 1943.

In Germany (where fascism reached its zenith) Adolf Hitler and his fascist Nazi Party began in 1933 to wipe out all opposition and systematically destroy the Jewish race, Slavs, Gypsies, the mentally ill, and other “inferior” groups. During the 1930’s, fascist

Image not available

*In speech to the White House Correspondents’ Association in early 1941, before the United States entered World War II, President Franklin D. Roosevelt denounced Europe’s fascist regimes in words that were later inscribed in this Washington Mall memorial. (Noelle Penna)*

parties gained much support in Hungary, Japan, Romania, and Spain. Fascists usually come to power after some national disaster by promising to revive the economy and to restore national pride.

*Andrew C. Skinner*

SEE ALSO: Communism; Dictatorship; Hitler, Adolf; Holocaust; Nationalism; Natural rights; Nazism; Oppression; Orwell, George; Tyranny.

## Fatalism

**DEFINITION:** Belief that all events are predetermined by forces beyond human control, and hence that one's destiny cannot be altered

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Fatalism is a species of determinism that connotes resignation to one's destined end and a lack of resistance to the forces governing that end. It holds submission to one's fate to be the ultimate ethical wisdom.

Fatalism is a concept as ancient as civilization and as widespread as the human race. The English word "fate" is from the Latin root *fatum*, meaning "oracle" or "prophecy." Both the Greeks and the Romans were persuaded that three goddesses, the Fates—Atropos, Clotho, and Lachesis—determined one's destiny.

Similar beliefs, however, were evidenced in Celtic, Germanic, and other mythologies, in which "norms" or "powers" overruled human desires and initiative. Fatalism is apparent in the Hindu concept of karma (the factor that binds one to cycles of rebirth), the Muslim teaching of *kismet* ("one's allotted role"), and certain types of Christian predestinationism. Modern philosophies and psychologies have offered "fatalism" in "secular garb," viewing history or personality as being controlled by impersonal and amoral forces.

*C. George Fry*

SEE ALSO: Accountability; Determinism and freedom; Karma; Mozi.

## Fāṭima

**IDENTIFICATION:** Daughter of Muḥammad

**BORN:** c. 606, Mecca, Arabia (now Saudi Arabia)

**DIED:** 632, Medina, Arabia (now Saudi Arabia)

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Revered throughout the Islamic world as the matriarch of the house of ʿAlī, Fāṭima stands as an exemplar of piety, spiritual purity, and spiritual power.

The daughter of Khadija and the Prophet Muḥammad, Fāṭima was married (in August, 623, or June, 624) to the Prophet's cousin, ʿAlī ibn Abī Ṭālib, and was the mother of Ḥusayn and Ḥasan. She and Khadija were the women most beloved by the Prophet, and the tragedies that befell her husband and sons contribute to the pathos of her story. Reverence for Fāṭima, whose father is the Prophet, is so deep that she is often referred to as *umm abīhā* ("her father's mother"). The Qur'an refers to God's wish "to remove uncleanness far from" the "Folk of the Household" of the Prophet (*sūra* 33:33).

Fāṭima is often included in that Household, which has contributed to her popular image as a model of purity (much as Mary the mother of Jesus is also revered in Islam). Such spiritual purity brings with it spiritual power (*barakat*), and Fāṭima is often asked to intercede on behalf of the faithful. Fāṭima, ʿAlī, and their descendants are still specially honored as *sādāt* (singular, *sayyid*) or *ashrāf* (singular, *sharīf*), and widely believed to participate still in the residual *barakat* of Muḥammad.

*Thomas Gaskill*

SEE ALSO: Ḥusayn; Islamic ethics; Muḥammad.

## Fear in the workplace

**DEFINITION:** Emotion experienced in the face of job-related threats

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Fear can be both a cause and a result of unethical behavior.

Fear is fuel for unethical behavior, and unethical actions are fuel for fear. Fear is therefore both a cause of and a result of unethical behavior. When people man-

age ethically, they do not operate in an environment of fear. Fear is an emotion experienced in the face of threats or danger that one feels unable to control. It has two components: the presence or perception of a danger or threat and a lack of control over the danger or threat. Kathleen Ryan and Daniel Oestreich, in their book *Driving Fear Out of the Workplace* (1991), observe, "We see fear as a background phenomenon that undermines the commitment, motivation, and confidence of people at work. It is most easily observed as a reluctance to speak up about needed changes, improvements, or other important work issues."

### EFFECTS OF FEAR

Managers often do not see the impact of fear because it is hidden in the process of how the work gets done. The cost of having fear in the workplace can be figured out by examining the influence of negative emotions on people's work. Ryan and Oestreich's research indicates that the two greatest impacts fear has on an organization are negative feelings about the organization and decreased quality and productivity. Fear translates into a loss of trust and pride, and employees often react to fear by increasing self-protective behavior. Negative feelings about the organization also result in sabotage (theft, fraud, and the destruction of company property). Fear translates into a lasting resentment, the making and hiding of mistakes, or failure to meet deadlines and budgets. W. Edwards Deming has said that quality is impossible to achieve when people are afraid to tell the truth. They fear being ethical. Scrap and breakage are hidden, numbers and schedules are misrepresented, and bad products are shipped to customers because someone is afraid to stop the production line.

Fear shows up in "falsifying" reports and overpromising customers. Employees may not ask for personal time off for fear that their supervisors will not understand and their requests will be denied, so they lie and call in sick. Falsifying reports, overpromising customers, and calling in sick when one is not soon become the norm. Employees become used to behaving unethically. There is an old saying, "It is easy to tell a lie, but difficult to tell only one." Negative feelings about the organization make unethical behavior easier to live with.

Fear is often at the center of "whistle-blowing." The employee fears the results of the improper activ-

ity (harm to employees, customers, or the community) and also management's reaction. He or she feels pushed to go outside to have the injustice resolved. The employee does not trust management to handle the problem.

### WHAT CREATES FEAR

The employee's relationship with his or her immediate supervisor has the most impact on creating fear. Ambiguous or abusive behavior destroys trust. Other behaviors contributing to fear are blaming, insulting, and ignoring. A manager who is not fair, who plays favorites, or who takes credit for an employee's idea invites mistrust from subordinates and executives. Unethical actions such as asking employees to mislead and lie to customers send a signal that perhaps the employees are being misled and lied to as well. Ethical management is at the center of efforts to create an atmosphere in which fear cannot survive. A good relationship with one's manager is a start.

The systems, procedures, and culture of the organization also contribute to fear. Will the company support the employee or not? The employee asks, "My manager is okay, but if I complain to the human resources department about a sexual harassment incident, will I be labeled a troublemaker and laid off in the next round of cutbacks? Is top management really concerned about people, customers, and employees? Is the leadership honest and does it convey a sense of integrity? Is management honestly communicating to employees about the health of the company?" The prevalence of rumors signals a culture of fear.

In an atmosphere of fear, managers and employees do not trust one another. Managers believe that employees are manipulative and operate only on the basis of self-interest. Employees worry that their managers will put their own self-interest ahead of the needs of employees and customers. Each group fears the other and reacts out of fear. It becomes a self-propagating behavior. If I fear that you will act first in your self-interest, I will interpret all your actions in the light of that fear, and react accordingly with self-preserving behavior and retaliation. It is not difficult to imagine the unethical actions that permeate such an environment.

### FEAR AND UNETHICAL BEHAVIOR

Laura Nash says, in *Good Intentions Aside* (1990), "I cannot think of a single ethical problem in busi-

ness that does not rest on a . . . betrayal of trust.” Which comes first, lack of trust and fear or unethical behavior? Fear is not the only cause of unethical behavior. Another cause is the lack of awareness of the ethical implications of decision making. Unethical behavior is not fear’s only result. Good employees often leave a company in which there is an environment of fear. Fear is both a cause of and a result of unethical behavior. It is a red flag, a signal that the health of the organization needs attention. If company employees and managers look for the effects of fear and take action to develop an atmosphere of trust, the ethical pulse of the organization will improve accordingly.

Howard Putnam, in *The Winds of Turbulence* (1991), summarizes fear’s effect: “Fear is the most imposing barrier to transformation. Fear flows from the feelings of instability caused by dealing with the unknown, and it can strangle creative thinking.”

Kathleen D. Purdy

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SEE ALSO: Business ethics; Corporate responsibility; Dress codes; Electronic mail; Employee safety and treatment; Equal pay for equal work; Hiring practices; Merit; Sexual abuse and harassment; Wage discrimination; White-collar crime.

## *The Feminine Mystique*

IDENTIFICATION: Book by Betty Friedan (1921- )

DATE: Published in 1963

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: *The Feminine Mystique* challenged the then-prevalent view that women should be completely (and only) fulfilled by their roles as wives, mothers, and homemakers.

Friedan defined the feminine mystique as the myth of female fulfillment based on domestic labor and proposed that the myth is based on a vision of woman not as a whole person but only in terms of her sexual role. This limiting view of woman, which further suggested that a woman’s value could be expressed only through her potential as wife and mother, discouraged women from pursuing educations or professions, thus effectively trapping them within the myth.

According to Friedan, post-World War II economic and social factors combined to force American women to confine their interests and energies solely to serving their husbands and children through their roles as housewives, a situation that led women to devalue themselves and their contributions to soci-



Betty Friedan, author of *The Feminine Mystique*.

ety. She based this assessment in part on extensive interviews with women, many of whom were highly educated and were plagued with feelings of frustration, guilt, and inadequacy because they were not completely satisfied by the rewards of homemaking. These women felt isolated from one another and alienated from society by their failure to conform to the myth. Friedan asserted that women must look outside the narrow role assigned to them by the feminine mystique in order to discover identity and fulfillment.

*Mary Johnson*

SEE ALSO: Feminist ethics; National Organization for Women; Sexual stereotypes; Women's ethics; Women's liberation movement.

## Feminist ethics

**DEFINITION:** Ethics that are grounded in a feminist perspective and that are characterized by a feminist commitment that calls into question traditional ethical assumptions and seeks to construct ethics that are more inclusive of women's lived experiences

**DATE:** Emerged during the 1960's

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Emerging as a reaction against the traditional, male-dominated modes of doing ethics, feminist ethics both critiques traditional ethics and seeks to redefine the field and its methods.

Feminist ethics developed out of the feminist movement of the mid-twentieth century. Feminist ethical theories reflect the diversity of feminist theories. Liberal, socialist, radical, social constructionist, and post-modern feminism have all influenced feminist ethics. It is neither simply defined nor monolithic in perspective. However, feminist ethics can be defined as ethics with gender issues as its main organizing principle, characterized by a commitment to the general feminist goal of gender equality, the critique of Western traditional ethics, and the reconstruction of traditional ethics to include women's lives and experiences.

### CRITIQUING TRADITIONAL ETHICS

Feminist ethics criticizes the notion of the moral agent as dispassionate and disengaged for its failure

to recognize the social foundation of self. Following on Carol Gilligan's critique of Lawrence Kohlberg's work on moral dilemmas and moral decision making, feminists reject what they see as an androcentric, or male-dominated, notion of the moral agent who stands outside a social context. The construction of an idealized human moral agent has been shown to actually mean "man" in its particular sense and not the so-called inclusive sense that male ethicists, theologians and philosophers maintain is what they "really mean." The detached moral agent ignores, hides, and makes invisible the inequality between men and women. The emphasis on justice as an abstract principle unrelated to social life made women's lives and their concerns invisible in most traditional ethical theories.

### CONSTRUCTING A FEMINIST ETHICS

Early feminist attempts at moral theorizing claimed not only that women's issues were being ignored but also that women and men define and interpret moral problems differently. Carol Gilligan characterized women's morality as an "ethic of responsibility." Nel Noddings calls women's morality an "ethic of caring." Sara Ruddick ties ethics more specifically to women's lives by using the term "maternal thinking" for understanding women's ethical and moral behavior. However, as other feminists and critics point out, this kind of feminist ethical theorizing tends to valorize "feminine" traits or characteristics in ways that make it seem as if women "naturally" think in these ways.

Later feminist ethicists have tried to avoid such essentialist notions by reconstructing ethics based on women's lived experiences. They understand women's moral thinking and choices as contextualized in a particular community: family, neighborhood, or workplace. These choices are the result of living in particular social circumstances rather than tied to biological characteristics. Therefore, feminist ethics are seen to be constructed out of the diversity of women's experiences. Ignoring social context and relations within a family, community, or workplace limits women's moral agency.

Alison Jagger and others have brought together the traditional ethical concern for justice with these so-called feminine concerns. A feminist approach to ethics must offer a guide to action that will tend to subvert rather than reinforce the systematic subordination of women. Jagger also sees feminist ethics as



an extension of politics handling moral issues in both the so-called public and private domains, providing guidance on issues of intimate relations, such as affection and sexuality, which, until quite recently, were largely ignored by modern moral theory. Feminist ethicists are developing ways of dealing with actual problems through consideration of both justice and care.

### FEMINIST ETHICS, DIVERSITY, AND CHOICE

Analyses of women's experiences bring to light a crucial component of how feminist ethics are socially constructed. Women's lives are different—not only from men's lives but also from one another. If feminist ethics are to be based on the experiences of all women and avoid the problem of false universalization, then such differences in women's experiences must be acknowledged and incorporated into feminist theory. This inclusive relationality takes into account the economic as well as the social and cultural dimension in moral decision making and understanding how it often constrains women's choices. The economic dependency of women in the family, the inequality of pay and promotion in the labor force tied to women's role as child-bearer and child-rearer, the possibility of sexual harassment or physical abuse from a stranger or an intimate, and further, in psychological terms, the tendency toward lack of ego differentiation in women's personality formation are all factors impinging upon women's sense of a self that can be autonomous in confronting or defining ethical situations.

A framework for feminist ethics starts with reflection upon concrete situations. Challenging abstract models of ethical theorizing, Carol Robb has argued that morality and ethics cannot be tested via prefabricated dilemmas based on an androcentric viewpoint. "Doing ethics" means that ethicists must gather data about the historical situation and context: They must analyze the roots of oppression, uncover loyalties and community ties as well as political ones, and eventually clarify a theory of values rooted in women's lived experiences. Feminist ethics, then, are transdisciplinary, using perspectives from philosophy, sociology, psychology, education, medicine, theology, business, and the natural sciences.

Feminist ethicists have expanded traditional ethical theorizing by exploring the moral dimension of all aspects of women's and men's lives, breaking

down distinctions between the public and the private. From procreative choice, abortion, and new reproductive technologies to gendered work and the economy, issues of peace and war, and the environment, social analysis is inherent in almost all feminist ethics. How do social institutions work? How do they shape the ways in which people structure their lives, their moral development, and their ethics? Feminist ethics are socially constructed within the context of culture and society, history, and geography. Rather than a complete theory and method, feminist ethics are a process based on the ongoing experiences of women's and men's lives.

Susan A. Farrell

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SEE ALSO: Ecofeminism; *Feminine Mystique*, *The*; Inequality; National Organization for Women; Women's ethics; Women's liberation movement.

# First Amendment

**IDENTIFICATION:** Amendment to the U.S. Constitution providing that government may not establish a religion, interfere with an individual’s religious liberty, or abridge freedom of speech, press, or assembly or the right to petition the government for a redress of grievances

**DATE:** Adopted on December 15, 1791

**TYPE OF ETHICS:** Civil liberties

**SIGNIFICANCE:** The First Amendment guarantees various aspects of the freedom of conscience: It ensures that citizens of the United States may hold any beliefs, may express those beliefs, may worship in accordance with those beliefs, and may gather to discuss those beliefs, without government interference. It also protects the rights of the people to watch over, and respond to transgres-

## First Amendment Controversies

<i>Issue</i>	<i>Reasons to Limit</i>	<i>Reasons Not to Limit</i>
Does the First Amendment protect the right of members of the Native American Church to use peyote as part of their religious rituals?	Peyote is a controlled substance. To permit its use might endanger the lives of the user and others.	The free exercise of religion by the Native American Church requires the use of peyote. Freedom of religion should not be infringed.
Does the First Amendment protect the right of art galleries to display publicly artworks that may be considered obscene or offensive?	The First Amendment does not protect pornography or obscenity. If a work is considered offensive by people in the community, it should not be displayed.	Freedom of speech and freedom of the press imply free expression. Art is in the eye of the beholder.
Does the First Amendment protect those who burn the American flag in violation of state laws?	The flag is the country’s most important symbol. State governments ought to be allowed to protect it.	Burning the flag is as legitimate an act of protest as speaking out against a government policy. Preventing flag-burning would be banning a form of political expression.
Should schools and public libraries ban books that contain racially offensive terms?	Use of some racial terms is offensive and may lower the self-esteem of minority students.	Censorship restricts the flow of ideas. Students would be prevented from reading literature that was written in a time when such terms were considered more acceptable.
Should the press be allowed to print any government documents?	The press’s freedom should be restricted to ensure national security.	Government decisions should be exposed to the will of the people.
Should newspapers and the media be allowed access to participants in a trial before a verdict has been delivered?	Unlimited discussion of trial-related matters in a public forum may infringe upon Fifth Amendment rights to due process.	All matters of public concern should be open for discussion.

sions by, the government, whether through the press, through public acts of political dissent, or through direct governmental petitions.

For the framers of the U.S. Bill of Rights, the freedoms of religion and speech were the most important substantive liberties. Years of struggle, often violent, between Protestants and Catholics in England persuaded Americans that the government should have no role in promoting religion or in controlling religious observances. Three additional themes provide the most common justifications for considering these the “first” liberties: The first stresses the value of liberty of conscience in promoting individual self-realization and self-expression, the second emphasizes the importance of free communication and discussion for informing the citizenry in a representative democracy, and the last emphasizes the value of free discussion in establishing truth in the “marketplace of ideas.”

First Amendment questions often arise in the United States, and many Supreme Court cases have been devoted to settling such issues as subversive advocacy, obscenity, school prayer, and flag burning.

*Robert Jacobs*

SEE ALSO: Bill of Rights, U.S.; Censorship; Constitution, U.S.; Freedom of expression; Mill, John Stuart; Sedition Act of 1798.

## Five precepts of Buddhism

**DEFINITION:** Buddhist vows to abstain from taking life, stealing, sexual misconduct, lying, and using intoxicants

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The five precepts, which are incumbent upon all Buddhists, both laity and priests, are the basic ethical tenets of Buddhism.

Traditionally associated with the Buddha (Siddhārtha Gautama, c. 563-c. 483 B.C.E.) but generally taught in older Hinduism as well, the five precepts are roughly equivalent to the ethical rules in the Ten Commandments.

The first, the precept to abstain from taking life, includes any intention to use either direct or indirect

means to cause death. It refers not only to human but also to other animal life. As a consequence, most Buddhists are vegetarians.

The second precept requires abstinence from taking what is not given and includes trickery and gambling as well as outright stealing. The blameworthiness of an offense depends partly on the value of whatever is stolen and partly on the worth of its owner.

The third precept, to abstain from sexual misconduct, precludes homosexual sexual relations as well as heterosexual relations with family members, married persons, concubines, slaves, and others. For monks, the precept requires celibacy.

The fourth precept, to abstain from false speech, refers to words and actions that are intended to deceive others. It also prohibits deliberately concealing the truth.

The final precept, to abstain from intoxicants, prohibits both alcohol and other drugs that dull the mind. These precepts are supplemented by as many as five more for monks or serious lay practitioners.

*Paul L. Redditt*

SEE ALSO: Ahimsā; Bodhisattva ideal; Buddha; Buddhist ethics; Four noble truths; Lying; Mādhyamaka; Zen.

## Forgiveness

**DEFINITION:** Act of giving up one’s resentment toward a person who has morally wronged or seriously disappointed one

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Forgiveness is a defining characteristic of God in portions of the Judeo-Christian tradition and a central human virtue in Christian ethics, but it is a questionable virtue in modern secular ethics.

The concept of forgiveness occurred first as a revealed characteristic of God: God announced to Moses that God forgives creatures’ sin (Exodus 34:6-7). Early Judaism (c. 250 B.C.E. to 200 C.E.) taught that forgiveness was a personal virtue for humans. The New Testament commands people always to forgive one another, because they all have enjoyed

God's forgiveness (Matthew 5:7, 6:12, 14-15, 18:21-35; Ephesians 4:32; Colossians 3:13; and the book of Philemon).

Outside this Judeo-Christian context, a forgiving spirit has been called a vice rather than a virtue. Moral philosophers since the 1970's have examined in the context of secular ethics both the definition of forgiveness and the ethics of forgiveness (Is a readiness to forgive always a virtue for humans? Is forgiveness a duty?). Here are some highlights of this rich debate.

### DEFINING FORGIVENESS

What is forgiveness? The occasion for forgiveness entails one (or someone one identifies with—as a parent identifies with her child, for example) being mistreated by someone. This offense may be moral wrongdoing, but it is also possible to forgive close friends when they do nothing morally wrong but deeply disappoint one. Forgiveness is not an emotion itself, but it involves letting go of negative emotions such as hatred, contempt, or deep disappointment toward the offender.

Forgiveness may be a decision, but often it is a difficult process of construing in a new way the mistreatment and the offender, and this process is only partially under one's control. Either way, forgiveness must be deliberate and directed toward mistreatment. Simply forgetting about it, coming to see it as not mistreatment after all, and engaging a therapist to focus one's attention away from it are ways of curbing negative emotions caused by the injury, but they do not count as forgiving the offender. Also, the reason for forgiving must be concern for the offender's welfare or some other concern for others. Letting go of negative emotions only because one is tired of dealing with them might be advisable sometimes, but it is not forgiveness, because it is self-absorbed.

A forgiving spirit has seemed to many to be a virtue because forgiveness appears to be a morally acceptable, healthy way of dealing with negative emotions. Hatred or disappointment, when harbored, begin to distort one's moral sensitivity and sense of fairness toward others. Releasing these emotions helps one to see and to act morally. In the context of a personal relationship, forgiveness enables us to reestablish the intimacy and caring we enjoyed.

Is forgiveness always morally acceptable? Consider a tough case. Suppose a person motivated by

cruelty hurts one in a serious way. Self-respect and respect for the moral law (which includes condemnation of all malicious wrongdoing) causes one to be angry at this cruel offense. Why should one ever give up one's righteous indignation and forgive the offender? If one forgives, will one not either ignore wrongdoing or cease to condemn it? Either way (by willful ignorance of or lack of concern for moral offense) one will endorse cruel treatment of others and fail to respect oneself as a person valued by the moral community. In this case, is not forgiveness morally wrong?

Granted, if one's ultimate loyalty is to an abstract moral order, forgiveness in this and other such cases would be unacceptable. The order must be preserved, and one must do one's part to preserve it by harboring righteous hatred for serious moral offenders. We cannot afford to "hate the sin but love the sinner." In the context of a secular ethic, a generous, forgiving spirit would be a vice.

However, in the Judeo-Christian worldview from which the concept of personal forgiveness originated, one's ultimate loyalty is to a generous God who desires the moral growth and flourishing of each created person. The moral order is important in this perspective, but human loyalty to it is part of one's fundamental commitment to God. When one is cruelly treated, one naturally responds with anger first. Yet one prays to see the situation from God's point of view. As one deeply enters God's perspective, one continues to see the offense honestly, in all of its cruelty, and the offender as malicious. One also sees the offender in a more complex way, however, as a person with problems, hurting others, and yet a person deeply loved by a God who can reform and correct the offender. A Christian must leave to God the role of judge and executioner, and accept a role as a coworker with God in caring for the offender. This perspective enables one to love the offender, while maintaining self-respect and respect for the moral order.

Modern debates on forgiveness highlight key differences between secular and Judeo-Christian ethics. These differing moral evaluations of forgiveness remind one that ethical theories cannot be fully understood or evaluated apart from the worldviews that they presuppose.

*Robert B. Kruschwitz*

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SEE ALSO: Christian ethics; Guilt and shame; Jewish ethics; Justice; Karma; Mercy; Parole of convicted prisoners; Reconciliation; Revenge; Sin; Virtue.

## Foucault, Michel

IDENTIFICATION: French philosopher

BORN: October 15, 1926, Poitiers, France

DIED: June 25, 1984, Paris, France

TYPE OF ETHICS: Modern history

SIGNIFICANCE: A philosopher and activist whose *Discipline and Punish: The Birth of the Prison* (*Surveiller et punir: Naissance de la prison*, 1975) helped bring about significant prison reforms in France, Foucault believed that societal norms and morality are revealed in studies of those individuals who are excluded from society. His other works include *Madness and Civilization: A History of Insanity in the Age of Reason* (*Folie et déraison: Histoire de la folie à l'âge classique*, 1961), *The Order of Things: An Archaeology of the Human Sciences* (*Les Mots et les choses: Une Archéologie des sciences humaines*, 1966), and *The History of Sexuality* (*Histoire de la sexualité*, 1976-1984).

### Foucault and Genealogy

In many ways Michel Foucault is the philosophical descendant of German philosopher Friedrich Nietzsche, author of the 1887 work *On the Genealogy of Morals*. Foucault's lifelong project is best understood as an extended "genealogy of morals," in which he examines the history of fundamental moral categories such as guilt and innocence. The purpose of genealogy, for both Foucault and Nietzsche, is to demonstrate that these categories *have* a history. They are not immutable, eternal, self-evident aspects of human nature but are rather constructed in different ways by different societies at different historical moments.

The entity at the center of both Nietzsche and Foucault's genealogical projects is what they refer to as the "modern soul." Foucault understands this soul to be the creation of specific nineteenth century disciplinary institutions such as the asylum, the prison, and the school. These institutions teach their inmates to discipline themselves by placing their inner identities under ethical scrutiny. In so doing, they create a new object of study and repression (the soul), as well as new techniques and sciences for understanding and manipulating people (such as psychology, behaviorism, statistics, and criminology). For this reason, Foucault proclaims, "the soul is the prison of the body."

Michel Foucault was a twentieth century French philosopher who studied the concept of "principles of exclusion." His career at the University of Paris-Vincennes and the College de France expressed two broad themes. The first, which was represented in Foucault's 1961 book *Madness and Civilization*, focused on mental illness and society's response through the institution of the insane asylum.

Later, Foucault began to expand the concept of exclusion to include the penal system and prisons, and in 1975 he published *Discipline and Punish: The Birth of the Prison*. In this book, Foucault described the societal changes that led to the move from castigating the body by means of torture to imprisoning both the body and the spirit. Capitalist society, said Foucault, is a carceral society of control and domina-



tion. Later in his life, Foucault focused on the evolution of human self-mastery. In *The Order of Things: An Archaeology of the Human Sciences*, he surveyed the history of ideas and categories of thought in order to understand societies' self-definitions. His *History of Sexuality* was an attempt to determine the relationships of individual and social attitudes with human sexuality.

Perhaps Foucault's most lasting contribution to philosophy and social theory was the concept of "power/knowledge." Foucault believed that all social practices, all knowledge, and indeed all things in the world are created through, express, and perpetuate relationships of power. This notion has several profound ethical consequences. First, it means that every action, every thought, and every belief of every person either supports or resists the current configuration of power, so that people have a moral responsibility to understand their relationship to power and to act only in ways which will increase human freedom and reduce dominance. Second, however, Foucault is often read to believe that attempts to increase freedom or resist dominance are inherently doomed, since power is in operation at all times and in all places. Finally, the doctrine of power/knowledge constitutes as assertion that the fact/value distinction is a myth, since all facts are actually the product of power, and there can be no disinterested or objective truth.

James A. Baer  
Updated by the editors

SEE ALSO: Criminal punishment; Critical theory; Derrida, Jacques; Fact/value distinction; Institutionalization of patients; Nietzsche, Friedrich; Punishment.

## *Foundations of the Metaphysics of Morals*

IDENTIFICATION: Book by Immanuel Kant (1724-1804)

DATE: *Grundlegung zur Metaphysik der Sitten*, 1785 (*Fundamental Principles of the Metaphysics of Ethics*, 1895; better known as *Foundations of the Metaphysics of Morals*, 1950)

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: *Foundations of the Metaphysics of Morals* is the clearest and most concise statement by Kant of his basic approach to ethics, an approach that is now regarded as the model of rationalist, deontological ethics.

*Foundations of the Metaphysics of Morals* is a preliminary sketch of the fundamental metaphysical laws governing moral experience. These laws are metaphysical in that they can be discerned a priori—that is, by the exercise of pure reason and without reference to psychology. Kant's goal is to set forth the supreme principle of morality. The attempt is organized into three sections. In the first section, he argues that only a will may be good in any unqualified sense. For Kant, a good will is one that acts not only in accordance with duty but also from a sense of duty. The standard of a morally good action, then, is that it is performed simply because it is right. This conception of duty (as the condition of a will that is good in itself) leads Kant to formulate the principle that governs the good will. He calls this principle the categorical imperative: Act only according to that maxim that you can at the same time will that it should become a universal law. In section 2, Kant offers a closer analysis of the nature of the categorical imperative and of derivative (and thus, he thinks, equivalent) formulations of it. Finally, he defends the autonomy or freedom of the will in section 3.

R. Douglas Geivett

SEE ALSO: Deontological ethics; Kant, Immanuel; Kantian ethics; Morality; Motivation; Reason and rationality; Will.

## Four noble truths

DEFINITION: Buddhist doctrine asserting that existence is marked by suffering, that suffering is caused by desire, that desire can be overcome, and that there is a specific way to overcome desire

DATE: Formulated in the sixth century B.C.E.

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The doctrine of the four noble truths, which is perhaps the most basic tenet of Buddhism, provides the foundation of Buddhist ethics.

### The Four Noble Truths

1. All existence is characterized by suffering.
2. Suffering is caused by desire.
3. Desire, and therefore suffering, can be overcome.
4. The way to overcome desire and suffering is to follow the eightfold noble path.

The first of the four noble truths states that life entails suffering. There is no way to escape this facet of existence. The fact that existence is characterized by suffering should not, however, be taken to mean that suffering is all that is experienced in life. It is also possible to feel happiness, joy, comfort, and many other positive and neutral emotions and sensations. The problem is that no sensation lasts. When an individual experiences joy, it is inevitable that that joy will end. It is also true that negative emotions and sensations do not last, but that is not where the problem lies. It is the transitory nature of happiness and satisfaction that causes problems for people.

The second noble truth states that the cause of suffering is desire. People typically seek experiences that they believe will make them happy and shun experiences that they think will make them unhappy. This process is, however, extremely problematical. Often, the process of striving for happiness does not give rise to happiness. People's positive expectations about their lives may remain unrealized. Unexpected problems may arise or things simply may not happen in the way that was intended. In such cases, it is all too easy for people to attempt to block out negative experiences and continue to strive for happiness. This attempt is easy to understand, but it can lead to an unwillingness to accept the unpleasant experiences that are an inescapable part of human existence, and when people attempt to reject the unpleasant parts of their lives, they can begin to live in a world of fantasy, divorcing themselves from their own experiences and creating further suffering for themselves by refusing to see things as they are. When people do not face up to the truth of their situations, they are hampered in their attempts to put things right.

The third noble truth states that there is a solution to the problem of suffering. It is not necessary to live in a world of wishes that will never be fulfilled. There is a definite method by which the problems of suffering can be overcome. This does not mean, however, that following this path will mean that one experiences no more suffering in life. What it does mean is that it is possible to accept all situations as they are, without magnifying or minimizing them. The real problem is not so much one's experiences as it is the way in which one reacts to one's experiences.

The fourth noble truth states that the solution to the problem of suffering is to follow the comprehensive method set forth in the eightfold noble path. The eight aspects of the path are (1) *samyag-dṛṣṭi*, right understanding; (2) *samyak-saṃkalpa*, right aspiration; (3) *samyag-vācā*, right speech; (4) *samyak-karmanta*, right action; (5) *samyag-ājīva*, right livelihood; (6) *samyag-vyāyāma*, right effort; (7) *samyak-smṛti*, right mindfulness; and (8) *samyak-samādhi*, right concentration.

#### APPLYING THE FOUR NOBLE TRUTHS

Right understanding involves, first, knowing and understanding the basic concepts of Buddhism. After one understands them rationally, one must work to test those concepts and, if one finds that they are sound, one comes to understand them on an experiential level.

Right aspiration means not only aspiring to understand and to practice Buddhism but also aspiring

### The Eightfold Noble Path

<i>English</i>	<i>Sanskrit</i>
1. Right understanding	<i>samyag-dṛṣṭi</i>
2. Right aspiration	<i>samyak-saṃkalpa</i>
3. Right speech	<i>samyag-vācā</i>
4. Right action	<i>samyak-karmanta</i>
5. Right livelihood	<i>samyag-ājīva</i>
6. Right effort	<i>samyag-vyāyāma</i>
7. Right mindfulness	<i>samyak-smṛti</i>
8. Right concentration	<i>samyak-samādhi</i>

to do so for the right reasons. Basically, this means that one should not be practicing to benefit oneself. Right aspiration means working toward living in a more selfless way.

In order to practice right speech, one must refrain from lying or deceiving in any way. In addition, one should not indulge in harsh language toward others or engage in slander or backbiting. Instead, one's speech should serve to promote harmony among people.

Right action involves refraining from killing sentient beings, from stealing (or taking what is not given in any way), and from engaging in unlawful sexual intercourse, such as adultery or incest.

Right livelihood means not earning one's living by means of deception or trickery, not trading in arms, not trading in living beings of any kind, not selling flesh of any kind, not selling intoxicants or poisons, and not engaging in any kind of livelihood that involves killing beings, such as being a soldier, a hunter, or a fisherman.

Right effort means preventing evil thoughts, suppressing those evil thoughts that have arisen, cultivating good thoughts, and maintaining good thoughts after they have arisen.

Right mindfulness and right concentration refer to the practice of meditation, which can take many forms. It particularly involves the cultivation of awareness and the direct perception of reality as it is, including particularly the truth that all things that apparently exist are in fact empty. There is no self, although people cling to the idea that the individual self exists.

By exerting oneself in these eight areas, according to Buddhist doctrine, it is possible to rid oneself of the desire that causes suffering, thereby solving the primary problem of existence by cutting it off at the root.

*Shawn Woodyard*

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## Fraud

DEFINITION: Deliberate deception intended to give one an advantage in a transaction

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: Fraud is one of the fundamental kinds of unethical acts.

The long history of ethical condemnation of deception helps to show fraud's significance to ethics; in the Judeo-Christian tradition, for example, one of the Ten Commandments is "Thou shalt not bear false witness." This commandment is broad enough to cover fraud.

The famous English Statute of Frauds, which was passed in 1677 and has now been adopted in one form or another in almost every part of the United States, requires that one must "get it in writing" before one can sue to recover more than a specific monetary amount (for example, \$500) or to enforce a contract that extends beyond a certain period of time (for example, one year). The statute's point was to reduce the number of claims regarding purported fraud. Leaving important matters to memories of oral statements resulted too often in cases that pitted one person's word against another's.

Good faith precludes fraud even when honest mistakes are made. The classic slogan defining good faith is “white heart and empty head,” which refers to having good intentions but being stupid. Stupid mistakes are not fraud.

Deceptive advertising is a matter of degree, but at some point, exaggeration becomes fraud. This is especially true of intentionally false quantitative claims. Qualitative claims are difficult to classify as fraud, since quality is characteristically a matter of opinion rather than fact. Therefore, U.S. law recognizes “puffing” as nonfraudulent falsehood. Puffing is, essentially, an overstatement of the quality of something that is being sold. An example of puffing is a cologne maker’s claim that Cologne X makes one as “mysterious as the wind.” Furthermore, if the falsehood is so obvious that no reasonable person would be deceived by it, then stating that falsehood does not constitute fraud. (For example, one brand of toothpaste was sold with the claim that it would straighten teeth!)

Fraud can be committed by either commission or omission. A fraud of commission involves lying or making some other type of material misrepresentation. A fraud of omission involves the failure to disclose some significant fact that the law requires to be disclosed. Libertarianism, an ethical principle that has been politically influential, endorses the idea of *caveat emptor* (“Let the buyer beware”) rather than the idea that some bureaucracy should interfere with the free market by legally requiring disclosures. Libertarianism supports *laissez-faire* capitalism with only minimal government and opposes the welfare state that began with President Franklin Delano Roosevelt’s New Deal. Libertarianism condemns fraud but defines it narrowly, requiring that a lie be committed for fraud to exist.

Egalitarianism, by contrast, is an ethical principle that allows the mere withholding of information to be considered fraud. Egalitarians condemn exploitation, which involves taking advantage of an innocent person’s predicament. Therefore, egalitarians support laws defining fraud so as to include the failure to disclose key facts. Libertarians do not recognize the applicability of the concept of exploitation in its ethi-

cally pejorative sense. They view charging whatever the market will bear, for example, not as exploitation but as entrepreneurship, which they see as a virtue. The two approaches of libertarianism and egalitarianism correspond at least roughly to actual fraud and constructive fraud, respectively. Actual fraud involves some active deception or lie. Constructive fraud includes any act of commission or omission that is contrary to law or fair play.

*Sterling Harwood*

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SEE ALSO: Cheating; Computer crime; Corporate scandal; Identity theft; Lying; Science; Voting fraud.

## Free enterprise

**DEFINITION:** Economic practice based on the principle that businesses should be allowed to organize themselves and compete in the marketplace free from excessive government regulation

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Free enterprise is the economic embodiment of the general principle that government should interfere in the affairs of its citizens as little as possible, and that self-regulation and mutual regulation are preferable to legal controls and standards.

Free enterprise is an economic system characterized by private property and private investment decisions, the profit motive, supply and demand as the regulator of prices, and limited government involvement. The economic systems of most Western European nations, the United States, Canada, Australia, and Japan are to varying degrees free enterprise systems.

Advocates of free enterprise fall into two categories. Members of the first category hold that free enterprise is morally neutral and that it is justified on practical grounds as the most efficient system known for producing wealth. Members of the second category agree that free enterprise is practical, but they argue that it is justified primarily on moral grounds.

### MORAL JUSTIFICATION

Free enterprise is advocated as the only system that is, in principle, compatible with the requirements of human survival. To survive, individuals need values such as food and shelter. These values must be created by individual initiative and effort. (Cooperative ventures depend for their success on individual initiative and effort.) Therefore, human survival depends on individual initiative and effort.

In a social context, however, individuals run the risk of coercion by other individuals. Coercion is a danger to human life because it undermines individual initiative and effort: Coercion can end an individual's life (murder) or remove to some degree an individual's control over his or her life (slavery, assault, or theft). Coercion, accordingly, is wrong in principle, and all social arrangements should be based on the principle that only voluntary interactions are moral.

The rejection of coercion is spelled out in terms of rights. If murder, slavery, and theft are, broadly speaking, the fundamental social wrongs, then life, liberty, and property are the fundamental social rights.

### ROLE OF GOVERNMENT

Since some individuals will resort to coercion in order to benefit from the productive efforts of other individuals, and since the primary social need of individuals is freedom from such coercion, it follows that there is a need for an institution with the power to protect individuals' rights: government.

The moral task of government is to ensure that individuals are at liberty to use their property as they see fit to sustain and enhance their lives. Governments thus are given the power to use coercion in defense of individuals' rights.

A government can use coercion against individuals, however, so individuals also need protection from their government. In a free enterprise system, this protection is provided by a constitution that limits the coercive power of government to defensive purposes. Since the political power of government is a coercive power and free enterprise requires that all economic transactions be voluntary, the constitution of a free enterprise system will require a separation of economics and politics. Governments will not be able to use political power to subsidize one business at the expense of another or, more generally, to redistribute wealth from one individual or group of individuals to another.

### PRACTICALITY

If individuals thus have a reasonable guarantee of freedom from both other individuals and the government, they will invest, produce, and reap as much profit as their skills, dedication, and ingenuity allow them. They will be free to reinvest or consume their profits. They will be free to form voluntary associations (such as partnerships, corporations, and stock markets) to enhance their production and hence their profits. They will be free to pursue specializations, since specialization generally yields higher production, and to exchange their products in a market in which rates of exchange (prices) are governed by the forces of supply and demand.

The practicality of free enterprise is a consequence of individual effort. The freedom to pursue



profit releases enormous amounts of human productive energy, and this explains the historical success of free enterprise systems.

### CRITICISMS

Free enterprise is sometimes criticized for being harsh, since it provides no guarantee of success for all individuals. Since some individuals will fail, the critics continue, the government should use its coercive power to redistribute some wealth from the successful to the needy. Advocates of free enterprise respond that using coercive means to redistribute wealth is not only impractical—since coercion undermines the conditions of wealth production in the first place—but also immoral, since it involves coercively using individuals as a means to the ends of others. There is nothing to prevent the establishment of voluntary charitable associations to assist those in need, and in a free enterprise system the only moral way to solve problems is through voluntary associations.

Free enterprise is also criticized for encouraging the profit motive. Advocates of free enterprise respond that the profit motive is moral. It is moral that individuals take charge of their lives, and profit is necessary for life. To stay alive, an individual must consume at least as much energy as he or she expended in producing the value to be consumed, and to grow, an individual must consume more energy than he or she expended in producing the value. In economic terms, this means he or she must achieve a net return on the investment—that is, profit.

Finally, free enterprise is sometimes criticized for leading to inequalities in wealth. Advocates of free enterprise respond that the only relevant sense of equality in this context is equality before the law. As long as the government ensures that everyone plays by the same rules, the fact that individuals of differing natural endowments, acquired skills, and moral characters will acquire different amounts of wealth is perfectly just.

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SEE ALSO: Capitalism; Communism; Economics; Marxism; Profit economy; Smith, Adam; Socialism.

## Free-riding

**DEFINITION:** Enjoying a benefit produced by the efforts of others without contributing a fair share oneself

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Free-riding is generally considered unfair behavior that threatens the success of cooperative endeavors among people.

Free-riding, as the expression suggests, involves gaining a benefit, such as a ride, at no cost to the one enjoying the benefit. Free-riding activity is seen as unfair, at least where the provision of the benefit involves costs borne by some and there is an expectation that those enjoying the benefit share in the cost.

One of the more common uses of the idea in ordinary contexts is in connection with union membership. Typically, in labor relations in the United States, one union or agent is authorized to serve as the exclusive representative of workers in a bargaining unit. Under such exclusivity, the union can speak for all the employees, but all the employees in turn have a

right to be fairly represented by the union as their agent. Each employee is thought to have a duty to pay a fair or proportionate share of the cost of such representation; those not paying their share are accused of free-riding.

Samuel Gompers, an early leader in the American labor movement, stated the point as follows: “Non-unionists who reap the rewards of union efforts, without contributing a dollar or risking the loss of a day, are parasites. They are reaping the benefits from the union spirit, while they themselves are debasing genuine manhood.”

Two points are illustrated in the labor example. The first is the moral condemnation of free-riding as unfair. The other is the more general issue about the provision of certain types of benefits or goods from cooperative activities: Benefits made possible by the cooperative efforts of some are available to all. Some goods or benefits are not easily divisible; therefore, it is not feasible to exclude noncontributors from enjoying them. In the case of such goods, it may seem rational in a sense to free-ride, since one can obtain the benefits at no cost to oneself. Cooperative ventures producing goods available to all need to provide some way of discouraging such free-riding. In the organized labor arena, unions have sought closed-shop or union-shop arrangements to prevent free-riding of the sort decried by Gompers. Under these arrangements, employers either must hire only union members or may hire anyone, with the proviso that all employees hired and retained must join and remain in the union.

### HOBBS'S LEVIATHAN

Thomas Hobbes's classic work *Leviathan* (1651) is seen as the earliest treatment of the free-rider issue, posing it in the context of self-interested individuals in a state of nature using reason to find a way out of the miserable condition of life stemming from the absence of a sovereign power “to keep men in awe.” While mutual restraint is the reasonable way out, it is not a sound choice for an individual who has no assurance that others will restrain themselves. The famous Hobbesian solution is the creation of an enforcement mechanism, the sovereign or “great Leviathan,” who will lay down rules of conduct to secure peace and order and will enforce the rules against any lawbreakers or free-riders.

One of the points about free-riding behavior that is

illustrated in Hobbes's discussion is the problematic connection with rational choice. From the narrow view of the individual intent on maximizing personal satisfaction, free-riding seems like the reasonable course of action, so long as enough others are willing to cooperate and contribute to a sufficient extent to make the cooperative venture a success. From a more general standpoint, however, when cooperation with others offers substantial mutual benefits, then it seems reasonable for each individual to cooperate and thus not free-ride. The free-rider seems to threaten the establishment of a cooperative endeavor or the stability of an endeavor that is already underway.

Many cooperative ventures can get started and remain going concerns even when there are some free-riders, since the benefits of cooperation are great enough that many persons are willing to contribute regardless of free-riding. In welfare economics and public finance, the often-used example of a public or collective good susceptible to free-riding is that of the lighthouse. Some shipowners may find it worth their while to build and maintain a lighthouse for use by their vessels, even though other ships will be able to use the lighthouse for navigation. The owners of these other ships will be free-riding—that is, benefiting without paying any share of the cost—if they make no contribution to the building or maintenance of the lighthouse. The free-riding owners are not, however, adding to the costs of those supporting the lighthouse. Despite the free-riders, building the lighthouse may be a rational choice for the contributing shipowners because the benefits of the lighthouse outweigh the cost of construction and maintenance.

In ethics, the unfairness of much free-riding poses a difficulty for utilitarian theories that seek to equate wrongdoing with doing harm, since free-riding often does not harm contributors to a cooperative scheme. It does not always harm them in the sense of adding to their costs, although it may engender feelings of resentment toward the free-riders and lessen the morale of contributors, who believe that they are being made “suckers.” Other ethical theories emphasizing the role of consent and contract also find it difficult to account for the wrongness of free-riding, since free-riders are typically not breaking any contract. The unfairness of such conduct, the act of taking advantage of others, seems to provide the most plausible and direct explanation for its wrongness.

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## Freedom and liberty

**DEFINITION:** Psychologically, the capacity to choose; socially, the ability to act without interference from others

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The nature of freedom is a central question in moral, social, and political philosophy. Some philosophers define freedom only negatively as a lack of constraint, while others think of it as the positive ability to live an ethical and fulfilling life. Moreover, while some thinkers hold freedom to be a characteristic of individuals, others assert that only an entire society can be judged to be free or not free.

Freedom of the will, sometimes referred to as "free will" or "volition," makes ethics possible and necessary. Free will is the capacity to control the direction one's thoughts and actions take, and even whether one thinks or acts at all. Because humans do not think or act automatically, their thinking and acting can go in a variety of directions, some of which are benefi-

cial and some of which are not. Since whether a beneficial or a harmful direction is taken is within one's control, one is responsible for the direction taken. Accordingly, moral praise is warranted for using one's volitional capacity to select beneficial thoughts and actions, while moral blame is warranted either for not exercising one's volitional capacity or for using it to select harmful thoughts and actions.

"Freedom" and "liberty," then, designate fundamentally a capacity of human nature. Freedom of the will is the capacity to choose between alternatives; by extension, social freedom is the ability to act upon one's choices without interference from others. In parallel, the term "libertarianism" is sometimes used to name the position that holds that freedom of the will exists, as well as the social philosophy that holds that respect for individual freedom is the fundamental social principle.

**FREEDOM THROUGH HISTORY**

Freedom is a fragile thing. Throughout most of human history, it has existed only in brief, isolated instances. The city-states of classical Greece experimented successfully with democratic social institutions, and classical Rome derived much of its strength from its republican social institutions. Yet Rome's decline marked the West's return for a thousand years to the historical norm of human social arrangements: tribal and feudal versions of authoritarian social arrangements. Not until the end of the Middle Ages did freedom begin to become an increasingly normal part of some humans' existence.

During the Renaissance and the Enlightenment, a number of major, related institutional changes brought about a gradual decentralization of intellectual, economic, and political power, and a corresponding increase in the powers and freedoms enjoyed by individuals. Intellectually, the rapid growth of science contributed to the increasing secularization of society and gave rise to a greater diversity of opinions; and in northern Europe, the impact of the Reformation and Protestantism's emphasis upon each individual's being able to read and interpret the Bible was partly responsible for the rapid increase in the number of literate individuals. Politically, the decline of the European monarchies gave rise to a variety of democratic and republican forms of government. Economically, the rapid increase in wealth made possible by increasing international trade and

new forms of finance and production, culminating in the Industrial Revolution, gave increasing numbers of individuals unprecedented economic control over their lives.

The rise of liberal social arrangements in economics, politics, and the quest for knowledge often occurred prior to an explicit, theoretical understanding of their political, economic, and intellectual value. While the practical value of liberty became obvious to many, it was also obvious that liberty conflicted with many traditional theories of morality. Accordingly, an explicit theoretical understanding of freedom's moral standing became crucial. Indeed, most opposition to individual economic and political freedom stems fundamentally from moral disagreements with freedom's individualist ethical foundations.

### **THE MORALITY OF FREEDOM**

The morality of freedom is based on its being a requirement of human survival. To survive, individuals need values such as food and shelter. These values must be produced by individual initiative and effort. Production, however, depends upon the individual's having acquired the requisite knowledge, and the acquisition of knowledge in turn depends upon the individual's exercise of free will to control his or her mind's operations. Human survival, therefore, depends ultimately upon freely directed individual initiative and effort. Individuals need to choose to think, in order to acquire knowledge, in order to put their knowledge into practice, and in order to produce the values they need to consume in order to survive and flourish. At each step of the process—thinking, production, and consumption—the individual's freely chosen initiatives determine the degree of his or her self-determination.

Humans live in social groups. Although social arrangements can yield great benefits to individuals, social living also raises the risk of the use of coercion by some individuals against other individuals. Coercion, which can take many forms—killing, slavery, kidnapping, assault, theft—is a danger to human life because it removes to some degree an individual's control over his or her life. Coercion, accordingly, is wrong in principle, and all social arrangements should be based on the principle that only freely chosen interactions are moral; that is, respect for individual freedom is the fundamental social principle.

The rejection of coercion and the protection of

freedom are often spelled out in terms of rights. Rights specify spheres of autonomy that leave individuals free to think and act as they deem necessary to sustain their lives. An individual's right to control his or her own life is the fundamental social principle in terms of which all other rights are defined. Since the process of life involves three subprocesses—thinking, producing, and consuming—the right to life is specified in greater detail to make explicit the protection individuals need in each subprocess. Individuals need to think independently in order to acquire knowledge; therefore, people recognize the right to freedom of conscience. Individuals need to act upon their beliefs, so people recognize the right to liberty; and since the actions that individuals believe are necessary often involve communicating and acting cooperatively with other individuals, people recognize the rights to freedom of speech and freedom of association. Since individuals need to consume the values they have produced, they need to be able to control the fruits of their production; therefore, people recognize the right to property. Overriding an individual's rights in any area means undermining that individual's freedom, which in turn means undermining that person's self-control.

### **THE ROLE OF GOVERNMENT**

Since some individuals will resort to coercion in order to benefit from the productive efforts of other individuals, and since the primary social need of individuals is freedom from such coercion, government is established as the institution charged with protecting individuals' rights. The moral task of government, then, is to ensure that individuals are at liberty to use their property as they see fit to sustain and enhance their lives. A government thus is given the power to use coercion defensively, in protecting individuals' rights.

Since a government too can use coercion against individuals, however, individuals also need protection from government. In liberal social systems, this protection is usually provided by a constitution that explicitly limits the coercive power of a government to defensive purposes in the service of individuals' rights. As a further safeguard, the power given to a government to do its job is broken up and spread among the various branches of government so that each branch can serve as a check upon possible abuses by the others.

Such liberal political arrangements have economic consequences. If individuals have a reasonable political guarantee of freedom from both other individuals and government, they will invest, produce, and reap as much profit as their skills, dedication, and ingenuity allow them. They will be free to reinvest or consume their profits. They will be free to form voluntary associations (such as partnerships, corporations, and stock markets) to enhance their production and hence their profits. They will be free to specialize, since specialization generally yields higher production, and to exchange their products in a market in which rates of exchange (prices) are governed by the forces of supply and demand.

The practicality of free enterprise is a consequence: The freedom to pursue profit releases enormous amounts of human productive energy, and this explains the historical success of liberal social systems.

### CRITICISMS OF LIBERTY

Neither such moral justifications of individual liberty nor the historical success of liberal social institutions has won over the advocates of the many doctrines that are opposed to freedom. Opposition to and attacks upon individual freedom generally stem from opposing fundamental premises about morality. In most such attacks, the common theme is that the individual's life and freedoms have less moral significance than does the individual's duty to sacrifice himself or herself for the benefit of some higher being. Opponents of freedom disagree among themselves about what or who that higher being is, although religion, monarchism, and collectivism have been the three historically dominant sources of candidates for beings for whom individuals should be willing to sacrifice their lives and liberties.

### RELIGION AND LIBERTY

The history of the relationship between religion and liberty has been long and varied. Some religious theorists conclude that secular liberty and independence are compatible with religious obedience and subservience to a higher being—God—by arguing, first, that God created humankind to be his stewards of the natural world and charging them with the task of using the world's resources efficiently and fruitfully, and second, that politically and economically free social systems are more efficient and fruitful

than are authoritarian systems. The central thrust of most religions, however, has been to exalt God's power and, correspondingly, to diminish humans' power. Instead of individuals volitionally selecting their lives' goals and the methods to achieve them, the ends and means of human life are held to be established by God.

The range of valid options open to individuals is thus limited severely by God's decrees, and moral virtue, it follows, consists not in liberty in thought and action, but rather in strict obedience to God's commands. Although many religions grant that one has the volitional capacity to think independently and freely, such self-indulgence is held to be immoral; to be moral, one must choose to recognize one's dependence and be obedient. To the extent that religion is translated into political doctrine, theocracy is the result: God's agents on Earth are charged with the authority to enforce God's commands, so they should have the political power to enforce obedience on the part of the rest of society.

### MONARCHY AND SECULAR AUTHORITARIANISM

Structurally, monarchy is a secular form of theocracy. Individuals are held to exist to serve and glorify a higher being—in this case, the king or queen, rather than God. The ends and means of individuals' lives are established by the monarch, and the monarch's decrees serve to limit the range of options open to individuals. Moral virtue again does not consist fundamentally in independence in thought and liberty in action, but rather in obedience to the monarch's commands. Individual liberties exist only by default; that is, to the extent that the monarch fails to prescribe the course of his or her subjects' lives or is politically unable to enforce his or her decrees.

Historically, some advocates of secular monarchies have used religious appeals to justify the concentration of political power in the hands of a monarch who is not also a duly constituted religious authority. According to the doctrine of the divine right of kings, the monarch's possession of great power is justified not merely by the fact that he or she has succeeded in acquiring it or by the fact that he or she is the biological descendant of the previous monarch, or by the claim that the concentration of political power in the monarch's hands is the most efficient means of realizing political aims in the best interests of the subjects, but rather by his or her se-



lection by God to carry out part of God's plan on Earth.

Another general form of secular authoritarianism is based on collectivist ethical principles. According to collectivism, individual human beings are of less moral value than is some larger group to which they belong; therefore, individuals are expected to devote their lives to serving the larger group. Different versions of collectivism define the larger group differently; some hold that the appropriate group is the nation, while others hold that it is the race, the culture, one's economic class, or, more vaguely, society as a whole. Collectivists argue that individuals are not morally free to pursue their own ends, but rather that they have a duty to sacrifice and to serve the ends of the collective, as determined by the collective's leaders.

The twentieth century saw the rise of several versions of collectivism, with a corresponding diminution of individual freedoms to the extent that collectivist doctrines were practiced.

Marxism, for example, holds that the dictatorship of the proletariat (the working class) is a necessary step in the transition between capitalism and international socialism. During the dictatorship of the proletariat, the leaders of the Communist Party will hold absolute power and will determine what is necessary, while individuals will sacrifice themselves, voluntarily or not, to bring about a new collective entity—the international socialist state.

Fascism, to take another prominent example, holds that dictatorship is a necessary step toward realizing a national or racial version of socialism. Again, the leaders of the party will hold absolute power and will determine what is necessary, while individuals will sacrifice themselves, voluntarily or not, to bring about a new collective entity—the national socialist state.

Some versions of radical environmentalism, to take a final example, hold that the ecosystem is the collective entity that is the unit of value, and that humans exist to serve the ecosystem as a whole. While humans have a duty to serve the ecosystem, however, most of them seem shortsighted and have abused their freedoms (by causing pollution and overpopulation). Accordingly, the freedoms of individuals to produce and reproduce should be overridden by enlightened leaders who have the best interests of the ecosystem as a whole at heart.

### **PESSIMISM VS. FREEDOM**

In addition to religious, monarchic, and collectivist attacks on individual freedom, certain positions on the status of human nature have also led directly to attacks on freedom. To the extent that a pessimistic evaluation of human nature is accepted, there is a tendency to reject political and economic freedom in favor of some version of paternalism. Paternalists typically hold that humans are too evil or too incompetent to be left free to determine their own affairs. Accordingly, rather than conceiving of the state as a servant whose job it is to protect individuals' freedoms while they pursue their lives, paternalists urge the state to take control of individuals' lives, either as a strong and stern authority suppressing the natural tendencies of humans to do evil, or as a wise and benevolent leader organizing individuals' lives so as to protect them from their own incompetencies.

### **THE SCOPE OF FREEDOM**

Individual freedom is at stake in scores of major practical moral controversies. People continue to debate, for example, abortion, censorship, free trade, taxation, the use of alcohol and drugs, the military draft, and homosexuality. Each practical issue focuses on whether individuals should be free to act as they judge best or should be forced to act as some other individual or group judges best. In each debate, the acceptance or denial of the legitimacy of individual freedom is a conclusion derived from more fundamental premises about metaphysics, human nature, and ethics. If, for example, God has all the power, then humans have none; therefore, freedom is not an issue. If humans are not intellectually competent enough to run their own lives, then intellectual control should be given to someone who is, so censorship is a practical option. If humans are basically evil, then freedom is folly, and so is allowing humans access to alcohol and drugs. If individual humans are merely servants of a larger collective, then freedom is unnecessary; therefore, a draft is justifiable. A full defense of freedom and liberal social institutions, then, depends on a full philosophical system of premises demonstrating that human beings are by nature none of the above—that, instead, they are competent individuals who are morally ends in themselves.

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## Freedom of expression

**DEFINITION:** Right to speak and otherwise communicate without interference or fear of government reprisal.

**TYPE OF ETHICS:** Civil liberties

**SIGNIFICANCE:** Free expression is considered one of the most fundamental rights in democratic societies. It is founded upon two ethical ideas: first, that freedom of conscience (the right to one's own beliefs) is meaningless unless one is also free to express those beliefs to others; and second, that society as a whole benefits from a free "marketplace of ideas" in which all points of view may be heard and considered.

The modern belief in freedom of speech is assumed to include all other forms of free expression. These forms include the right to speak freely in political assemblies, the right to petition those assemblies, the right to relate and publish debates of the assemblies, and freedoms of correspondence, of teaching, of worship, of publishing newspapers and books, and of expression in the arts. Freedom of expression is all-inclusive, but it is epitomized in freedom of speech. It is from freedom of speech that all other individual expressions take their distinctive forms. Understood to accompany the freedom of expression are freedom of thought (spiritual freedom) and the right to criticize—to inquire or to research old dogmas.

### ANCIENT GREECE

The language, theory, and practice of freedom of expression in the modern, Westernized world are linked to Greek and Latin ideas and institutions. Freedom of expression was born in Athens in the archaic period (c. 800-600 B.C.E.), when the aristocratic rulers allowed certain classes to voice their opinions without fear of reprisal. This freedom was increased

under the reforms of Solon (c. 594 B.C.E.), and it reached a high point in the golden age of Pericles (c. 507 B.C.E.) and Cleisthenes (c. 443-429 B.C.E.). The citizens of Athens were granted freedom of expression in the political arena, including the council, the assembly, the courts, and in society at large, and also in the areas of philosophy and the arts. Freedom of speech is excellently illustrated by the dramatist Aristophanes' criticism of Cleonymus, an Athenian politician of considerable power, as a "glutton," a "perjurer," and one who throws away his shield in battle (a coward).

Despite the broad latitude permitted in Athens for freedom of expression, such freedom was by no means absolute. Restrictions were placed upon the speakers, the content of the speech, and the time and place of utterance. The leaders of the assembly restricted freedom of speech to the citizen class; those individuals who were considered "unworthy" or "dishonorable" were punished by having their right to speak taken away.

#### ANCIENT ROME

In Republican Rome, freedom of expression differed markedly from the variety found in Athens. The representative democracy of Rome was established on the basis of the idea that all political authority came from the people. The notions of liberty (*libertas*) and of the political process (*civitas*) were considered inseparable. Therefore, there was no basic clash between the individual and the state, for the free and responsible citizen had certain rights that the state could legitimately support so long as they furthered *civitas*.

Roman law did not support legal guarantees for freedom of expression, but a tradition of tolerance evolved in Rome that permitted and encouraged freedom of expression. Both orators and writers freely criticized public and private figures by name. Some controls were exercised regarding who could speak and what could be said. The government also established theaters and exercised censorship over them.

The right to speak and speech content in the assembly were controlled by procedures. The republican constitution provided that the assembly serve as the principal legislature and as the supreme court. The ordinary citizen who participated in the assembly did not have a right to speak but did have a right to listen to debates by magistrates, senators, and

juriconsults (lawyers). They also had the right to vote. The right to speak was controlled by the governing class.

The Twelve Tablets, Rome's first written law, which was codified in 451 B.C.E., provided for the punishment of seditious libel or defamation. Nevertheless, orators often engaged in defamation and invective. Cicero attacked his opponent Piso, calling him a "beast," "funeral pyre of the state," "mud," "donkey," "hog," and a "piece of rotten flesh." Libelous expression was constrained, although the record is not clear about the existence or enforcement of specific laws governing sedition or defamation in the assembly and the senate. Defamation, however, was actionable if it occurred on the stage or in the courts.

In the Roman Empire, government control mutated from democratic institutions to one-man rule. Free expression was commonly tolerated on an ad hoc basis, depending on the emperor. Augustus was moderately tolerant of dissent, Tiberius allowed a considerable degree of freedom of expression, and Caligula started with a policy of leniency but soon turned toward brutal repression that included having one writer burned alive in the amphitheater. Claudius suspended the law of treason, but his successor, Nero, reinstated it; Vespasian and Domitian applied the law of high treason vigorously, including having the historian Hermogenes Tarsus put to death and his secretaries crucified.

#### THE WESTERN TRADITION

The late classical world's pattern of constraints on freedom of expression formed the basis for the emergent practices in the West for more than seventeen centuries. During this lengthy period, no Western nation extended to its citizens a legal guarantee of freedom of expression. The Christian Church fervently persecuted those whom it thought unorthodox or heretical. Inquisitions of various kinds were carried out by the Church from the thirteenth century through the eighteenth century.

During this dark period for human liberty, England moved quietly but unquestionably toward establishing a tradition of civil liberty. In June, 1215, King John, a tyrant, was forced to sign the Magna Carta, which is now recognized as the foundation of constitutional liberty for both England and the United States. This charter did not mention freedom of expression, but it did claim that no free man could

be deprived of life or property except by peer judgment and by the law of the land. The word “liberty” appears several times in the document.

The regal Magna Carta gave support, through its transformation, to political liberty, including freedom of expression. While there is no direct line of descent from antiquity to Western Europe and England of freedom of expression, the West had to learn the principles and practice of freedom of expression reflexively and by intentional emulation. Once the idea of freedom of expression took hold, its growth was assured by an increasingly mobile and rational society that was beginning to debate and test everything.

The Renaissance, the Scientific Revolution, the Reformation, the Enlightenment, and the two great revolutions of the eighteenth century imbued views of freedom of expression with much of their modern implications and tone. The debate and testing of worldviews blossomed in the United States in 1791 with the ratification of the Bill of Rights. In the meantime, following King John’s signing of the Magna Carta, church and state in England continued for centuries to restrain the development of liberty of speech by controlling the content of speech and the medium of speech—the printing press.

### THE EARLY MODERN ERA

John Milton was the first to decry prior restraint of the press. Milton published his argument in *Areopagitica* (1644). Milton’s essay states in cautious prose four arguments against prior restraint or press censorship by Parliament. First, prior restraint was conceived and used by the Roman Catholic Church to suppress the Protestant Reformation. Second, prior restraint, according to Milton, weakens character, since individuals do not have the chance to determine the truth for themselves. Third, prior restraint does not work; the censored ideas will inevitably become known. Fourth, prior censorship discourages learning and the search for truth (it replaces the pursuit of truth with unquestioned authority), which injures society. Milton had many reservations about extending freedom of expression to everyone (for example, Milton did not believe that freedom of expression should be extended to Catholics). Nevertheless, his work was a milestone in the development of civil liberties in the West and Westernized societies.

John Stuart Mill, an English philosopher and economist, went much further than Milton in his ar-

gument in support of freedom of expression. In his work *On Liberty*, Mill asserts three basic reasons for government to permit freedom of expression. First, the “hated ideas” may be true and the orthodox ideas may be false. Second, truth is powerful enough to triumph over falsehood without the artificial protection of government, and the continual challenging of truth prevents it from becoming dead dogma. Third, there is probably some degree of truth in all ideas or opinions; therefore, to suppress any idea is to endanger possible truth. Mill’s argument for freedom of expression is that it is socially useful. Freedom of expression must have purpose beyond itself. Mill maintains that “absolute certainty” is not available to human beings, and therefore the suppression of any idea “is an assumption of infallibility”; such an assumption is unwarranted. Mill’s espousal of freedom of expression is best exemplified in one of his quotations: “If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind.”

### THE AMERICAN SYNTHESIS

The next leap forward in the progression of human rights occurred in America. It took its most complete development in the First Amendment to the U.S. Constitution. The framers of the Constitution placed freedom of conscience first, and then freedom of speech and the press. James Madison, Thomas Jefferson, and the others who inspired the First Amendment were inheritors of the Enlightenment and its antecedents. They believed in the power of reason, in the search for truth, in progress, and in the inevitable perfectibility of humankind. Freedom of expression was considered essential to the discovery and advancement of truth, for only by constant testing in a public forum could falsehood be uncovered.

The twentieth century, especially its last third, was a high point for freedom of expression. Alexander Meiklejohn, a foremost constitutional scholar, maintained that a teacher’s freedom to pursue knowledge (academic freedom) may be curtailed in certain circumstances; political speech, however, enjoys “an absolute, preferred position” in the Constitution. James Madison, author of the First Amendment, said, “If we *examine* the nature of Republican Government, we shall find the censorial power is in the

people over the Government, and not in the Government over the people.” It is only by freedom of expression that the people can voice their grievances and aspire to redress them. It is principally by exercising free speech that people can build without molestation political power that can counter recurrence of excesses by government.

### THE JUDICIARY

The Supreme Court, as the final decipherer of the Constitution, has acted as the guardian of freedom of expression. In *Garrison v. Louisiana* (1964), Justice Joseph Brennan declared: “Speech concerning public affairs is more than self-expression; it is the essence of self-government.”

The primacy of freedom of expression has never been absolute in the United States, and it has been even more circumscribed in Western Europe. In times of war or similar crisis, for example, some publications that may threaten national security are prohibited. Other forms of expression are restrained on certain occasions by the courts, since they may unfairly assail the communal interest in public morality. Picketing, parades, and even words, if permitted at a particular time and place, may threaten public safety or order despite the constitutionality of the information or ideas.

The Court employed the bad-tendency test, or the “nip it in the bud” approach, to judging expression. This approach stops or punishes speech that the Court believes has a tendency to create a serious danger at some point in the future if it is allowed to continue. The principal statement of this position was in *Gitlow v. United States* (1925), in which the Supreme Court upheld the sedition conviction of Benjamin Gitlow: “A single revolutionary spark may kindle a fire that, smoldering for a time may burst into a sweeping and destructive conflagration”; therefore, it is reasonable and expected for the state to seek to extinguish the spark to protect the public peace and safety.

The Supreme Court began to inquire into the limits of freedom of expression only in 1919. The first landmark case decided by the Court was *Schenck v. United States* (1919). In more than seven decades, the Court assembled a body of constitutional law, but it did not formulate a theoretical basis for interpreting the First Amendment. The Court has consistently held that freedom of expression, especially of speech

and of the press, ensures the survival of the American political system. The chief purpose of the First Amendment, in the eyes of the Court, is to serve the political needs of an open and democratic society. Such political needs also include the right of the people to alter by lawful means the political process itself. Justice Felix Frankfurter’s famed pronouncement reflects the Court’s consistent opinion that freedom of expression is a means to better the political system: “Winds of doctrine should freely blow for the promotion of good and the correction of evil.” Justices Hugo Black and William O. Douglas reiterated the contention that freedom of expression exists to preserve American democracy: “It is the purpose of the First Amendment to preserve an uninhibited marketplace of ideas in which truth will ultimately win.”

### TWENTIETH AND TWENTY-FIRST CENTURIES

Before the mid-twentieth century, the Court and political philosophers argued for freedom of expression in general terms. Zechariah Chafee, Jr., writing during the 1940’s, discussed problems of preserving the peace, defamation, and obscenity. His emphasis was on political expression and seditious libel. Chafee’s theory recognizes two types of expression: that which serves an individual interest and that which serves a more broad social interest. Chafee tries to balance freedom of expression in searching for truth against public safety. Every effort, Chafee says, should be made to maintain both interests unimpaired. Free expression should be sacrificed only when the interest in public safety is really imperiled, not when it is narrowly affected. Chafee espoused the doctrine of a clear and present danger test. Profanity and defamation, to Chafee, were socially “worthless” activities that were unprotected by the First Amendment.

Thomas Emerson, another constitutional scholar, wrote during the 1960’s. Emerson argued that freedom of expression includes the right to form and hold beliefs on any subject and to communicate those beliefs to others by whatever medium one chooses—whether through speech or by other means, including art or music. Freedom of expression, according to Emerson, includes the right to hear the opinions of others, the right to inquire, reasonable access to information, and the rights of assembly and association. Freedom of expression, Emerson declares, op-



erates in four ways: first, individual self-fulfillment; second, discovering truth; third, democratic decision making, and fourth, finding a balance between healthy strife and necessary consensus. Emerson tried to fashion a theory that would determine where the line should be drawn between expression and action in the many cases involving freedom of expression. Speech, ideally, should not be punishable at all; however, in certain situations, actions, if they are pernicious and unlawful, can and must be punishable.

Franklyn Haiman wrote during the 1980's and argued for a free marketplace of ideas. The law is an inappropriate tool for dealing with "hated" speech. The remedy for such speech is more speech, never (or nearly never) the repression of speech. Even in cases of defamation, the remedy is a right of reply, except when the alleged defamer refuses to provide for such a reply or when time is inadequate to permit a reply. Haiman is even tolerant of speech that incites unlawful actions. Haiman insists that those who allegedly incite others to illegal conduct should not be held accountable themselves for the actions of their listeners, unless the audience is deceived, is coerced, or is mentally impaired. Haiman also argues for a wide dissemination of all ideas. The law should be used to enrich and expand communications and to ensure that the marketplace of ideas remains free. Even the views of nonconformists should be distributed, Haiman concludes. Also, the scheduling of the time and place of speech should be done in a content-neutral way. Owners and managers of quasi-public private property (such as shopping centers and airports) should make provisions for nondisruptive communications with the public by any individual. Haiman further emphasizes that government in a free society is the servant and should not inhibit, distort, or dominate public discourse.

Most constitutional scholars agree that the freedom of American citizens to participate in governing themselves is best protected by the First Amendment. Free people, who govern themselves, must not be shielded from any idea that is considered unwise, or unfair, or dangerous; it is they, the American people, who must judge any idea. Freedom of expression is not a law of nature or a principle of abstract reason, but a basic American agreement that public issues shall be decided by the people. A general theory may be stated in the following way: The people's suffrage in a democracy must always be couched broadly in

terms of freedom of expression in the political process; however, government interference in personal conduct must be permitted rarely or not permitted at all.

Claude Hargrove

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SEE ALSO: Censorship; Civil Rights Act of 1964; English Bill of Rights; First Amendment; *Griswold v. Connecticut*; Library Bill of Rights; Mill, John Stuart; Song lyrics.

## Freedom of Information Act

**IDENTIFICATION:** U.S. law mandating that records possessed by federal agencies must be made available to the public upon request

**DATES:** Effective July 4, 1967; amended in 1974, 1976, and 1986

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The Freedom of Information Act strengthened the American public's right to know, reaffirming the view that an informed citizenry is vital to the functioning of a democratic society.

Before the enactment of the U.S. Freedom of Information Act (FOIA) in pre-Watergate 1967, the public's "right to know" was merely a slogan coined by journalists, not a legal right. The press led the fight for "open government" and cited numerous instances of random and unexplained denials of access to information about crucial governmental decisions. Claims of executive privilege without any requirement of justification shielded the nondisclosure of materials to Congress for legislation and supervision. Government records were required to be revealed only to persons properly and directly concerned with them. Any records could be kept secret if such policy was in the public interest or if the records related solely to the internal management of an agency.

## THE ACT

The rights conferred on the people by the FOIA are not specifically protected in the Constitution. Its goals, however—the elimination of secrecy and preservation of government accountability—were familiar even to the nation's founding fathers (James Madison, Alexander Hamilton, and Thomas Jefferson), who viewed excesses of power in the seat of big government with alarm.

Under the FOIA, all individuals have an equal right of access to information. The act provides that "any person" (citizen or noncitizen, partnership, corporation, association, foreign or domestic government) may file a request for an agency record for any reason. The requester does not have to be a party in an agency proceeding, and no showing of relevancy or involvement in litigation is required. The purpose for which the request is made has no bearing on its merits. The FOIA specifies only that requests must reasonably describe the documents sought and must comply with agencies' published procedural regulations. The agency must provide the document unless it falls within one of the nine exemptions contained in the act. If the agency refuses to produce the record, the requester may go to court, where the agency must prove that the documents in question are exempt under the law and that its refusal to produce them is justified. Courts determine the propriety of agency action without deference to agency opinion and expertise, unlike the course of action followed in other matters.

The FOIA establishes two categories of information that must be disclosed. The first requires publication in the Federal Register of basic information regarding the transaction of agency business; descriptions of the organization, including its functions, procedures, and rules; and policy statements of the agency. The second requires the availability for inspection and copying of so-called "reading room" materials: final adjudicatory opinions, specific policy statements, and administrative staff manuals. These materials must be indexed to facilitate public access, to help any citizen involved in a controversy with an agency, and to guard against the development of internal agency secrets. Records covered by the foregoing are subject to disclosure upon an agency's receipt of a request by any person.

The FOIA applies only to "records" maintained by "agencies" within the federal government. Not in-

cluded are records maintained by state and municipal governments, courts, Congress, or private citizens. Many states have counterparts to the FOIA. The Supreme Court has developed a basic two-pronged test for determining what constitutes an “agency record” under the FOIA: documents that must be either created or obtained by an agency and be under agency control at the time of the request.

### EXEMPTIONS

Release of information contained in nine categories of exemptions is not required. These include national security and foreign policy matters, internal personnel rules and practices, exemptions specified by other federal statutes, privileged or confidential trade secrets and commercial or financial information, interagency or intraagency memoranda, personnel and medical files constituting an unwarranted invasion of privacy, investigatory records compiled for law enforcement purposes (including protecting the identity of confidential sources and information furnished to authorities), financial institution reports, and geological and geophysical information and data. It should be noted, however, that the exemptions are discretionary rather than mandatory. When challenged, therefore, their application to particular records and situations must be determined on a case-by-case basis and may be subject to varying interpretations by the courts.

### SIGNIFICANT AMENDMENTS

As a reaction to the abuses of Watergate and widespread concern over excessive government secrecy, the FOIA was substantially amended in 1974. The overall scope of the act’s law enforcement and national security exemptions was narrowed and its procedural aspects broadened. The 1974 amendments included a provision whereby a court could conduct an *in camera* (behind closed doors) inspection of withheld information in order to determine the propriety of nondisclosure and classification and whether certain portions of otherwise withheld records could be segregated and released. A time limit of ten working days for agency response to a request was also established, as was a provision for the disciplining of persons responsible for arbitrary and capricious withholding of information, and the awarding of court costs and attorney’s fees to a plaintiff who prevails in an FOIA case.

As part of the Anti-Drug Abuse Act of 1986, the FOIA was amended to provide broader exemption protection for law enforcement information, special law enforcement record exclusions, and new fee and fee waiver provisions. The 1990’s brought discussions about the need to implement refinements to the FOIA to accommodate technological advances such as electronic record-keeping. Numerous treatises and legal journal articles contain references to the Freedom of Information Act.

Marcia J. Weiss

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SEE ALSO: Confidentiality; Constitutional government; Democracy; Information access; Inside information; Journalistic ethics; Privacy; Public’s right to know; Watergate scandal.

## Freud, Sigmund

- IDENTIFICATION: Austrian pioneer in psychoanalytic theory
- BORN: May 6, 1856, Freiburg, Moravia, Austrian Empire (now Příbor, Czech Republic)
- DIED: September 23, 1939, London, England
- TYPE OF ETHICS: Psychological ethics
- SIGNIFICANCE: Freud founded the theoretical and clinical discipline of psychoanalysis, providing the twentieth century with one of its most power-

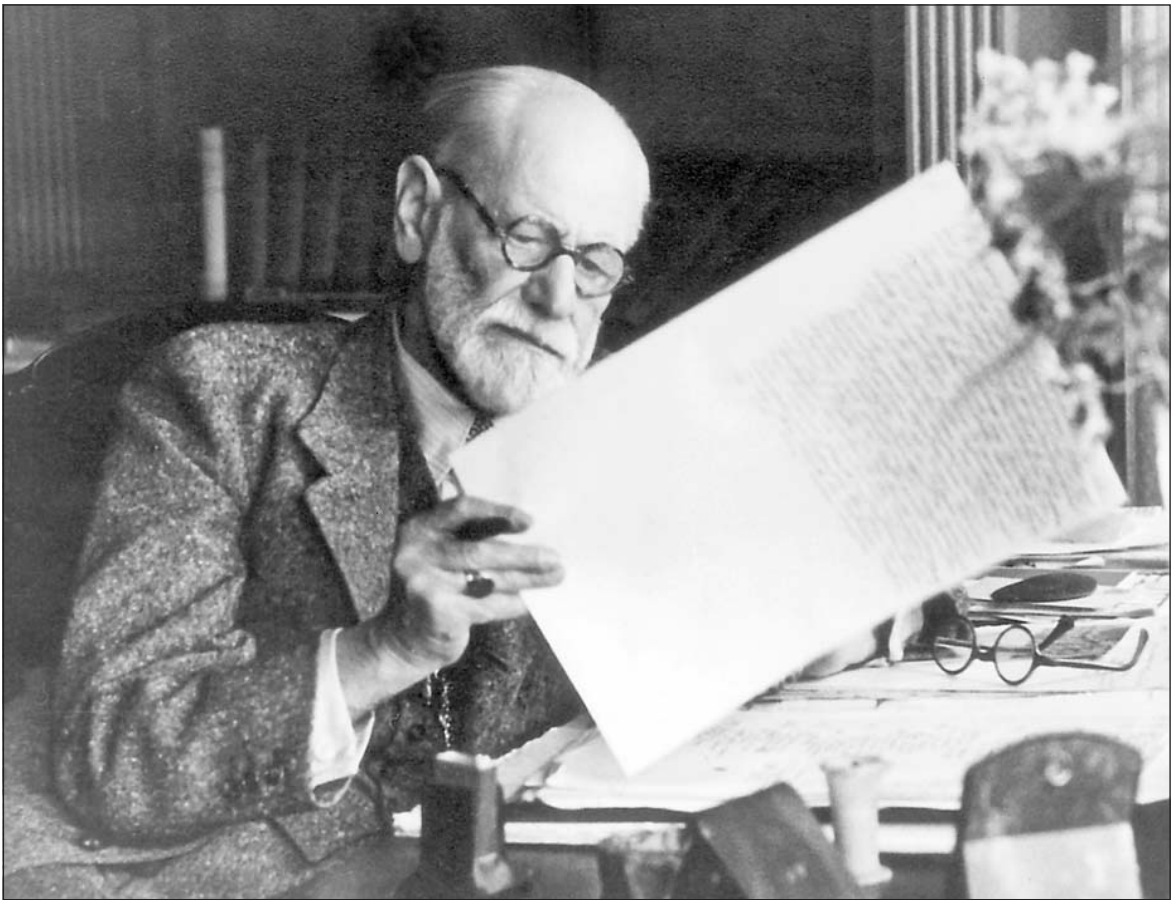
ful and influential models of psychological development, the formation of one's moral character, and the relationship between desire and culture. His many works include *The Interpretation of Dreams* (*Die Traumdeutung*, 1900) and *Civilization and Its Discontents* (*Das Unbehagen in der Kultur*, 1930).

Although Sigmund Freud has had a powerful impact on the field of ethics, he did not initially set out to study moral questions. Freud's original interest was medical research, and he was trained in Vienna as a physician. Financial constraints, however, forced him to abandon his chief interest in pure research, and he began to practice during the 1880's as a neurologist. In 1884, Freud was introduced to Josef Breuer, a Viennese physician, who had developed a "cathartic" method for the treatment of hysterical

symptoms. This method involved encouraging patients to talk in a completely free and unencumbered manner about the development of their symptoms. The talking alone seemed to produce a surprising improvement in patients' conditions. This discovery was the starting point of what later became the field of psychoanalysis. Freud and Breuer collaborated on *Studies in Hysteria* (1895), in which they described their groundbreaking work in this area.

#### RISE OF PSYCHOANALYSIS

Freud continued this work alone, publishing such seminal volumes as *The Interpretation of Dreams* (1900), *Three Essays on the Theory of Sexuality* (1905), and *The Origin and Development of Psychoanalysis* (1910). In all these works, Freud developed a new way of examining the structure, nature, and diseases of the human mind. Freud's original focus



Sigmund Freud. (Library of Congress)



was on the understanding and treatment of emotional disorders, but as the field of psychoanalysis rapidly progressed, Freud's ideas gradually took a broader perspective. Freud eventually left his followers with a theory of the human psyche, a therapy for the relief of its ills, and a method for the interpretation of culture and society. It was in his later works, such as *Totem and Taboo* (1913), *The Future of an Illusion* (1927), and *Civilization and Its Discontents* (1930), that Freud spoke most directly to ethical and social issues.

### ETHICAL IMPLICATIONS

In many ways, Freud rejected the conventional ethics of his era. His focus on the egoistic, narcissistic, and aggressive roots of human behavior led some readers to conclude that Freudian psychoanalysis was an amoral discipline that left no room for either a philosophical or a practical theory of morality. It is true that Freud rejected many traditional religious values. He believed that a number of central religious beliefs were merely a misguided human effort to overcome infantile feelings of helplessness and dependence. In *The Future of an Illusion*, Freud argued that the belief in God is a mythic attempt to overcome the human sense of powerlessness. Like an idealized parent, the concept of God is, for Freud, the projection of childish wishes for an omnipotent protector. In *Civilization and Its Discontents*, Freud again argued that religious phenomena were merely the reflection of unresolved psychological needs from the early years of life. In the opening chapter of the book, Freud described the oceanic feeling, or sense of indissoluble oneness with the universe, which mystics have often celebrated as the most fundamental of all religious experiences. Freud believed that the origin of this feeling was the desire to re-create the undifferentiated infant's profound sense of fusion with its mother. By attempting to debunk such central aspects of religious belief, Freud called into question many religious notions of moral right and wrong.

In addition to his rejection of religious morality, Freud also disagreed with Immanuel Kant's position that reason and duty should be the central grounds for morality. While Freud believed that reason must play a part in the development of ethical guidelines, he also saw a place in ethics for the promotion of human happiness and welfare. Freud advocated a practical form of ethics that was designed to promote the gen-

eral welfare of society while simultaneously allowing individuals a sufficient degree of instinctual gratification.

### FREUD'S VIEW OF HUMAN NATURE

For Freud, this position grew logically from his rather mixed view of human nature. Freud believed that most individuals possessed powerful aggressive and egoistic tendencies, along with a capacity for self-observation and altruistic behavior. Freud consistently maintained that theorists who saw human nature as inherently good were seriously deluded. For this reason, Freud believed that the golden rule—to love one's neighbor as oneself—was a destructive and unrealistic goal. Freud also suggested that utopian schemes such as communism were destined to failure, because they called for humans to give more than they were capable of giving.

According to Freud, the best course for humanity was to establish civilizations in which the more destructive elements of instinctual drives were prohibited, in order to promote the common social good. People will be able to tolerate the rules of such social organizations if nondestructive outlets for aggressive and narcissistic wishes can be developed. This will not be an easy task, and Freud believed that individual and group needs will generally be in conflict. Freud's hope was that society would adopt a realistic view of human nature and gradually learn more effective ways to manage the individual's need for instinctual gratification.

Steven C. Abell

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SEE ALSO: Aggression; Alienation; Hypnosis; Jung, Carl; Motivation; Narcissism; Psychology; Psychopharmacology; Therapist-patient relationship; Violence.

## Friendship

**DEFINITION:** Attachment to another person, characterized by mutual affection, esteem, and goodwill

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Friendship is seen by some as a moral good in itself, and the ability to be a good friend is often a morally admirable quality. Friendship may also create new moral obligations for friends, especially obligations to be loyal to one another.

Friendship became a topic of Western philosophical discussion in Plato's early dialogue *Lysis* (early fourth century B.C.E.). Because this work belongs to a type of inquiry called aporetic, meaning that the author was interested in raising difficult questions about the topic, it is irritatingly inconclusive, but the questions Plato raises are ones that later Greek and Roman philosophers energetically set about discussing. He also touches upon friendship in many of his later works; in the *Laws* (middle fourth century B.C.E.), for example, he describes love as a "vehement" form of friendship, and love, one of Plato's favorite topics, is the subject of his celebrated *Symposium* (early fourth century B.C.E.).

Not surprisingly, Aristotle, who defined man as a "political animal" (the adjective carries the wider meaning of "social"), devotes the eighth and ninth books of his *Nicomachean Ethics* (c. 330 B.C.E.) to

friendship. He allows that friendship may be based on the relatively selfish motives of utility and pleasure but finds that the highest and most permanent form of friendship derives from a perception of goodness. All friends wish one another well, but a good person will value a friend not for a mere advantage but also for the friend's sake, and for the sake of the goodness in that friend.

Aristotle is one of many thinkers who point out that friendship does not, on the surface, appear to be necessary. It is neither a preliminary to the creation of new life, like erotic love, nor a condition of civil order. People cannot exist without water or food or shelter from the elements, and they normally crave human companionship, but they can and do exist without friends. To the question of why the happy person, presumably in possession of the good and essential things, would need friends, Aristotle applies another of his basic ideas, that of happiness as virtuous *activity*. The virtuous actions of one's own friend will be a delight, even a need, in one's own pursuit of happiness.

### CICERO'S PRACTICAL ETHIC OF FRIENDSHIP

Of all the treatises on friendship from the ancient world, Marcus Tullius Cicero's *Laelius on Friendship* (44 B.C.E.) has had the most pervasive influence. From its composition through the Middle Ages and into the Renaissance, Cicero's was by far the discussion most often cited and reiterated. His philosophy is eclectic and unsystematic, drawing upon Platonic, Aristotelian, Stoic, and Epicurean thought. An accessible authority as well as a practical one, Cicero offered the medieval and Renaissance eras guidance on such questions as How far should the love of a friend extend? Cicero's answer: As far as is honorable. Accepting the common Greek idea that virtue induces friendship, he argues that virtue cannot be forsaken for the sake of friendship. For Cicero, the obligations of friendship include the avoidance of hypocrisy and suspicion, but he acknowledges that even good friends can go wrong. Therefore, it is one's duty not only to advise but also to rebuke one's friend if necessary.

### CHRISTIANITY AND FRIENDSHIP

If friendship is a type or degree of love, as several of these ancient philosophers have claimed, Christianity has tended to see friendship as one of the man-

ifestations of charity—or love for the sake of God. Thus argued Saint Thomas Aquinas, the greatest of the medieval Scholastics, who also incorporated much Aristotelian thought into his *Summa Theologica* (1266-1272). It is difficult to reconcile the disinterestedness of charity with the exclusiveness of friendship (for the Greco-Roman philosophers had pointed out that one's circle of true friends cannot be large), but Christianity has generally held that all true love is divine at its core.

### MODERN VIEWS OF FRIENDSHIP

Modern philosophers have concerned themselves little with friendship, and Freudian psychology, which argues that expressed motives are often not the real underlying ones, has complicated later discussions of friendship. One modern advocate of classical and Christian thought, C. S. Lewis, in his *The Four Loves* (1960), deplors the modern habit of equating friendship with the nonethical concept of companionship. Lewis also vigorously rejects the tendency to regard friendships between those of the same sex as homoerotic. He recognizes that friendships can, and frequently do, turn into erotic love; his strong disapproval of homosexual love, however, detracts somewhat from his noteworthy attempt to reaffirm traditional moral dimensions of friendship.

It remains unclear whether friendship should be regarded as distinct in kind or only different in degree from erotic love. While exclusive, it does not nearly so often foment the jealousies that afflict the latter. A friendship of two can grow into a circle. For Cicero, the fact that *amicitia* derives from *amor* proves that friendship is a version of love, but in many other languages, English among them, the characteristic terms for the two concepts are etymologically distinct.

It is also not clear to what extent friendship is a human need. Although it is obviously a need for some people, it now seems presumptuous to argue, as does Aristotle, that those who feel the greatest need for it are the *best* people; that is, the people most desirous of cultivating goodness. The great moral philosophers agree, however, that the motivation for friendship cannot be *merely* satisfaction of a need. If friendship were primarily a need, Cicero remarks, then the weakest and most deficient people would make the best friends.

*Robert P. Ellis*

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SEE ALSO: *I and Thou*; Love; Loyalty; Personal relationships; Platonic ethics; Self-love; Trustworthiness.

## Future generations

**DEFINITION:** Descendants of the people currently making environmental and other ethical decisions, and of the decision makers' constituents

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** The happiness and well-being of future generations is one of the central ethical concerns raised whenever nonrenewable resources are allocated, expended, used, or destroyed.

Since the time of the Stoics, most mainstream Western philosophers have agreed that people have some ethical obligations toward human beings in general, simply because they are human. Thus, Immanuel Kant wrote that the moral law commands one to "treat humanity, whether in one's own person or that

of another, always as an end, and never as a means only"; and John Stuart Mill prescribed that one ought to maximize the happiness of all who will be affected by what one does.

These traditional philosophers did not specify, however, whether unborn future generations are to be included in this mandate. It did not occur to them to confront this issue, because the ethical problems with which they were preoccupied concerned transactions among contemporaries only.

The environmental movement has alerted people to the possibility that the profligate treatment of nature may leave to future generations a despoiled planet much less suited to human life. In the economic sphere, lavish public spending may saddle future generations with a crushing burden of debt. Here, the theoretical question of whether individuals have ethical obligations to those who do not yet exist becomes linked with large practical questions of public policy relating to intergenerational equity.

#### CENTRAL THEORETICAL QUESTION

There are three ways of answering the central theoretical question. The narrowest answer holds that people can have obligations only toward persons who are now in existence. Those advocating this answer seek to justify it by arguing that analysis of locutions of the form "x has an obligation toward y" shows that these cannot be true unless y exists at the time of utterance. Such reasoning is sophistical, however, and the conclusion drawn is morally repugnant in its selfishness.

The broadest answer is that people ought to give equal consideration to all human beings who may be affected by their actions, regardless of when they exist. This answer is troublingly radical, because it goes so far in imposing obligations to promote the well-being of merely potential persons who are very remote in time.

An in-between answer would say that the interests of those as yet unborn ought not to be disregarded, yet that what consideration they are given should be less, other things being equal, the greater their distance in time from the present. Those favoring this answer presumably see temporal distance as generating a type of moral distance that diminishes obligations. They might mention that one's obligations toward contemporary persons vary, depending on how close one's genetic and social links with these

persons are (for example, one has stronger obligations toward close relatives than toward strangers). The idea would be that separation in time tends to generate moral distance; hence, the amount of ethical consideration one owes to future persons will tend to be less, the more remote in time they are from one.

In modern times, birth rates have been declining sharply in most advanced nations and family lines have been dying out at an increasing rate. As a result, individuals of each successive generation have had less and less reason to suppose that distant generations will include direct descendants of theirs. Many people regard direct biological descent as a particularly important tie creating ethical obligations. If they are right, the dwindling of that tie will tend to diminish ethical obligations. It would seem to follow that in modern times the ethical obligations of people of a given generation toward unborn future generations have been decreasing.

When one tries to decide which of the three theoretical answers concerning obligations to future generations to accept, one's reflection tends to be severely obstructed by the uncertainty of predictions about the future. No one knows with certainty what the needs and abilities of future people will be, how well they will be able to adapt to a changing environment, how much need they will have of natural resources that the present population contemplates exhausting, or even whether human life will endure into future centuries. Moreover, one not only cannot be sure that any human successors will be one's biological descendants but also cannot be sure that any such descendants will be persons whom one would wish to benefit.

People usually believe, for example, that ingratitude on the part of others lessens their obligations toward them; and if it should be that the persons of the future are not going to feel gratitude for any consideration that the present population shows them, then the present population perhaps owes them considerably less than would otherwise be the case. Thus, in trying to assess specific obligations to future generations, it is easy to become lost in a fog of speculations. Uncertainty concerning the theoretical issue about how much, in principle, the living owe to the unborn tends to be smothered by myriad other uncertainties concerning what sort of future lies ahead, and decisive answers become difficult to reach.

*Stephen F. Barker*

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SEE ALSO: Deep ecology; Dominion over nature, human; Environmental ethics; Environmental movement; Future-oriented ethics; Global warming.

## Future-oriented ethics

**DEFINITION:** Discipline devoted to understanding the ethical import of the effects of current actions on future conditions and future generations

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Future-oriented ethics asserts that current generations have a positive moral responsibility to improve the lives of those not yet born, or at the very least, to refrain from worsening their lives.

Future-oriented ethics concerns the influence of current decisions on the future. Some decisions affect

people who are not yet living and who therefore have no voice in the decisions. Some choices, in fact, will influence which people will be alive in the future.

In some senses, future-oriented ethics began when humans first acquired the ability to reason and choose. Many religions discuss the possibility of an afterlife, with behavior during this life determining an individual's fate in the afterworld. Development of future-oriented ethics as a guide to political and social policy in addition to individual action developed slowly. During the eighteenth century, philosophers such as Adam Smith and Thomas Robert Malthus began to explore formally the implications of various types of social, political, and economic behavior. Malthus is famous for his theories of population, which state that human populations are destined to experience cycles of prosperity and famine because population will grow more rapidly than will food supplies until there is insufficient food and people starve.

### POPULATION CONTROL

Malthus's theories, based on agricultural economies, in general have proved to be overly pessimistic. The Industrial Revolution allowed production to increase more rapidly than did population, allowing rising standards of living.

Many less-industrialized countries, however, face Malthusian cycles of poverty. In these countries, agricultural production serves as a check on population: If there is not enough food produced, possibly because the population has grown too rapidly, people do starve to death. Nature thus controls population if people do not do so consciously.

Ethical issues of population control concern whether policy planners are willing to let nature take its course. Many of the wealthier countries step in, providing food and other supplies, when famine or other disasters threaten populations. Some population theorists argue that this type of aid perpetuates the problem, allowing populations to survive and grow even though the natural environment cannot support them.

Wealthier nations face similar, though less desperate, questions. Welfare programs of various sorts provide a better standard of living, or perhaps even survival itself, for those less able to support themselves. These programs may create a cycle of poverty in which parents who are unable to support them-

selves have children who in turn are unable to support themselves.

### **MEDICINE**

Population also can be controlled through various medical means. Birth control is one example. Some countries—China is a prominent example—actively promote birth control as a means of keeping their populations at sustainable levels. Many religions, however, prohibit artificial means of birth control, ruling out that option of poverty alleviation for some countries.

As life extension through medical technology becomes possible, societies must decide the value of a human life. The fact that it is possible to prolong or save a life does not mean that it is beneficial or ethical to do so. Medical care costs money that could be spent on something or someone else. Saving one life could mean failing to save (or improve) others. Furthermore, money spent on research to delay or even prevent future deaths could be spent on care for current populations.

Medicine also has increasing power to determine and control life chances of infants and even fetuses. The theory of eugenics proposes that people should be bred so as to improve the genetic pool, creating “better” children. Medical technology can determine some characteristics of fetuses and can abort those fetuses found to be “undesirable.” Ethical questions surround the choices of which characteristics should be promoted and the circumstances under which such abortions should be performed. Medical technology literally has the ability to determine the characteristics of future generations. That ability will increase as scientists learn better how to manipulate genes.

### **EDUCATION AND INVESTMENT**

Education provides a nonmedical means of ending the cycle of poverty. Through education, people can learn how better to provide for themselves. Education, however, has real costs. The starkest cases again are in poorer nations. A day spent in school can mean a day not spent out in the fields producing food. Even in wealthier countries, money spent on education, which will benefit people in the future, must be taken away from programs that benefit people today.

A basic problem of future-oriented ethics is the trade-off, illustrated by education, of present versus

future. People can improve their abilities to produce and earn a living through investment in education; similarly, a society can increase its ability to produce through investment in various types of infrastructure and through research and development. A power supply system, a railroad network, or a factory, for example, can significantly increase future productive capacity. Building or purchasing these things, however, takes money. Poorer nations may be unable to pay the cost without endangering current populations.

The development of financial markets offered one solution to this dilemma. Nations (or individuals) can borrow to pay for the means to improve their productivity; these loans can be repaid through higher earnings now possible in the future. Such borrowing is rational for loans that will be repaid within an individual’s lifetime by his or her own earnings; ethical questions come up, however, concerning loans of longer duration. Policymakers today must decide whether to borrow money to invest in projects that will have benefits for generations to come.

The debt incurred may have to be repaid by future generations. The question is whether it is ethical to force generations of the future to pay the debts incurred in the present. The issue is less troublesome if the debt is incurred for the benefit of those who will repay it; for example, in the case of research that benefits future generations. It is more troublesome if the debt is incurred to increase standards of living for those currently alive. Borrowing is a way of forcing one’s children to finance one’s own well-being.

### **TECHNOLOGY AND THE ENVIRONMENT**

Investment in technology poses other questions. The type of investment made will determine the types of jobs available in the future. Increasing sophistication of technology creates the possibility of a small number of skilled, high-paying jobs existing alongside a large number of unskilled, low-paying jobs. Technological advance thus presents the possibility of creating a technological elite at the expense of the majority of workers.

Many methods of producing goods involve the exhaustion of nonrenewable resources such as oil and metals. Any of these resources used today simply will not be available for the people of the future. In addition, production processes often involve pollution of the environment. There is a clear trade-off be-



tween producing more today (possibly by producing through processes that are cheaper in dollar terms but use more resources or pollute more) and being able to produce more tomorrow.

A. J. Sobczak

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- SEE ALSO: Environmental ethics; Famine; Future generations; Genetic engineering; Lifeboat ethics; Politics; Public interest; Technology.

# G

## Gaia hypothesis

**DEFINITION:** Theory holding that the earth is a living entity whose biosphere is self-regulating and is able to maintain planetary health by controlling its chemical and physical environment

**DATE:** Developed between 1969 and 1979

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The Gaia hypothesis creates a model of earthly existence that is fundamentally biocentric rather than anthropocentric. Such a model might be seen ethically to require the maintenance of balanced relationships between humans and other forms of life. It might also be seen, however, as an indication that humans are no more responsible for their environmental effects than are any other organisms, since the system as a whole actively maintains itself independently of its individual living components.

While working on a project that would send a space probe to determine whether life exists on Mars, British geochemist and inventor James Lovelock theorized that one could answer the question by observing the activity in the planet's lower atmosphere. Lovelock developed his idea and came to recognize its implications through discussions with U.S. biologist Lynn Margulis. His thinking culminated in the book *Gaia: A New Look at Life on Earth* (1979), which presented his hypothesis that life and its natural environment have coevolved and that the lower atmosphere provides the raw materials for life to exist on the planet. The original title of the theory was the Biocybernetic Universal System Tendency (BUST), but novelist William Golding suggested that the theory be named for Gaia, the Greek Earth goddess who is also called Ge (from which root the words "geography" and "geology" are derived).

Although the Gaia hypothesis did not generate much scientific activity until the late 1980's, it was supported by both industrialists (who believed that it

supplied a justification for pollution, since the earth could theoretically counteract any harmful effects) and some environmentalists. Other environmentalists, however, believe that the theory argues against any attempt by humans to try to correct environmental degradation.

*Sandra L. Christensen*

**SEE ALSO:** Biodiversity; Deep ecology; Dominion over nature, human; Environmental ethics; Exploitation.

## Gandhi, Mohandas K.

**IDENTIFICATION:** Indian nationalist and spiritual leader

**BORN:** October 2, 1869, Porbandar, India

**DIED:** January 30, 1948, New Delhi, India

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Gandhi led the ultimately successful resistance to British colonial rule in India. His nonviolent methods and unwavering commitment, in accordance with the ethics of the *Bhagavadgītā*, inspired millions of people around the world, including Martin Luther King, Jr., and many other practitioners of nonviolence.

Gandhi incorporated the teachings of the *Bhagavadgītā*, a Hindu scripture, and the Sermon on the Mount of the Christian New Testament into a philosophy of nonviolence that he used as an ethical standard. Gandhi's message to the world was that nonviolence is truth and love in action. The ethics of the *Bhagavadgītā*, which Gandhi followed and which he urged others to follow, held that one has a duty to fight against evil or injustice by persuading one's opponents to do good. One should not hate a person who does evil, because human beings are basically good. One should hate the action that the person performs and, through noncooperation, resist that ac-

Image not available

*Mohandas K. Gandhi (right) with fellow nationalist leader and future prime minister Jawaharlal Nehru in 1946, the year before India became independent. (AP/Wide World Photos)*

tion. If one is ready to experience suffering, eventually the evildoer will realize the injustice and make an attempt to change it. One must hold on to truth no matter what. Gandhi's way of life is a discipline that must be practiced. Gandhi used the term *satyagraha*, or truth-force, which is sometimes translated as passive resistance, for this method of nonviolence.

*Krishna Mallick*

SEE ALSO: *Bhagavadgītā*; Civil disobedience; Hindu ethics; King, Martin Luther, Jr.; Nonviolence; Pacifism; Poona Pact.

## Gangs

**DEFINITION:** Structured subcultures of individuals organized primarily by socioeconomic and ethnic status and promoting actions that deviate from the laws and morality of the culture

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Gangs openly advocate and commit moral transgressions up to and including rape and murder. These acts, however, often take place within the context of a positive moral code that

values traits such as loyalty, commitment, responsibility, and self-sacrifice for the good of the group.

In the eyes of many, the violence and drug-related activities of many late-twentieth century gangs appear to be anything but ethical; however, as Plato pointed out in *Republic*, even the individuals in a gang of thieves must cooperate and be just among themselves if they are to achieve their ends. Many researchers on twentieth century gangs have made this same point. For example, Frederic Thrasher, in his landmark study *The Gang: A Study of 1,313 Gangs in Chicago* (1927), claims that the members of gangs are highly committed to protecting each other, and James Vigil, in his article "Group Processes and Street Identity: Adolescent Chicano Gang

Members" (1988), argues that gang members' sense of self is motivated and affirmed by their commitment to the gang.

The nature of this commitment and the way in which it is motivated have received much attention, but there are two primary interpretations. Some scholars argue that people join gangs on the basis of rational self-interest. They join in order to achieve goals that they believe they would not otherwise be able to accomplish, such as acquiring money, sex, friends, and a sense of power and security. Others argue that individuals join gangs primarily as a means of securing a sense of self, or as a way of expressing who they are. Despite these differences, most scholars agree that gangs develop and emerge on the margins of traditional mainstream culture and that they often mimic and mock that culture. The reason for this, as Thrasher has argued, is that gangs generally appear in what he calls a "zone in transition." That is, gangs usually surface in communities that are removed from the stability of both urban central business districts and working-class neighborhoods.

More recent research, however, has shown that gangs do thrive in some neighborhoods or places that are stable; as Vigil argues, however, it is true that individuals are more likely to join gangs when they

come from an environment that suffers what he calls “multiple marginality.” Vigil claims that family, school, work, the ethnic majority of the culture, and other mainstream institutions and values are each elements with which an individual gang member, like a geographical “zone in transition” that is only marginally assimilated by stable urban centers and suburban neighborhoods, may be only marginally associated. The more an individual is marginally related to one or more of these elements, the more “multiple” is that person’s marginality and the more “stressors” that person will experience. It is as a response to these stressors that the values and ethics of a gang, and the marginal and deviant nature of these values and ethics, are to be understood.

As a response to the stressors of “multiple marginality,” individuals who join a gang attempt to compensate for these marginal attachments. The result is that these individuals tend to overcompensate. For example, adolescents who join gangs often have had little or no caretaking from their parents, the father in particular, and these juveniles overcompensate for this lack by adopting stereotyped and oversimplified masculine values that honor being tough and violent. In addition, individuals who join gangs also attempt to compensate for the ambiguous and weak sense of self that results from being marginally attached to those institutions that can give them a sense of who they are. By joining gangs, they overcompensate for this weak sense of self by identifying solely with the gang. Sigmund Freud discussed this phenomenon in *Group Psychology and the Analysis of the Ego* (1921), arguing that a result of this phenomenon is that other groups appear as threats not only to gang members’ territory but also to their very sense of self. This explains why gang members often say that “you’re either with the group or against it”; this, in turn, explains why real or imagined enemies are such an extremely important focal point for gangs.

#### GANGS AND SELF-IDENTITY

Since a gang member’s self-identity is defined in terms of the group and other groups are seen as a threat to this identity, it is not surprising that most of what is valued and honored by gang members concerns the ability to defend, violently if necessary, the

gang and its territory. Being and acting tough, Vigil argues, is the “focal value” of most gangs of the late twentieth century. One must be able to protect and defend the gang and its members. In return, one will also be protected, but only, as many researchers have noted, if one proves that one is dependable and loyal to the gang.

The morality of the gang, therefore, although in many respects deviating greatly from mainstream society, is nevertheless a morality—a morality that can be most clearly understood if placed in the context of the group. To this extent, the morality of gangs could be given a relativistic interpretation: That is, as Ruth Benedict argued in “Anthropology and the Abnormal” (1934) and Gilbert Harman later argued in “Moral Relativism Defended” (1975), moral claims are about the practices of the sociocultural group (for example, a gang) and nothing else. The moral claims of gangs, likewise, such as those that value violence, commitment, dependability, and the development of a “tough” character, are themselves expressive of the group dynamics and processes of the gang and its members’ “marginal” relationship to traditional culture and morality.

Jeff Bell

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SEE ALSO: Anthropological ethics; Character; Ethnocentrism; Loyalty.

## *Gault, In re*

**THE EVENT:** U.S. Supreme Court decision holding that juvenile defendants have a right in criminal proceedings to due process of law

**DATE:** Ruling made on May 15, 1967

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** The majority opinion in *Gault* supports the proposition that juveniles are as entitled as adults to a fair hearing guaranteed by basic procedural guarantees and evidentiary rules.

*In re Gault* was the result of the arrest of Gerald Gault in 1965 for making a lewd telephone call to a neighbor. Gault, who was then fifteen years old, was on probation for an earlier minor offense. On the basis of police rumor about Gault as well as statements elicited from him in the absence of his parents or his lawyer, and without evidence or hearing, the juvenile judge found Gault to be delinquent. He was committed to a state industrial school until his eighteenth birthday. Gault's appeal to the Arizona Supreme Court was unsuccessful, and he brought the case to the U.S. Supreme Court. The Court decided by a 7-2 vote that juveniles are entitled to notice of charges, right to counsel, right to confrontation and cross-examination of witnesses, privilege against self-incrimination, a transcript of the proceedings, and appellate review. The majority argued that these minimal guarantees assure fairness without unduly interfering with any of the benefits of less formal procedures for juveniles.

*Robert Jacobs*

**SEE ALSO:** Bill of Rights, U.S.; Children's rights; Due process; *Goss v. Lopez*; Supreme Court, U.S.

## Gay rights

**DEFINITION:** Rights of homosexuals to enjoy the same constitutional protections as other members of society

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** As American society has become more tolerant of diversity, members of the gay minority have gradually received legal redress to the various forms of discrimination that they have long endured.

Throughout American history, and indeed throughout most of world history, homophobia, the fear and hatred of homosexuals, forced gay people to suppress their natural feelings and engage in deceptions to mask their homosexuality. Attempts by gays to become heterosexuals generally proved futile. The American Psychiatric Association has established that people do not choose their sexual orientation.

Societal pressures that gay people "straighten up" have forced many homosexuals to suppress their natural sexual orientation to the point of attempting to use heterosexual marriage as a smoke screen for their own sexuality. This practice raises significant ethical questions because it often brings suffering to both the marriage partners of gay people and their children. Smoke screen marriages frequently encounter insuperable problems that lead to their collapse, raising ethical questions about the damage done to all concerned.

### THE CIVIL RIGHTS ACT OF 1964

The U.S. Congress passed the Civil Rights Act of 1964 largely to ensure that members of racial minorities would receive equal treatment under the law. At the same time, however, it also prohibited discrimination in employment, housing, and public accommodations against all American citizens based on their gender, ethnic background, or religious affiliation. Since the law's passage, many conservatives and their legislators have attempted to exclude sexual orientation from the protections of the Civil Rights Act. Commenting on the scope of the Civil Rights Act, ethicist Richard Mohr has demolished most of the arguments against extending to gay people the same equal protections that members of other minorities have received under the Civil Rights Act. Such exclusion, he argues, is ethically unconscionable on two grounds. First, if homosexuality is something one cannot control because its base is genetic or psychological, being homosexual is comparable to being a member of a disadvantaged racial, gender, or ethnic minority. On the other hand, if, as others have contended, being homosexual is a matter of choice, then being homosexual is analogous to choosing to belong to a certain religion—which is also constitutionally protected.

Legal decisions affecting the civil rights of homosexual Americans have gradually concluded that the constitutional protections accorded to all Ameri-



cans must, on logical and ethical grounds, be accorded to gays. If gay Americans are, as a class, denied their constitutional rights, then similar rights granted to other Americans are seriously compromised. Laws—federal, state, or local—that abridge these guarantees undermine the equal protection clause of the U.S. Constitution.

### STONEWALL INN RIOTS

A turning point in the movement for gay rights occurred in New York City on June 27, 1969. On that date, New York City police officers raided the Stonewall Inn, a gay bar in Greenwich Village. At that time, gay bars were routinely raided but only small numbers of people were arrested. Most arrestees were quickly released on bond and had the morals charges made against them dismissed. However, the police kept records of these charges, and those records were sources of serious concern to the people who were arrested. Both the arrests and the police records seemed to be unethical violations of the right of all citizens to enjoy freedom of association without having to fear being arrested and face the possibility of embarrassing and possibly damaging future public exposure.

When the police arrived at the Stonewall Inn on that 1969 date, gay people at the bar resisted arrest and brawls broke out. The ensuing riots focused national attention on the right of homosexuals to enjoy equal treatment under the law and became an enduring symbol of the struggle for equal rights.

### EMPLOYMENT ISSUES

Before passage of the Civil Rights Act of 1964 and subsequent federal rights laws, the status of homosexuals in the workplace was tenuous. Employees suspected of being gay were often fired without cause. Many people were denied employment merely because they appeared to be gay. The federal government did not hire known homosexuals on the rationale that gay employees might be subjected to blackmail that could compromise national security. Gays passing as straight had limited job security.

Gays were also barred from serving in the armed forces of the United States until 1994, when a policy nicknamed “Don’t ask, don’t tell” was instituted in the military as a compromise measure intended to afford gays equal protection while placating irate conservative groups similar to those who had protested

loudly in the late 1940’s and early 1950’s when the armed forces were racially desegregated.

The argument that gay employees might be subjected to blackmail is circular and illogical. If it is unnecessary for people to hide their natural sexual orientations, the danger of their being blackmailed would be eliminated. Arguments that morale in the armed forces would decline if openly gay people were to serve in the military were as unconvincing as the anti-integration arguments advanced four decades earlier, during the Civil Rights movement. Like all employees, gays are expected to behave ethically and circumspectly in the workplace. The removal of employment barriers to gays has not led to moral disintegration within the workplace, so there is no reason to suppose that allowing openly gay people in the military would lead to moral disintegration there.

### LANDMARK COURT DECISIONS

In 1986, the case of *Bowers v. Hardwick* reached the U.S. Supreme Court. The case stemmed from the arrest in Atlanta of a man named Michael Hardwick by a police officer who went to his home to serve a warrant. When the officer arrived, he found Hardwick engaged in oral sex with another man in the privacy of his own bedroom. The officer arrested both men under an 1816 law prohibiting oral sex between two people regardless of gender. In a 5-4 decision, the Supreme Court ruled that Georgia had the right to prohibit private sexual acts that were construed as contrary to community standards of morality. Ten years earlier, the Court had ruled that the state of Virginia had the right to make sodomy between consenting adults a felony.

The Court had historically supported even ethically questionable state laws depriving groups of citizens of their right to equal treatment under the law. However, seventeen years after *Bowers v. Hardwick*, the Court heard the similar case of *Lawrence v. Texas*, which arose from the arrest of two men in Texas under an antisodomy law. When this case reached the Supreme Court in 2003, the Court voted six to three to uphold the right of consenting adults to have sex in private, thereby overriding the Texas law. This decision marked a victory for gay rights.

### GAY MARRIAGE

In his dissenting opinion in *Lawrence v. Texas*, Justice Antonin Scalia warned that the decision might

lead to gay marriage. Court actions in several states indicated that such a movement was already underway. In 1993, Hawaii's supreme court had reversed a lower court ban on gay marriage; however, in 1999, the state's legislature passed a law banning same-sex marriage. Vermont began recognizing same-sex unions in 2000 but stopped short of calling such unions "marriages." In 2003, the Massachusetts supreme court, by a narrow vote, declared the state's refusal to grant marriage licenses to gay couples a violation of its constitution. The court ordered marriage licenses to be granted to gay couples applying for them at the expiration of a 180-day waiting period, during which the state assembly would have an opportunity to enact legislation regarding gay marriage.

The issue of gay marriage is highly controversial. Gay advocates contend that gay people should have the legal and ethical right to choose the partners with whom they wish to make lifelong commitments. Indeed, gay marriage might bring to gay relationships a desirable stability. The legal ramifications of legaliz-

ing gay marriage are important. Legally sanctioned marriages would enable gay partners to have access to and make decisions for seriously ill partners, adopt children, and enjoy other legal benefits that heterosexual married couples enjoy. The ethical issue involved in this controversy is whether governments can contravene the rights of adults to select their own marriage partners.

The public outcry against gay marriage has been strong. For example, Senate majority leader Bill Frist vowed to support a constitutional amendment that would define marriage as a union only between a man and a woman. Concurring with Frist's statement, in 2003, President George W. Bush announced that his administration was exploring legal means to block gay marriage.

Almost simultaneous with Bush's statement was a Vatican edict declaring gay marriage unacceptable to Roman Catholics on scriptural grounds. The edict also called the adoption of children by gays a form of child abuse. In a nation such as the United States in

### Arguments for and Against Same-Sex Marriage

#### *Arguments for*

Banning same-sex marriage discriminates against gays and lesbians.

Same-sex marriages would benefit societies and individuals in the same ways that heterosexual marriages do.

Legalizing same-sex marriage does not hurt heterosexuals.

Allowing same-sex marriages may benefit the institution of marriage.

Banning same-sex marriage restricts freedom of choice and labels homosexuals as second-class citizens.

Same-sex marriage would benefit the children involved.

Banning same-sex marriage mixes church and state in an illegitimate way.

#### *Arguments against*

Homosexual acts are immoral, and same-sex relationships are open to greater health risks.

Marriage is a fundamental and unchangeable institution that is traditionally between persons of opposite sex.

Allowing same-sex marriages will damage the institution of traditional heterosexual marriage.

Same-sex relationships are less stable and less faithful than opposite-sex relationships.

Society has an interest in promoting marriage for procreation and child-rearing, and same-sex couples cannot have children.

Same-sex parenting is not as good for children as traditional family parenting and may influence children to adopt homosexual lifestyles.

Marriage is defined by scripture and tradition as involving one man and one woman and is a religious sacrament

which church and state are separate, religious arguments against gay marriage, although widespread, are considered irrelevant by many people who interpret the law more liberally than religious conservatives do.

### THE CONTINUING STRUGGLE

With every advance made to ensure equal rights for gays, a backlash develops that questions the wisdom and ethics of enacting and enforcing legislation to protect a minority that has traditionally been reviled by large numbers of mainstream Americans. A major ethical issue is one of minority rights, which have generally been protected by law.

Homophobic attitudes have, however, begun to moderate. Meanwhile, society is being forced to address the basic question of whether legally and ethically any segment of American society can be accorded unequal treatment under the law simply on the basis of who or what its members happen to be.

*R. Baird Shuman*

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SEE ALSO: Civil rights and liberties; *Dronenburg v. Zech*; Hate crime and hate speech; Homophobia; Homosexuality; Men's movement; National Gay and Lesbian Task Force; Stonewall Inn riots.

## Gender bias

DEFINITION: Discrimination in thought or action based on cultural demarcation of gender or sex

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: Discrimination based on sex or gender is an expression of ethical values. Many actions that may appear value-neutral with regard to gender may actually be found to contain implicit biases that are based on assumptions of gender inequality within philosophical foundations.

"Gender bias" may describe discrimination against either men or women. In practice, however, it is mostly a prejudice against women, typically because of implicit philosophical assumptions. Gender bias is also not merely a "battle of the sexes," that is, men discriminating against women, although such discrimination does occur. Rather it is a structural phenomenon of a patriarchal hegemony that empowers men and the masculine in which both men and women participate and help to perpetuate.

### ORIGINS OF GENDER BIAS

Gender bias has its roots in sexual differences. Distinctions between "sex" and "gender" originate within feminist thought as a way to indicate that cultural values are overlaid upon sex, which is often seen as natural. In this way, some feminist thought argues that patriarchy is based upon prejudicial views of women, rather than upon any essential nature of the female sex. Taking this argument a step further, Judith Butler famously argued, in *Gender Trouble* (1990), that the many ways in which people can conceptualize sex—such as anatomy, hormones, chemi-

cals, or genes—speak to the cultural determination of even the very concept of sex. As a cultural determination, there is an essential valuing attached to differences, conceived of in terms of sex and/or gender, such that sexual difference is never without an ethical determination, though this determination is often hidden by the implicit ethico-political valuing within metaphysical foundations.

Sexual difference has been depicted throughout Western philosophy in an oppositional manner, beginning with the Pythagorean table of opposites. Along with the setting out of difference, which in itself is not necessarily biased, the Pythagorean table aligned male with “good” and female with “bad,” thereby affixing ethical values upon sexual differences. Throughout the course of Western thought this correlation has been taken up in various extensions of this dichotomy, including the alignment of maleness with form, reason, subject, mind, rationality, culture, public, freedom, justice, and the universal. Conversely, femaleness has been associated with matter, emotion, object, body, intuition, nature, private, subjection, love, and the particular. The alignment here is not a description of the behavior of men and women, but rather a description of the essences of femaleness, that is, what it means to be a woman. In its description, then, the pronouncement becomes a prescription, or how one ought to act in accordance with one’s essence.

Reviewing the metaphysical categories reveals the cultural bias against women, as the values associated with femaleness are subordinate in importance and even denigrated. These ethically weighted dichotomies are present in the philosophy of nearly every thinker of the traditional Western philosophical canon, including Aristotle, Saint Augustine, Thomas Aquinas, René Descartes, David Hume, Jean-Jacques Rousseau, and Immanuel Kant. These philosophers have integrated this bias into the ethical and political systems that act to structure both past and present societies such that the patriarchal hegemony that marks contemporary life has its roots so firmly entrenched that the bias appears “natural.” For example, the idea that women’s place and work is in the home is an expression of the metaphysical alignment of femaleness with a lack of reason, with which to engage in the public affairs of the civic world. This is one instance of gender bias that manifests in the inequity of women in the public workforce, including the far

lesser number of women in public office than of men.

Similarly, contemporary sexual objectification of women finds its origin in the alignment of femaleness with bodies and objects, despite the fact that men too have bodies. However, set in opposition to the mind—the source of knowledge and judgment—the body takes on a denigrated status, an object to be captured by the mind; that is, by men. One consequence of this type of thinking can be found in the modern global sex industry that enslaves more women and girls than were enslaved throughout the earlier history of world slavery, including slavery in the United States. The lack of political action taken to remedy this situation is at least in part another indication of gender bias; the status of women and girls is given little import. These examples help to demonstrate that the ethical phenomena of gender bias rest in the value-laden appointment of metaphysical categories.

#### **VIOLENCE**

The concrete ethical ramifications of gender bias are both deeply imbedded and ubiquitous. Worldwide, women and girls are subject to disproportionately greater incidents of violence, including rape, physical and sexual abuse, female genital mutilation, female infanticide, and dowry murder. Violence is also enacted against lesbians, the transgendered, and those who fail to exhibit traditional gender roles.

Violence perpetrated against men because of their homosexuality or their failure to act according to traditional masculine roles is a form of gender bias that discriminates against men. However, it also acts to maintain gender bias against women: Men are punished for exhibiting womanly—thus demeaning—qualities, while women are punished not only for exhibiting masculine qualities but also because this is an indication of a failure to serve the needs of men in some way. Globally, women lack power over their sexuality, as seen in forced marriages and forced sexual servitude in the sex industry, absence of resources, and access to fertility options and to health and medical aid. Economic inequity is manifest in women’s lower wages, unpaid work, hostile work environments stemming from sexual harassment, and lower literacy rates. Politically, women’s particular needs are not represented to a full degree of legality, nor are women represented in political institutions in proportion to the female populace.

While these facts of gender bias are known, the subject is rarely discussed as a philosophical and ethical concern. Rather, the problem often is taken either as belonging to the private realm—thus re-inscribing the very metaphysical origin of gender bias—or as a problem of cultural difference when analyzing global discrimination of women. In both cases, the ethical import of gender bias is not addressed at the structural level; thus, discrimination against women solely because of the very fact that they are women continues. Ethical systems are designed to address the treatment of humanity on both the individual and societal levels, making gender bias an indispensable component to any ethical discussion.

*Maria Cimitile*

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SEE ALSO: Equal pay for equal work; Equal Rights Amendment; Feminist ethics; Inequality; Title IX; Women's ethics; Women's liberation movement.

## Generosity

DEFINITION: Magnanimity; freedom in giving

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Generosity is thought of as a virtue, but one that can be self-destructive if taken to extremes.

A virtue can be briefly defined as a form of moral excellence, goodness, or righteousness. Generosity

clearly fits into this definition. The term "generosity" is often used interchangeably with benevolence, altruism, charity, or kindness, and it is linked to the concepts of sympathy and forgiveness. All these virtues are associated with giving, but each is distinct.

There are four prerequisite conditions that distinguish generosity from the other virtues that are associated with giving. Generosity must arise from an awareness of circumstances, it must be based on a desire to benefit the recipient and be free of any other underlying motive, what is given must be of value to the giver, and what is given must be more than would be considered necessary under the circumstances.

In addressing the issue of awareness, Elizabeth Pybus states, "Being aware of the world around us is necessary for us to exercise our agency well and helpfully towards other people." In other words, those people (agents) who lack awareness of the needs of others cannot be generous.

Lack of awareness takes different forms. There is simple want of information, which, once it is provided, promotes generous behavior. Charitable organizations base their appeals on educating the public about the needs of others in order to stimulate contributions. There may be a lack of awareness because of a high degree of self-interest. Very young children exhibit such a lack of awareness. So do people with sociopathic personalities. Regardless of the cause, the result is the same. Without awareness of the circumstances of others, the agent cannot express generosity. This, then, lends a certain weight of moral obligation to awareness.

It is true that one cannot know everything. Individuals and societies are morally obligated, however, to try to be informed about the circumstances that others are experiencing. It can be very difficult to obtain information about some topics, especially when there is an organized effort to suppress truth or to spread disinformation. In these cases, it is even more important than usual to be aggressive in searching out the facts. Lack of awareness allows Holocausts to happen. While most situations that people face are not that extreme, the premise is the same: People are morally obligated to be as aware as possible.

Generosity is an other-oriented behavior. It flows freely from goodwill without the weight of other obligations. It must not be linked with motives such as reciprocity or duty. The only motive that can be involved is the desire to benefit the recipient. This does



not mean, however, that all self-interest must be disregarded. To value the other above the self in a benevolent act is not generosity but altruism.

Generosity requires that there be no motive of personal gain. That is, one who gives must not expect anything in return. Generosity precludes even a minimal degree of the attitude, "You scratch my back, and I'll scratch yours." Likewise, there must not be any expectation on the part of the agent of gratitude or recognition from the recipient for generous acts. While the agent may derive pleasure from giving, the anticipation of that pleasure cannot be the motive for the act, or it will not be generosity.

To give because one feels obligated is not generosity but charity. Generosity involves free choice, and the decision can be based on rationality or emotion. The campaign presented by a charitable organization is factual, but its appeal is emotional. Some people respond out of duty, because it is morally correct to give to those in need, and they will feel guilty if they do not give. Others give out of generosity because they decide that they want to, because they are persuaded by the facts or are moved by sympathy.

What a person gives is an important factor in generosity. It does not necessarily have to be anything material. It must, however, be something of value to the giver. Time is quite valuable to most people, and those who are given the gift of someone's time have often been given a treasure. There are those, however, who feel that they have much spare time, and therefore to give it may not mean very much. They may choose to use that time to share their particular talents. This, then, could be an act of generosity, if they did it purely for the benefit of the recipient and not just to fill up their hours with activity. Although it is usually so, what is given does not necessarily have to be valuable to the recipient. Its value in terms of generosity is in the intent of the giver.

In order for an act to be considered generosity, what is given should exceed what might be considered reasonable under the circumstances. This factor can be viewed from the context of either the giver or the situation. If two people—one wealthy and one earning minimum wage—each decided to donate a day's wages to some cause, the one with low income might be considered to be giving more than was required by his financial circumstances, and that contribution would be considered truly generous. In another situation, if a person's shoes were worn out and

someone gave him three new pairs, that also would be an act of generosity.

James Wallace states that a virtue such as generosity tends "to foster good feelings based on mutual good will." In some cases, however, the recipient may not appreciate a generous act in his behalf and may even be harmed rather than benefited. These results may not be possible to anticipate. If the agent is acting in the recipient's best interest and with compassionate awareness, however, the generosity that is offered is authentic.

*Marcella T. Joy*

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SEE ALSO: Altruism; Benevolence; Charity; Duty; Integrity; Moral responsibility; Social justice and responsibility; Supererogation.

## Genetic counseling

**DEFINITION:** Identification, explanation, and discussion of deleterious genes in potential parents

**DATE:** Practiced began around 1960; formally defined in 1975

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Genetic counseling raises serious ethical questions in clinical practice, since reproductive decisions are central to conventional morality and the identification of inherited defects carries the possibility of discrimination.

Although it has roots in the eugenics movements of the early twentieth century, which have been justly criticized as being hampered by imperfect understanding of inheritance and tainted by racial and class prejudice, genetic counseling relies on landmark genetic discoveries of the 1950's—the elucidation of the structure of DNA and of the specific biochemical bases for a number of inherited disorders, including Tay-Sachs syndrome, sickle-cell anemia, and hemophilia. Beginning in 1960, specialists in medical centers began advising couples who had already had a child with such a disorder or had close relatives who were affected. In 1975, the American Society of Human Genetics published a formal definition and guidelines on genetic counseling. The availability of these services and the number of conditions amenable to testing have risen steadily, although access is not universal even in the developed world. Most severe genetic diseases are recessive; carriers with one defective gene may or may not be identifiable. Gross chromosomal abnormalities and some metabolic disorders can be diagnosed *in utero* through amniocentesis.

U.S. government guidelines for genetic testing and counseling caution against using the process for perceived societal good and stress that the impetus for testing and reproductive decisions must come from the affected individuals, without outside compulsion. Nevertheless, many people perceive that a genetically abnormal individual places a burden on society and believe that it is immoral to bear a defective child; this attitude is seen by others as providing a justification for abandoning the handicapped. Voluntarily abstaining from conceiving children is morally acceptable to most people in Western society, but objections to abortion are widespread. Some heritable abnormalities are commonest among small, inbred ethnic minorities, in which case refraining from having children and marrying outside the group, the most prudent courses of action from a medical standpoint, have genocidal overtones. Not all genetic disorders are equally debilitating, and it is uncertain whether genetic counseling is appropriate for less-severe conditions. Finally, there are many disorders (alcoholism, for example) that may be at least partially heritable, whose genetic basis is unknown, and for which the scientific basis for genetic counseling is tenuous.

Tests exist for some genetically transmitted con-

ditions (for example, certain cancers) that manifest themselves late in life, and more are continually being developed. Although knowing of their existence is helpful to medical professionals, there is real concern that this information could be used to deny employment or insurance coverage to those who are affected. Maintaining confidentiality and respecting the rights of individuals are paramount in genetic counseling.

*Martha Sherwood-Pike*

SEE ALSO: Abortion; Bioethics; Birth defects; Eugenics; Genetic engineering; Genetic testing; Genocide and democide; Intelligence testing.

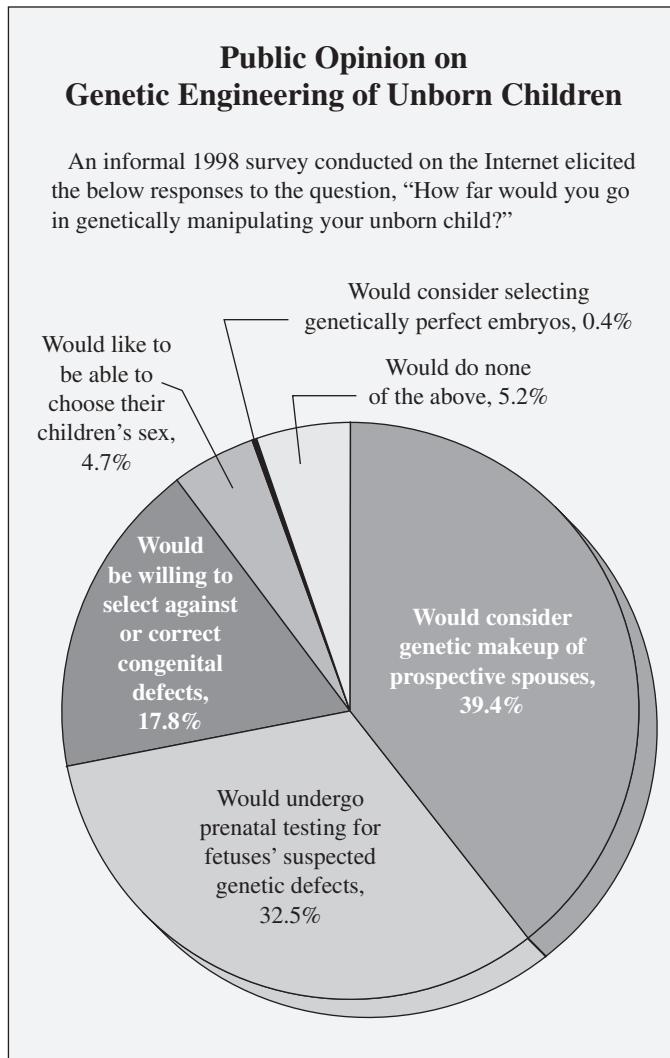
## Genetic engineering

**DEFINITION:** Branch of genetics that manipulates genetic material in living organisms, animal or vegetable

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** As genetic engineering rushes toward eliminating genetic ills, it has produced such substances as industrial enzymes, the human growth hormone, and insulin and made possible the cloning of vertebrates and other sophisticated but ethically controversial procedures.

Long practiced by animal breeders and botanists, genetic engineering entered a new phase in the late 1950's when Francis Crick, James Watson, and Maurice Wilkins unraveled the mystery of the double-helix structure of deoxyribonucleic acid, commonly called DNA, paving the way for research that seems almost a product of science fiction. The adult human genome contains approximately three billion chemical bases and some one hundred thousand genes, each with its function yet each containing the same DNA. The DNA from a single cell found in a person's saliva on the lip of a glass can identify with almost absolute certainty the person to whom it belongs. Every cell in a person's body possesses identical DNA. Every living organism has unique DNA except for identical organisms—in humans, identical twins. As the mysteries of DNA have continued to unfold, they have generated myriad ethical questions about the uses of genetic engineering.



Source: Moms Online.

### FUNDAMENTAL CONCERNS

Many religious organizations and their members actively resist supporting research in genetics and have expressed alarm that genetic engineering tampers with nature in indefensible ways. Contradictions underlie many such arguments. For example, if farmers turn rocky woodlands into cultivated fields in which crops can grow, are they not meddling with nature? Few would contest farmers' rights to cultivate land on a basis analogous to arguments objecting to genetic engineering.

Nevertheless, considerable controversy surrounds such matters as the use of stem cells in genetic re-

search. Stem cells are harvested from human embryos, most of which have the potential of developing into humans but that exist unused in the freezers of fertility clinics. When a woman wishing to become pregnant receives fertility treatments, several of her egg cells are fertilized. The fertilized eggs that are not used to impregnate her are frozen and eventually discarded.

Stem cells are essential for research purposes because, as undifferentiated cells—that is, cells that have not yet assumed the specialized functions that distinguish more developed cells—they can adopt the characteristics of cellular material introduced into them and can reproduce rapidly. Animal experiments have revealed that neural or nerve stem cells not only replicate themselves but also, when placed in bone marrow, can produce several types of blood cells. These experiments provide hope that paraplegics may eventually have their spinal injuries repaired to the point of regaining the use of their paralyzed limbs and that genetic diseases may be contained or even cured.

Stem cell research offers hope that Parkinson's and Alzheimer's disease, diabetes, and heart trouble, as well as some cancers, will ultimately be controlled or wholly eliminated through the genetic engineering that such research makes possible. However, the question looms of whether it is ethically acceptable to use

human embryos as sources of stem cells, inasmuch as the embryos that produce such cells have the potential to become human beings.

The stem cell controversy has become heated and fraught with political, religious, and moral implications. In 2001, President George W. Bush signed a bill permitting federal funds to be spent on stem cell research only on a limited basis. The bill restricts such research to the small number of stem cells currently available in a limited number of laboratories, but forbids any continuation of government-supported research once this supply has been exhausted.

Ironically, one of Bush's predecessors, President Ronald Reagan, opposed stem cell research during his administration, and such research might have provided a means of controlling the Alzheimer's disease that severely disabled him through the last years of his life after he left office. Very much aware of this fact, his wife, Nancy Reagan, publicly called for continuation of stem cell research in early 2004. Meanwhile, despite a lack of federal support, privately financed research organizations like the Howard Hughes Medical Institute continued crucial stem cell research.

### THE HUMAN GENOME PROJECT

The systematic study of genetics, initiated in the mid-nineteenth century by Gregor Johann Mendel, an Augustinian monk, advanced greatly when, around 1869, a Swiss physician, Friedrich Miescher, discovered deoxyribonucleic acid, commonly called DNA, in pus from the wounds of German soldiers he was attending. Interest in the study of inherited traits increased steadily in the late nineteenth and early twentieth centuries.

A major breakthrough occurred in 1953 when Francis Crick and James Watson published a landmark article on the double-helix configuration of DNA in *Nature*, a well-respected scientific journal. Their work and that of Maurice Wilkins led to further DNA research for which this trio shared the Nobel Prize in Physiology or Medicine in 1962. In 1975, the first decoding of a gene from the DNA of a virus was accomplished. In 1977, the human gene that manufactures a blood protein was isolated.

In 1990, the Human Genome Project was launched with the expectation that it would, within fifteen years, map completely the human genome, the so-called blueprint of life. The project advanced with remarkable speed. By mid-2000, about 95 percent of the human genome had been sequenced using accelerated sequencing methods developed in the preceding decade and considered 99 percent accurate.

This research enabled scientists to uncover genetic problems in the cells of organisms and either correct them immediately or work toward discovering ways to culture antidotes or messenger cells that would, once introduced into the organism, eliminate defective cells. The implications of such work are enormous for the control and treatment of all sorts of genetic diseases as well as for such conditions as paraplegia resulting from accidents.

### PRENATAL GENETIC MANIPULATION

Some of the ethical implications of advanced genetic research are daunting. Through assessment of the condition of cells in pregnant women, various genetic predispositions can be identified. Potential parents presently can learn of genetic abnormalities that are correctable in the unborn fetus. Prenatal microscopic surgery has already corrected serious genetic defects in fetuses.

Before the twenty-first century ends, it should be technologically possible for parents to select characteristics they consider desirable in their offspring. They may be able to choose sex, hair and eye color, height, and body structure as well as such characteristics as intelligence, disposition, athletic ability, and manual dexterity. Although to do so would require expensive procedures not covered by health insurance, it would enable parents willing to bear the expenses to tailor to their own tastes the children they want.

One must inevitably address the ethical considerations this sort of genetic manipulation presents. For example, the creation of made-to-order children would be affordable only by the affluent. Class distinctions would surely arise from it. A genetically manufactured ruling class with which the rest of society would be unable to compete could result from such genetic meddling, spawning serious ethical dilemmas.

### CLONING

Significant reservations accompany cloning, which genetic engineering has brought far beyond the simple cloning done by farmers taking slips of plants and rooting them to create genetically identical plants. Complex vertebrates, notably sheep and cows, have been cloned, and the technology exists to clone humans, although most industrialized countries prohibit human cloning.

Through genetic engineering, it should soon be possible to clone individual body parts—kidneys, livers, hearts, and other vital organs—that will be created from the donors' own DNA and, when sufficiently developed, be transplanted into donors without fear of rejection. Although few people have ethical reservations about this use of cloning, many view with alarm the possibility that some people might have identical whole selves cloned to provide spare parts when the organs of the original donors fail.

### Selling DNA on eBay

In May, 2004, an unlikely story made world headlines when the giant online auction site eBay shut down an auction for violating its rule against selling human body parts. The “body part” in question was the DNA of California governor Arnold Schwarzenegger. What the seller was actually offering was a partly consumed cough drop that had been retrieved from the trash can into which the governor—according to the anonymous seller—had discarded it. The auction invited bids with the come-on, “Own a piece of DNA from the man himself.” After the auction was closed, the seller relisted the item as “Arnold Schwarzenegger’s ‘Infamous’ cough-drop, ‘The Gov’ mint,’” dropping all references to DNA. The new auction quickly drew bids exceeding ten thousand dollars.

Among the interesting ethical questions that auctioning the cough drop raised was what anyone buying the drop would do with it. The buyer would have no way of knowing whether the cough drop actually contained Schwarzenegger’s DNA without having a known sample against which to compare it; however, anyone possessing such a sample should have no need for the cough drop.

The U.S. Supreme Court ruled that a cloned human cannot be patented, although in 1980, in its *Diamond v. Chakrabarty* ruling, it affirmed the right of an inventor to patent a genetically altered life-form. The Court has forbidden patenting cloned humans because such patents would, in the Court’s judgment, enable one person to own another person, constituting slavery.

### GENETIC PRIVACY

Genetic engineering can reveal potential physical and mental problems. Such revelations can result in finding ways to control and possibly overcome these problems, but a threat accompanies the use of information gained from this sort of genetic investigation. If genetic information is not considered sacrosanct and strenuously protected, it could conceivably be made available to insurance companies, courts of law, potential employers, and others who might pe-

nalize people for their genetic predispositions even though there is no guarantee that such predispositions would eventuate in illness or disability.

Although uncovering genetic information can be extremely valuable in meeting potential problems, the irresponsible dissemination of such information might destroy people’s lives. What is sacrosanct today may not be considered sacrosanct tomorrow. A case in point concerns a disease such as Huntington’s disease, a disabling and potentially fatal condition that is likely to afflict about half the offspring of parents suffering from it. At present, genetic testing can determine whether the children of people with Huntington’s will develop the disease, whose onset typically occurs in middle age.

Many children of Huntington’s disease victims decline to be tested. They resist knowing that they might eventually develop the disease. They are faced with an array of ethical dilemmas. Should they marry? Should they have children? Should they inform prospective mates or employers of their predisposition? How should they plan for their futures? How should they answer probing questions about their medical histories on insurance and employment applications?

### INCREASED LIFE EXPECTANCY

Life expectancy in the United States increased dramatically during the twentieth century. In 1900, the average man could anticipate living 44.3 years, the average woman 48.3 years. By 1950, those figures had grown to 65.6 years for men and 71.1 years for women. The figures for 1997 increased to 73.6 and 79.2 respectively.

Reliable sources indicate that genetic engineering and other technological advances may, by the year 2100, extend the life expectancy in the United States and Canada to as much as two hundred years. The thought that people may reach or surpass such an age poses thorny ethical questions, chief among them the question of how the elderly will survive economically. Will they be forced to work well into their second centuries? At present, the average American works from the age of about twenty to seventy. Given a theoretical life expectancy of eighty, they thus work for about two-thirds of their lives. If such a proportion is applied to a life span of two hundred years, people beginning to work at twenty would have to work until they are at least 160 years old. Even then,



their least productive period, some of it probably involving costly disability and illness, would extend to forty years, whereas for most people currently it is between fifteen and twenty years.

It might be expected that social upheavals would be loosed by such increases in life expectancy as younger members of society question the ethics of saddling them with the socioeconomic responsibilities that are bound to ensue from such an extended life spans. The national economy in the early twenty-first century is already under severe pressure from a Social Security Administration faced with overwhelming economic problems and a health care system threatened by insolvency within two decades. Caring for the aged is costly.

In the brave new world that genetic engineering and other technological advances make possible, a major concern is a population explosion that exceeds the ability of society to support it. Questions of right and wrong arise as people ponder whether it is ethical to burden upcoming generations with decades of supporting, directly or indirectly, the elderly while, with increasing life expectancy, the economic security of their own futures remain in doubt.

R. Baird Shuman

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SEE ALSO: Bioethics; Cloning; Genetic counseling; Genetic testing; Genetically modified foods; Human

Genome Project; In vitro fertilization; Stem cell research; Sustainability of resources; UNESCO Declaration on the Human Genome and Human Rights.

## Genetic testing

**DEFINITION:** Laboratory analyses of genetic materials designed to determine if subjects are carrying certain diseases, are likely to contract the diseases, or have other genetic disorders

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Genetic testing is a potentially powerful tool for the prevention, early detection, and improved treatment of diseases that have known genetic characteristics. However, such testing carries with it serious concerns about the ethical, social, legal, and psychological implications of how the information collected is used.

With the completion of the mapping work of the Human Genome Project, genetic information is rapidly moving into mainstream clinical medicine. Genetic testing is a powerful method of establishing diagnoses, and in some areas of medicine it is becoming a routine part of diagnostic testing.

#### GENETIC TESTING VS. GENETIC SCREENING

Genetic testing that is used to predict risks of disease and influence individual clinical care should be distinguished from population-based genetic screening. An example of genetic screening is state-mandated newborn screening programs that are aimed at detecting genetic diseases for which early diagnosis and treatment are available. Population-based genetic screening is ethically justifiable when the benefits of screening outweigh the potential harms. Any such screening tests should provide clear diagnoses, and accurate information on risks and effective treatments for the conditions should be available. Screening is justifiable when the prevalence of the disease is high in the population screened, and when screening is acceptable to the population screened.

Population-based genetic screening is becoming increasingly common for adult-onset disorders for which known and accepted treatments are available. Population-based genetic screening to reduce the incidence of a disease, however, may sacrifice

the values of individuals for the sake of social goals. Individuals may feel pressure to undergo genetic screening tests they would not otherwise have chosen.

### THE PRIVACY OF GENETIC INFORMATION

Maintaining the privacy of medical information is a concern that is not limited to genetic information. Privacy has instrumental value through the control that it affords individuals in providing protection from harm. For example, giving individuals absolute control over their own genetic information helps protect them from insurance or employment discrimination. Laws that guarantee the privacy of genetic information are instrumental in allowing every individual to control who has access to potentially damaging genetic information.

As the number of genetic tests clinically available has increased there has been greater public concern about genetic privacy. One of the ironies of advances in human genetic research is that the very people who stand to gain most from this information may not seek genetic testing out of fear of discrimination. In a national telephone survey, 63 percent of participants said they probably would not or definitely would not take genetic tests for diseases if health insurers or employers were to have access to the test results. Such concerns about the potential for insurance and employment discrimination are at the heart of a national effort to accord genetic information special privacy protections.

By mid-2003, forty-two states had enacted legis-

lation designed to protect against genetic discrimination in health insurance, and thirty-two states had legislated protection against genetic discrimination in employment. However, the specific provisions of these laws varied greatly from state to state.

On the federal level, President Bill Clinton signed an executive order prohibiting discrimination in federal employment based on genetic information. In addition, a new set of federal privacy regulations, issued pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), created a minimum set of general privacy protections that preempt state law. Although multiple bills have been introduced into Congress, no federal legislation has been passed specifically relating to genetic discrimination in individual insurance coverage or to genetic discrimination in the workplace.

Efforts to enact legislation to ensure the privacy of genetic information stem from concerns that health insurers might use such information to deny, limit, or cancel insurance policies. There are also reasons for concern that employers might use genetic information to discriminate against their workers or to screen applicants for jobs. The use of genetic testing in the workplace presents employers with challenging decisions related to promoting health in the workplace while avoiding the potential misuse of genetic information. However, concerns about genetic discrimination may actually be out of proportion to the actual incidence of documented instances of information misuse.

### Types of Genetic Testing and Screening

<i>Category</i>	<i>Subjects</i>	<i>Purpose</i>
Carrier identification	Prospective parents	Identification of recessive gene disorders that may give future offspring such diseases as cystic fibrosis, Tay-Sachs disease, or sickle-cell anemia
Prenatal diagnosis	Fetuses	Determination of possibility of babies being born with such disorders as Down syndrome
Newborn screening	Newborn babies	Determination of whether newborns carry such treatable conditions as phenylketonuria and congenital hypothyroidism
Late-onset disorders	Adults	Determination of whether subjects have such adult diseases as cancer, heart disease, and Huntington's disease

### **DISCLOSURE OF FAMILIAL GENETIC INFORMATION**

Genetic test results of individuals have implications for other blood relatives. This feature of genetic information raises difficult ethical questions about the obligation of family members to share their genetic information with relatives, who may share the same genetic disorders, and the obligations of physicians to disclose information about disease risks with the relatives of patients who refuse to share the information themselves.

Studies of patients' attitudes toward disclosure of genetic information to at-risk family have documented varied attitudes toward disclosure of genetic information within families. Genetic information carries the potential for economic, psychological, and relational harm. For example, individuals who carry genetic alterations may see themselves as defective and feel guilty about the possibility of their transmitting genetic alterations to their offspring. There is an underlying fear that society will view those with genetic alterations as defective. Some perceive the identification of individuals with altered genes as the first step toward eugenics, or attempts to limit procreative freedom based on genotype.

Genetic testing should always be accompanied by the subjects' written informed consent to prevent misunderstanding and to minimize anxiety. The ethical, legal, social, and psychological implications of genetic testing are so complex that genetic counselors should be involved before, during, and after patients agree to undergo testing. Genetic counseling is a process of evaluating family histories to identify and interpret the risks of inherited disorders.

The mere fact that genetic tests are available does not mean that they should necessarily be ordered. Decisions to conduct tests should consider not only the possible benefits but also the potential social and psychological risks. Genetic counselors can be invaluable in helping individuals decide which tests are appropriate, deciphering complex test results, and helping individuals understand and reach decisions about what to do with the results of their tests.

### **PRE-IMPLANTATION AND PREDISPOSITION GENETIC TESTING**

Pre-implantation genetic diagnosis (PGD) has raised many ethical concerns. It is an alternative to prenatal diagnosis for individuals undergoing in vitro

fertilization. PGD allows scientists to screen embryos for chromosome abnormalities and select unaffected embryos for implantation with the goal of reducing the transmission of genetic diseases. The process has been used for sex-linked disease and human leukocyte antigen matching. The ethical boundaries of employing this procedure are unresolved. It raises a variety of questions. For example, should parents be allowed to use the process to select the sexes of their offspring when no evidence of genetic diseases is present? Who should decide how this technology should be used?

Many of the earliest forms of genetic tests were designed to detect or confirm rare genetic diseases. Information obtained from single-gene disorders with high penetrance was relatively easy to interpret. However, later advances in genetics led to the discovery of gene alterations that contribute to common, complex diseases that develop later in life. These so-called predisposition tests determine the probabilities of healthy individuals developing the diseases. When unaffected family members are found to have genetic alterations that increase their risks of developing diseases, they may take measures to reduce their risk of developing the diseases. Such situations may also affect reproductive decisions and result in targeted medical diagnostics and therapeutics.

Appropriate uses of predisposition testing have been challenged. Predisposition genetic tests can identify alterations within genes, but they cannot always predict how severely the altered genes will affect the people who carry them. For example, finding an alteration on chromosome number 7 does not necessarily predict whether a child will have serious lung problems or milder respiratory symptoms.

Many ethical questions arise from predisposition testing. For example, should children undergo genetic testing for adult-onset disorders? Should predisposition testing be allowed prior to adoption decisions? Generally speaking the best interests of the children should guide decisions about genetic testing. When no immediate benefit to a child is evident, inessential testing should be avoided.

Genetic testing carries the promise of disease prevention, risk modification, and directed therapy. These benefits, however, are accompanied by the potential for discrimination and stigmatization. Informed consent and genetic counseling are essential to ensuring that genetic testing is appropriate and that

the risks to individuals and social groups are minimized. The greatest benefits of the Human Genome Project are yet to be realized, and as new genetic tests emerge new questions will certainly arise.

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SEE ALSO: Bioethics; Biotechnology; Diagnosis; Eugenics; Genetic counseling; Genetic engineering; Human Genome Project; Intelligence testing; Surrogate motherhood.

## **Genetically modified foods**

**DEFINITION:** Foods artificially created by manipulating living organisms using methods involving the transfer of genetic information (DNA) from one source to another

**DATE:** Began in the late twentieth century

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** The emergence of genetically modified foods at the end of the twentieth century led to wide public debate regarding food safety and quality, consumer rights, environmental impact,

the value of small-scale farming, and the potential need to regulate certain technological applications.

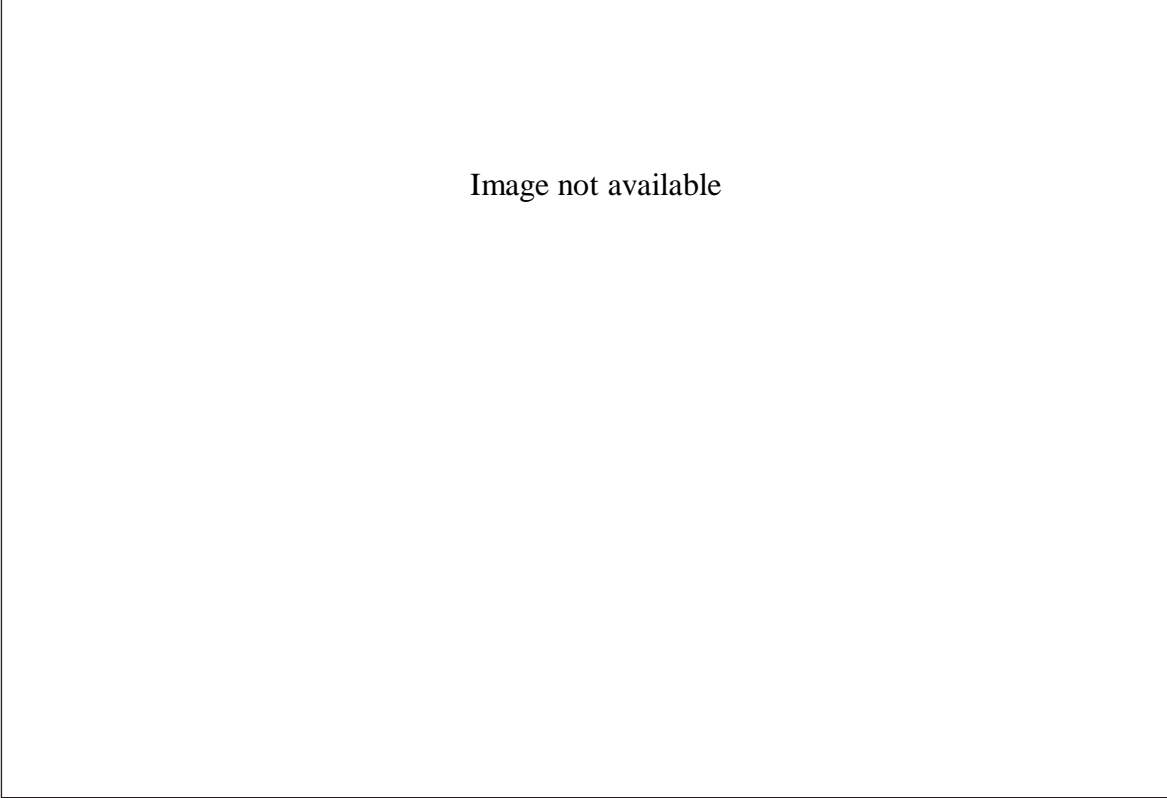
Human beings have been manipulating living organisms for food for thousands of years. Early examples were wine and bread production and the domestication of the ancestor to the modern corn plant. As scientists learned more about plant and animal biology, selective breeding practices became more efficient. Later, methods developed to alter DNA led to new traits important for commercial growing practices or that enhanced the quality of the food. With the development of genetic engineering, new ways to modify plant and animal food sources became possible. In 1990, the U.S. federal Food and Drug Administration gave approval for the first food ingredient produced through recombinant DNA technology: chymosin or rennet, which is used in the production of cheese and other dairy products. Shortly afterward, Calgene, Inc. introduced the Flavr Savr tomato—the first genetically modified whole food approved for market.

By the early years of the twenty-first century, genetically modified (GM) foods had been altered for a variety of reasons including improving plant resistance to pests, disease, and such environmental stresses such as drought and frost. Other goals of genetically modifying foods have been to improve taste, quality, or nutritional value; to improve ability to transport or store the product; and to use plants to produce novel products for industry, medicine, and consumer use.

Animals used as food sources have also been modified—most commonly by treating them with hormones produced through genetic engineering to increase their milk production or their muscle mass. Hormone-treated dairy cows and the appearance of herbicide-resistant crops were particularly important in leading to public outcry against genetically modified foods. As a result, a new field of food and agriculture ethics emerged in which ethical principles related to general welfare, justice, and people's rights are applied. Environmental ethics and questions regarding what is considered "natural" enter into the assessment of this technology.

#### **A UTILITARIAN APPROACH**

One way to assess any new technology is to consider its potential benefits and harms. This approach,

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*Symbolic of a growing world backlash against the uncertain hazards of genetic engineering, Greenpeace activists staged a protest against genetically altered foods in the capital of Brazil in January, 2004. Their Portuguese-language banner reads, “Seven of ten Brazilians do not want genetically modified foods.” (AP/Wide World Photos)*

however, can lead to major dilemmas when considering genetically modified foods. Food is essential for survival of all animals, and thus has value. The Food and Agricultural Organization (FAO) of the United Nations has pointed out that access to safe, sufficient, and nutritious food is a universal right that impacts other values of enhanced well-being and human health. Proponents of genetically modified foods argue that they can contribute to sustainable agricultural systems and food of high nutritional quality—both of which are critical to support the expanding world population.

Opponents of genetically modified foods argue that genetic manipulation damages food quality by decreasing its nutritional value and increasing risk for the presence of dangerous chemicals in food that might cause allergic reactions or even cancer. Although regulatory agencies and scientists have

deemed these foods safe, insufficient scientific data exist to conclusively address public concerns.

Genetically modified foods indirectly impact other aspects of human well-being including quality of life (the aesthetic value of rural settings and the natural environment) and satisfactory income and working conditions. Concerns about genetically modified food technology range from fears and uncertainties about the environmental and ecological impact of genetically engineered crops to the demise of small-scale farmers or possible disrespect for local customs and traditions. Given the ever-decreasing space available to grow food and the long history of environmental disturbances resulting from other agricultural practices, ethical analyses should compare the relative benefits and risks of both genetic modification technology and traditional practices.



### ISSUES OF JUSTICE AND FAIRNESS

The world human population doubled between 1960 and 2000 and is expected to increase by an additional 50 percent by 2050. This increase, coupled with the growing gap between wealthy and less developed nations, forces consideration of new technologies and policies for food production and distribution. The value of enhanced well-being for all is intimately linked to the need for practical rural infrastructure and sustainable agriculture on a global basis.

Proponents of genetically modified foods argue that the technology may be the only way to address growing global food shortages and malnutrition. Opponents argue that other sound practices should be considered, that potentially unsafe food is being touted as a solution to world hunger, and that wealthy nations are forcing developing countries into abiding by patent rules and trade agreements to get the food supplies they need.

Certain business practices associated with genetically modified food production have been controversial. Widely differing public views on genetically modified foods in Europe versus the United States have led to international debates on fair trade laws and practices. Other concerns arise from patenting issues, the costs of genetically modified seed, and industry-imposed limitations on how farmers can use these products.

Interestingly, patent and intellectual property legal complications might actually lead to the underdevelopment and underutilization of genetically modified foods that could be applied for the greater public good. An example of this is “golden rice,” a form of rice that was genetically modified to contain extra vitamin A in order to address nutritional deficiencies among Asian societies. The public views the intentions of businesses associated with genetically modified foods with skepticism, since many believe that corporate profit is valued more than either the condition of humankind or the long-term health and sustainability of the global environment.

Environmental ethicists question what is fair to the natural world. Will the technology that produces genetically modified organisms, including those used as food, negatively impact biodiversity—perhaps through the production of genetic pollution, “superweeds,” or new pathogens—or will the technology actually enable scientists to help preserve biological diversity or perhaps even restore populations of en-

dangered or extinct species? During the first years of the twenty-first century, genetically modified food technology was still too new to know whether there were unforeseen risks or to assess its impact on ecosystem balance and natural selection.

### OTHER ISSUES

Another controversial issue surrounding genetically modified foods is whether the products should be labeled as such. Regulatory agencies in the United States have ruled that because such foods are essentially the same as natural and traditionally grown foods, they do not require special labeling. Companies producing genetically modified foods argue that given misperceptions and a lack of public understanding of the technology, such labeling would unfairly skew market competition. Consumer rights advocates argue the importance of the public’s right to know and the need for freedom of informed choice in a democratic society.

As with the broader issue of genetically modified organisms, genetically modified food technology leads to concerns that science may have gone too far in intervening with nature. An underlying fear is that if humans continue to reduce living organisms to the status of manufactured goods, the standards set for genetically manipulating any organism, including humans, will also be relaxed. Traditional ethical principles and commonly used risk-benefit analyses do not readily apply to situations in which genetically modified crops begin to impact biodiversity, irreversibly change the concept of natural selection, or alter human activities involving basic needs and long-valued human interactions with the land.

*Diane White Husic*

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SEE ALSO: Agribusiness; Bioethics; Biotechnology; Famine; Genetic engineering; Hunger.

## Geneva conventions

**THE EVENTS:** Series of international meetings that codified the rules of warfare

**DATES:** 1863-1977

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** The Geneva conventions encourage the humanitarian treatment of civilians and enemy combatants. They arise in part from the idealist moral belief that human worth and dignity transcend nationalist concerns even in wartime, and in part from each nation's practical desire to protect its own citizens by joining a collective agreement which will protect all people.

The background for the Geneva conventions can be found in European diplomatic and military development since the sixteenth century. The breakup of the medieval Christian outlook during the Reformation era and the devastating religious and dynastic wars that resulted led to the growth of international law. During the eighteenth century Enlightenment, several philosophers applied these rules with some success to the conduct of war.

The French Revolution and the wars of national liberation that resulted broke the comparative calm of the Age of Reason and introduced a new note of savagery into armed conflict. Writing in the wake of the revolutionary age, Carl von Clausewitz advocated the concept of total war—that is, the necessity to push conflict to the utmost bounds of violence in order to crush the enemy. These teachings were widely accepted in the Western world, and the nineteenth century Industrial Revolution made it possible to produce the various weapon systems that could carry out Clausewitz's dictum.

The new attitude of "efficiency" and ferocity in warfare led to a strong humanitarian reaction. During the Crimean War, Florence Nightingale and her colleagues worked with the wounded and drew public attention to the scandalously inadequate arrangements made for them by the armies. A few years later a Genevan businessman, Jean Henri Dunant, was traveling in north Italy and happened upon the battlefield at Solferino (1859). Encouraged by the example of hospital work in the Crimea and moved by the tragic plight of the wounded and dying, he organized groups to help the unfortunate soldiers. For Dunant, this was such a traumatic experience that he dedicated his life to helping soldiers, a category of poor who seemed to be neglected by their employers. In 1862, he published a moving account of his reminiscences of the Italian experience which, along with his personal contacts, aroused the sympathy of the rulers of Europe and led to the Geneva Conference of 1863.

### ACCOMPLISHMENTS

The meeting had two results; a decision to create Red Cross societies and a decision to provide a set of rules for the humane treatment of those who were incapacitated. The second of these decisions led to the Geneva Convention of 1864. Attended by representatives from sixteen states, it did not give official recognition to the Red Cross societies as such but did lay down a series of rules that were to be followed in time of war. These rules provided for the care of sick and wounded soldiers, the neutrality of the medical corps, the humane treatment of prisoners, and the display of a distinctive emblem, such as the Red Cross, by persons and places involved in medical work. The conventions were signed by twelve states and were open to acceptance by others whenever they wished. By the early twentieth century, they were ratified by forty-eight nations, including even the non-Western powers of China, Japan, Siam, and the Ottoman Empire.

The International Red Cross movement flourished more or less under the direction of the entirely Swiss leadership of an international committee yet was made up of a series of nationally controlled societies. The articles of 1864 were extended in a series of meetings held at The Hague in 1899 and 1907 and at Geneva in 1906, 1929, 1949, and 1977.

The Hague meeting of 1899, called at the suggestion of Czar Nicholas II of Russia, was attended by

## Geneva and Hague Conventions

Summary of the treaties concluded in Geneva, Switzerland, and at The Hague, Netherlands, for the purpose of ameliorating the effects of war on soldiers and civilians

<i>Year</i>	<i>Convention</i>	<i>Significant provisions</i>
1864	Convention for the Amelioration of the Wounded in Time of War	Initiated by Henri Dunant. Provided for (1) immunity from capture and destruction of all establishments for treating wounded and sick soldiers and their personnel; (2) impartial reception and treatment of all combatants; (3) protection of civilians rendering aid to the wounded; (4) recognition of the Red Cross symbol to identify persons and equipment covered by the agreement.
1899	First Hague Conference	Convened at the invitation of Count Mikhail Nikolayevich Muravyov, minister of foreign affairs of Czar Nicholas II of Russia. Twenty-six nations were represented. The conference defined the conditions of a state of belligerency and other customs relating to war on land and sea. Declarations prohibited: (1) the use of asphyxiating gases; (2) the use of expanding bullets (dumdums); (3) discharging of projectiles or explosives from balloons. Also adopted the Convention for the Pacific Settlement of International Disputes, which created the Permanent Court of Arbitration.
1906	Second Geneva Convention	Amended and extended the provisions of the first convention.
1907	Second Hague Conference	Proposed by U.S. president Theodore Roosevelt, convened by Czar Nicholas II. Forty-four nations attended. Conventions adopted re-employment of force for recovery of contract debts; rights and duties of neutral powers and persons in war on land and sea; laying of automatic submarine contact mines; status of enemy merchant ships; bombardment by naval forces in wartime; establishment of an international prize court. Renewed declaration prohibiting discharge of projectiles from balloons. Did not reaffirm declarations prohibiting asphyxiating gas and expanding bullets.
1929	Third Geneva Convention	Amended and extended the provisions of the first two conventions. Introduced the convention relating to the treatment of prisoners of war. Provisions included: Belligerents must (1) treat prisoners humanely; (2) supply information about them; (3) permit visits to prison camps by representatives of neutral states.
1949	Fourth Geneva Convention	More than 150 nations party to this agreement. Following the horrors of World War II, this was the most complete of the treaties and included these provisions: (1) provision for care of the wounded and sick in land warfare; (2) rules for the care of those injured or shipwrecked at sea; (3) laws guaranteeing the just treatment of prisoners of war; (4) provisions protecting citizens of occupied territories by condemning such practices as deportation, hostage taking, torture, collective reprisals, wanton destruction of property, and discrimination based on race, religion or nationality.
1977	Fifth Geneva Convention	Only slightly more than half of the nations who signed the Fourth Convention signed the 1977 protocols. Supplemented the provisions of the previous conventions with two additional protocols that extended international law protections to wars of liberation and civil wars.

delegates from twenty-six nations. The Geneva rules commanded such respect that there was a strong desire among the major powers to extend them to naval conflict and to limit the use of new, more horrible weapons. At The Hague conference, conditions regulating a state of war were defined and the use of asphyxiating gases, expanding bullets (dumdums), and aerial bombardment (dropping projectiles from balloons) was forbidden. The conference also established a permanent court of arbitration to encourage the peaceful settlement of disputes between nations.

The second Geneva Conference (1906) revised the decisions of the first meeting, based upon the war experiences of the intervening years. It provided for the policing of battlefields, the identification of the dead, the protection of the name and sign of the Red Cross, and the dissemination and enforcement of the Convention's decisions through military penal codes.

A second meeting (1907) was suggested by President Theodore Roosevelt and called by the czar. Attended by delegates from forty-four nations, it passed a series of acts that provided for the enforcement of contracts, the recognition of rights of neutrality, the prohibition of submarine contact mines, the limitation of bombardment by naval forces, and restriction on aerial warfare. Ominously, when one looks back on the meeting after the experience of World War I, it did not renew the 1899 prohibitions against the use of gas or dumdum bullets. The third Geneva Convention's (1929) most original contributions concerned prisoners of war. They were to be dealt with in a humane manner, information about them was to be supplied to their governments, and their treatment was to be monitored by neutral observers.

Probably the most important of the Geneva meetings was held in 1949 in response to the horror of World War II. It drew up the most complete of the Geneva Conventions, including provision for care of the wounded and sick in land warfare; rules for the care of those who were injured or shipwrecked at sea; laws guaranteeing the just treatment of prisoners of war; and provisions that protected citizens of occupied territories by condemning such practices as deportation, the taking of hostages, torture, collective reprisals, wanton destruction of property, and discrimination based on race, religion, or nationality.

In 1977, another conference supplemented these

provisions with two additional protocols that extended the protection of international law to wars of liberation and civil wars. More than 150 nations have signed the 1949 conventions, but far fewer have agreed to the 1977 protocols.

*Robert G. Clouse*

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SEE ALSO: Chemical warfare; International Criminal Court; International law; International Red Cross; League of Nations; Military ethics; Scorched-earth policies; United Nations Convention on the Prevention and Punishment of the Crime of Genocide; War; War crimes trials.

## Genocide, cultural

DEFINITION: Deliberate and systematic destruction of a particular culture

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: Cultural genocide is a violation of egalitarian moral principles such as inalienable human rights and the right to self-determination. It has been justified by recourse to other moral principles, such as the responsibility of a sovereign nation to watch over or educate members of ethnic subcultures or colonial subjects.

Cultural genocide is the deliberate and systematic destruction of a culture. Absent harm, it is not ethical to destroy the culture of another group of human beings or change it without their consent. Each culture should be judged by its own standards of excellence and morality, unless its cultural practices threaten to harm others physically or mentally.

A dramatic example of cultural genocide is the Canadian government's attempts to outlaw many indigenous customs of the Kwakiutl Indians of the Northwest Coast of Canada in an effort to convert them into imitations of Europeans. The Kwakiutl were renowned for a unique custom that they called the potlatch. Kwakiutl chiefs competed with one another for status and power through this custom. It involved accumulating vast wealth in the form of artistic items known as "coppers," blankets, and food. After accumulating a fortune, a chief would invite his rival and the rival's followers to a feast. During this feast, the host would wine and dine all of his guests lavishly. Dancers would entertain them. At a prearranged time, the host would conspicuously destroy the valuable coppers and other treasures to demonstrate that he could afford to do so. He would challenge his guest to top this feat or accept inferior status. Upon leaving the feast, guests were given many blankets and foodstuffs to take home with them. The Canadian government viewed this practice as a wanton and savage destruction of valuable property and a waste of labor, so they outlawed the potlatch.

Anthropologists have argued that, in addition to serving the overt function of leveling individuals, the potlatch served a covert or hidden function by redistributing wealth from areas that had accumulated a surplus to areas that had experienced shortages during bad years. The destruction of this and other pivotal institutions caused the Kwakiutl culture to collapse, leaving in its wake a vacuum that was soon filled by alcoholism, dysfunctional families, and other social problems.

Another example of cultural genocide comes from Africa. In 1884, at the Berlin Conference, European powers unilaterally carved up the African continent into territories that they claimed for themselves. Africans were not invited to this meeting. These European powers pledged to support the "civilizing" of Africans by Christian missionaries, which was "calculated to educate the natives and to teach them to understand and appreciate the benefits of civilization."

The missionaries immediately declared traditional religions "devil worship." They collected all indigenous statues, relics, and artifacts and destroyed them. They fought to outlaw clitoridectomy, polygyny, and other native customs that they found "repugnant." These acts led to a clash of cultures and to an identity crisis for many Africans.

The classic example of cultural genocide in North America grew out of slavery. Plantation owners feared that allowing African slaves to speak their own languages, use African names to identify themselves, or practice African culture would encourage slave revolts. Consequently, every effort was made to stamp out African culture in the United States. The people survived, but much of their culture was destroyed. Today, African Americans are culturally more like other Americans than they are like Africans, despite strong physical similarities and a common ancestry.

The assumption that one's own culture is better for others than theirs is constitutes the ultimate cultural arrogance. It assumes that one's own culture is superior and that one has the right to impose one's values on others. This imposition is unfair and unethical. Cultures, like individuals, have a right to life unless their customs threaten the lives of others, as in the case of head-hunting and cannibalism.

*Dallas L. Browne*

SEE ALSO: Bigotry; Ethnic cleansing; Genocide and democide; Genocide, frustration-aggression theory of; Native American genocide; Racial prejudice; Racism.

## **Genocide, frustration-aggression theory of**

**DEFINITION:** Theory of Neal Miller and John Dollard that genocidal behavior is the result of hostility and frustration caused by the blockage or interruption of goal-directed behavior

**DATE:** Formulated during the late 1930's

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The frustration-aggression theory of genocide attempts to adduce a mechanistic psychological cause which would explain the most horrific forms of collective behavior.



John Dollard and Neal Miller's frustration-aggression theory asserts that the blockage or interruption of goal-directed behavior can cause frustration and hostile feelings. Often, these cannot be directed at the source of the frustration, which may be either unknown or too powerful to confront. Consequently, a person may displace this hostility onto an unrelated scapegoat.

After World War I, the Allied nations imposed harsh economic conditions upon Germany for "causing" the war. As a result, Germans experienced severe hardships. Defeated and too weak to lash out at the Allied powers, Germany turned against its Jewish population. According to the frustration-aggression theory, between 1920 and 1945 Germans scapegoated the Jewish population and persecuted them instead of hitting back at Britain and France, who were causing their suffering. The Jews were too weak to fight back. When a German bought a loaf of bread, he paid a Jewish merchant, not a French capitalist, so the Jewish merchant became the target for his anger.

Adolf Hitler took advantage of this popular anti-Jewish resentment, which was widespread in Poland, Russia, France, and England as well as in Germany and Austria, to help him rise to power. Hitler accused the German Jews of subversion and of making deliberate attempts to sabotage the German people in order to further selfish Jewish economic interests. Nazi propagandist films compared Jews to rats and suggested that the only true means of ridding Germany of either pest was extermination.

The Nazi Party wanted to deport all German Jews to Madagascar, but this plan proved to be impractical because Allied submarines were sinking many German ships, and the Vichy regime in France, which controlled Madagascar, did not relish the idea. Therefore, soon after the German conquest of Poland in 1939, the Nazis ordered the extermination of all known Jews. More than six million Jews were exterminated between 1939 and 1945. This horrific act did not, however, relieve the German sense of frustration. Instead, it created a false consciousness, because Britain, France, and a weak economy—not the Jews—were the real sources of Germany's problems.

The Jews had been treated as scapegoats for centuries throughout Europe and elsewhere before Hitler and the Nazi Party attempted to exterminate them. They were herded into segregated ghettos and became the target of frequent pogroms in Russia and

elsewhere. Because the frustration-aggression theory of genocide fails to account for this long history of abuse prior to the rise of Hitler and the Nazi Party, the theory has limited explanatory value.

### SCAPEGOATING

Despite the fact that scapegoating is based on misconceptions, aggression aimed at a scapegoat has been alleged to have a cathartic effect because it temporarily relieves frustrations. Regrettably, this temporary effect only reinforces negative behavior. In theory, the release of such tension onto a third party should promote mental health. Thus, games such as football have been thought to be cathartic and actually to help to reduce the probability of war. In fact, however, such games may increase the likelihood of aggression by reinforcing antisocial violent behavior. Once set in motion, a vicious self-perpetuating cycle can be created. A wiser course of action is to teach people to control negative thoughts and behavior rather than vent them.

The frustration-aggression model and the accompanying scapegoating and oppression of another group produce behavior that is ethically deplorable. Members of the persecuted group receive prejudicial treatment and may become targets of genocide. Flawed and rigid thinking encourages people to adopt this model of behavior. Insecurity feeds it. Once such attitudes are formed, they are difficult to change unless society can force prolonged contact with members of the other group on a frequent basis, under conditions in which neither group is superior to the other and competition is minimal. Under such conditions, people find that it is easier to abandon prejudices and to adopt healthier attitudes that view others as equals deserving of whatever rewards their talents earn them. Ethically, society has a social and moral obligation to create the sustained contact and minimal competition that will be required to reduce or stamp out the prejudice, bigotry, stereotyping, racism, and discrimination that breed the human tragedy of genocide.

*Dallas L. Browne*

SEE ALSO: Aggression; Anti-Semitism; Apartheid; Behaviorism; Bigotry; Genocide and democide; Genocide, cultural; Hate; Hate crime and hate speech; Holocaust; Racial prejudice.

## Genocide and democide

**DEFINITION:** Intentional destruction of human groups based upon identifying characteristics that members of the groups are assumed to have

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Modern political, social, and religious leaders agree that genocide and democide violate the most basic principles of international human rights.

Raphael Lemkin, a Polish jurist and scholar of international law, coined the term “genocide” during the early 1940’s. The term later became a basis of international law, making it possible to try crimes of genocide before the International Criminal Court. In its narrowest sense, genocide is an intentional and systematic attempt to destroy an entire human group, based upon the nationality, ethnicity, race, or religion of the group’s members. Since Lemkin’s time, the meaning of the term has been expanded to encompass other defining human characteristics, such as sexual orientation or political affiliation. However, not all scholars accept these broader definitions, and legally such expansion is not permitted. To overcome these limitations, Rudolph Rummel coined the term “democide” during the 1990’s to serve as a more inclusive label for governmental efforts to perpetrate mass murder. Estimates of the numbers of persons who were victims of genocide and democide during the twentieth century range from 170 to 210 million. These numbers are at least four times greater than the numbers of people killed while fighting wars during the last century.

### DEFINITIONS

Although legalistic definitions of genocide are limited to definable groups, the concept includes the destruction of human groups through mass murder as well as the process of limiting procreation. Thus, genocide can be committed through efforts to sterilize a population to prevent the birth of future generations. Early eugenics movements had at their core, in the early twentieth century, the elimination of those whose genes were deemed inferior. The Nazis used such policies to begin massive sterilizations of the mentally and physically disabled as well as Jews and Roma/Sinti (Gypsies). The pattern of mass rape as practiced during the atrocities against Bosnians dur-

ing the 1990’s was officially codified as a form of genocide by the International Criminal Tribunal for the former Yugoslavia. Definitions of genocide are not based solely on nation-states or governments as perpetrators. Individuals and nongovernmental groups whose actions include the destruction of another group may also be found guilty of genocide.

Mass murders that clearly fit the criteria for genocide include the killing of Armenians by the Young Turks of the Ottoman Empire during World War I, the killing of Gypsies by Nazis during World War II, and the killing of Tutsis by Hutus in Rwanda in 1994.

While the term democide is broader in terms of target groups, the term is applied only to murders undertaken by governments or quasi-governmental bodies. Thus, a hate group that targets specific individuals for murder would technically not be guilty of democide. However, a government engaged in the same kind of crime would be guilty of democide. On the other hand, the term democide is not applied to the killing of soldiers during wars and the execution of persons lawfully convicted of capital crimes.

The list of mass murders that fit the definition of democide is extensive and includes the mass killing of political dissidents by Joseph Stalin in the Soviet Union and the mass murders committed under the rule of Mao Zedong in China. Many cases of democide are more often described as a genocide. For example, the Cambodian genocide of the mid-1970’s fits the definition of democide but is usually referred to as a genocide. The targeted groups in the killing fields of Cambodia consisted largely of groups such as city dwellers and the educated. As that episode had Cambodians killing Cambodians on the basis of characteristics not identified within the narrow definition of genocide, it theoretically should not be identified as genocide but rather as democide. However, the killing of the Vietnamese by Cambodia’s Khmer Rouge communists would be considered an instance of genocide.

### REVERSAL OF MORALITY

The ethical issues involved in genocide and democide appear transparent at first glance. Both actions violate the principles underlying the major world religions and are also considered to be violations of international law. Individuals, groups, and nations involved in genocide and democide are considered guilty of violating the United Nations Convention on

the Prevention and Punishment of the Crime of Genocide (1948) and the Universal Declaration of Human Rights (1948). Although no ethical or moral defense for the atrocities of mass murder, genocide, and democide exists, perpetrators of genocide often view their actions as moral and for the greater good. Moreover, few perpetrators of genocide and democide have been held accountable under international law and have thus acted with impunity. This apparent reversal of morality with its accompanying moral relativity raises questions as to how individuals and nations can move from general acceptance of ethical codes against killing to a moral position that justifies atrocity.

Doctors working for Germany's Nazi regime believed that they were engaged in a higher good by sterilizing and later "euthanizing" or killing patients who were regarded as incurable. These included epileptics, schizophrenics, alcoholics, people with mental disabilities, and a host of others labeled "useless eaters" and killed by starvation, lethal injection, gunshot, or poisonous gas. The regime justified its actions by arguing not only that patients would appreciate being spared future suffering but also that their extermination removed dangerous genetic infections that threatened the well-being of the people of Germany. The Nazi genocide of Jews, Gypsies, and other peoples was regarded as the removal of a tumor from the body of Germany, a Final Solution in dealing with Germany's "problem" groups. Thus, the Nazis and their supporters perceived their genocide as a valiant, courageous, and morally good action.

During World War II, the United States dropped atom bombs on the Japanese cities of Nagasaki and Hiroshima, killing more than 120,000 men, women, and children. The government rationale for these actions was that such destruction was horrible but necessary to save the lives of the Allied soldiers who would otherwise be needed to invade Japan. While the validity of this rationale has been debated, it represents a case in which the morality of democide may be unclear. If purely military targets in Japan had been selected for destruction, the resulting loss of life would not fit the criteria identified for democide. However, as Hiroshima and Nagasaki were civilian targets, the loss of life represents a case of democide. If similar bombs had been dropped on major population centers in England or the United States during the war, it most likely would not have been viewed as morally acceptable.

Centuries of genocide against indigenous populations have been justified through self-interest, primarily need for land and resources. The indigenous populations in North and South America, Australia, and Africa all experienced varying levels of physical as well as cultural genocide. Little is written about these groups, however, as the colonizers and conquerors have written most of the histories of their conquests.

#### **AUTHORITARIAN LEADERS**

Nations that commit genocide and democide are generally led by authoritarian rulers in totalitarian governments. Such governments and leaders may also have destructive ideologies and are thus more likely to commit atrocities than are governments of democracies. The rulers responsible for the most destructive genocides and democides are Joseph Stalin, Mao Zedong, and Adolf Hitler, who were all totalitarian leaders. Moreover, the members of societies ruled by such governments also tend to exhibit high degrees of conformity as well as obedience to authority. Such people may be willing to kill other people simply because obedience and conformity are considered to be their only appropriate ethical choices. During the Nuremberg Trials of Nazi war criminals held after Germany's defeat in World War II, many former Nazi officers tried to justify their crimes by claiming to have merely followed orders. Judges on the Nuremberg tribunal did not accept such defenses, but individual soldiers whose participation in the Holocaust may have been less pivotal were not tried in part because of this justification.

#### **PATHS TO GENOCIDE AND DEMOCIDE**

The practice of genocide and democide often begins slowly within a culture. Pre-genocidal cultures typically have histories of believing that members of certain groups or classes within their cultures are superior to members of other groups. During times of relative stability and prosperity such cultural populations may engage in limited prejudice, stereotyping, and discrimination. However, during times of economic or political crisis, latent hatreds can be revived and used by authoritarian leaders as a means to build solidarity and support within the dominant groups. What begins as prejudice and discrimination over time may evolve into a pattern of deliberate denial of civil rights. Thus, members of a targeted group may

find they are denied such rights as employment, citizenship, or the ability to own property. If few objections are publicly voiced, the next step may be a move toward greater loss of fundamental human rights and finally loss of existence. Little outrage was expressed when Jews began losing their rights in Nazi Germany during the 1930's. That fact made it easier for the government to progress from laws prohibiting certain forms of work to loss of citizenship, then ghettoization, and finally deportation and death.

For human beings to move down such a path toward greater violence, a process of moral disengagement and exclusion must occur. It is difficult simply to kill a person whom one has known as an associate or neighbor. Propaganda helps a society advance step by step toward a policy of genocide. Such propaganda includes a vilifying of members of the target group as well as a dehumanization of the group. For example, during Germany's Holocaust, government propaganda denounced Jews as parasites who threatened Germany's well-being and equated Jews with rats and vermin. When human beings begin morally disengaging and finally excluding their neighbors from what is perceived as their moral realm, the process becomes complete. Human beings have less trouble killing people whom they perceive as not fitting within what they regard as traditional human boundaries, particularly if they regard those people as a threat. In Rwanda, for example, Hutus who killed their Tutsi neighbors during the mid-1990's regarded them not as fellow Rwandans but as dangerous aliens, whom they characterized as *inyenzi* (cockroaches). Euphemistic language also assists with this process of moral disengagement and exclusion. Germany's Nazi government did not tell German citizens that it was sending Jews and other people to their deaths in concentration camps; it simply told them that their Jewish neighbors were being "sent east."

### BYSTANDERS

Bystanders—whether they be individuals, groups, or nations—can prevent genocide from developing if they raise protests early as a government moves down the path to genocide and democide. This raises serious questions about the ethics of those who stand by passively as a disenfranchised group becomes increasingly targeted for violence and genocide. As violence began in Rwanda, both outside nations and the United Nations distanced themselves from the devel-

oping genocide and proclaimed it to be an internal matter that was solely Rwanda's responsibility. For outside nations to label the events in Rwanda as genocide would have necessitated action. This inaction by a passive world that watched the horror unfold helped fuel the deaths of approximately 800,000 Tutsis over the course of one hundred days. By the time the United Nations finally sent international peacekeepers into Rwanda, the mass killings had ceased.

The longer bystanders wait to act as a genocide develops, the more difficult intervention becomes. When intervention occurs late, both the outside governments and their citizens must accept moral responsibility for their earlier inaction. Moreover, as time passes, bystanders tend to rationalize that the victims of a genocide deserve their fates in order to maintain their belief in a just and moral world.

### DENIAL

The last step on the path of genocide and democide is denial that the mass killing ever occurred. Thus, the final assault on the victims is that their very memory is excised from history. Denial can take many forms. For example, the government of Turkey has consistently denied that it staged a genocide against its Armenian citizens during World War I. Instead, the government portrays the events of that period as an unfortunate effect of deportations of an internally dangerous population. Most modern Turkish citizens who deny the Armenian genocide are basing their denial not on a history of prejudice but rather on a history shaped by the Turkish victors. Thus, they are simply repeating what they and their parents have learned of the events during World War I in revisionist history.

Other instances of genocide such as the man-made famine in the Ukraine during the 1930's have been simply written off as unintended and accidental occurrences resulting from distant governmental policies. The deaths of large numbers of Native American groups in what is now the United States have often been dismissed simply as unintentional deaths resulting from disease and failure to adapt to life on reservations. Famine, disease, exposure, and other "natural causes" of death manufactured by governmental policies enable the distancing of responsibility and the denial of genocide. Other forms of denial clearly have at their base an agenda of hate. Holo-

caust denial is not a new phenomenon and is propagated by many white supremacist groups within the United States and around the world. Such forms of hate-based denial have at their core genocidal intent. Whatever the intent of those who deny specific instances of genocide or democide, whether out of ignorance or hate, such efforts at denial are ethically unjustifiable.

Linda M. Woolf

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SEE ALSO: Bystanders; Concentration camps; Ethnic cleansing; Evil; Genocide, cultural; Genocide,

frustration-aggression theory of; Holocaust; Lemkin, Raphael; Native American genocide; Pogroms; Rwanda genocide; United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

## Gewirth, Alan

IDENTIFICATION: American philosopher and educator

BORN: November 28, 1912, Union City, New

Jersey

TYPE OF ETHICS: Human rights

SIGNIFICANCE: Gewirth proposed the principle of generic consistency—the principle of equal and universal human rights—and justified freedom and the ethical obligation to respect human rights.

The author of *Reason and Morality* (1978), *Human Rights: Essays on Justification and Applications* (1982), *The Community of Rights* (1996), and *Self-Fulfillment* (1998), Alan Gewirth is recognized as one of the most prominent ethicists of the late twentieth century. He has published over one hundred articles on moral, ethical, social, and political philosophy, the epistemology of René Descartes, and many other topics. He is well known for his work on the philosophical foundations and ethical implications of human rights. In the late 1970's, he proposed the idea that freedom and well-being are fundamental, universal human rights, a concept known as the principle of generic consistency (PGC), Gewirth's supreme principle of morality.

Gewirth claims that freedom and well-being are the foundation attributes necessary for all human action. They establish the common (generic) conditions for the successful exercise of free agency for the members of all cultures. Gewirth argues that all other rights can be derived from these two. He assumes that people in general act for purposes that they regard as being good—not necessarily morally good, but valuable. Thus people must be entitled to freedom and well-being. For consistency, people are bound by duty to not restrain others from obtaining freedom and well-being. In other words, it is an ethical requirement that every individual must allow the same human rights to every other individual. Some philosophers have used the PGC to analyze complex ethical



questions, such as the attempt to determine human traits prior to birth.

One inference drawn from Gewirth's PGC is that people who violate the principle must either be using incorrect reasoning or be unethical persons. The principle also makes the transition of transforming fundamental, prudential rights into moral rights. However, many philosophers criticize and disregard the PGC because of these implications.

Gewirth is a strong advocate that self-fulfillment is a fundamental goal of human endeavor. Although many deem it to be an egotistical effort, Gewirth developed an ethical theory showing that self-fulfillment is based on the dignity of human beings and that human rights are essential to self-fulfillment, completing its interrelationship with the PGC. Self-fulfillment enhances the ethical and moral growth of not only an individual, but also of the society in which the individual resides.

*Alvin K. Benson*

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SEE ALSO: Consistency; Egotist; Epistemological ethics; Theory and practice.

## al-Ghazālī

IDENTIFICATION: Persian philosopher

BORN: 1058, Ṭūs, Khurasan, Iran

DIED: December 18, 1111, Ṭūs, Khurasan, Iran

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Al-Ghazālī is author of several widely read works on ethics, including *The Revival of Religious Sciences* (late eleventh century), *The Niche for Lights* (early twelfth century), and *The Incoherence of the Philosophers*

(late eleventh century), as well as an influential spiritual autobiography, *The Deliverer from Error* (early twelfth century). His mysticism also made Sufism more acceptable to conservatives.

Abū Hāmid al-Ghazālī (not to be confused with his younger brother, Ahmad Ghazālī) is best known for his writings on ethics, the proper foundations for ethics, and mysticism (which is, for al-Ghazālī, continuous with ethics). His work enjoys widespread respect, earning him the honorific title "the scholar among the inhabitants of the world." Unlike many other philosophers, who were happy to begin their reflections with reason or sense experience, al-Ghazālī placed great emphasis on the importance of the Qur'ān and the *Ḥadīth* (traditions) of the life of Muḥammad.

Al-Ghazālī was a successful and respected professor of theology at the most important college in the Seljuk empire, the Nizāmiyya, in Baghdad. In 1095, however, he suffered a severe personal crisis, left the Nizāmiyya, traveled throughout the Middle East, and eventually resettled in his ancestral home, Ṭūs. There, he wrote the many treatises that secured his enduring, central place in Islamic thought.

The crisis of 1095 was focal to al-Ghazālī's later thought. A superb logician, al-Ghazālī was not only able to construct impressive systematic theology but also was aware that intellectual argumentation about that which transcends the abilities of argumentation is built on a foundation of sand. Furthermore, the scholarly endeavors of orthodox legalists and theologians came to seem arid, even spiritually sterile, to al-Ghazālī, who appears to have felt an increasing sense of loss of the presence of God in these scholarly religious investigations. After carefully studying the works of numerous Sufis and understanding their principles intellectually, he appears to have had an epiphany in which those principles became experiential.

#### THE INCOHERENCE OF THE PHILOSOPHERS

*The Incoherence of the Philosophers* and the reply by Averroës (*The Incoherence of the Incoherence*) constitute one of the most famous philosophical exchanges in the Islamic world and were also very widely discussed in medieval and Renaissance Europe. Al-Ghazālī attacked Avicenna, al-Fārābī, and Aristotle for logical inconsistencies in their work

and for basing their systems of thought on rational argument alone, denying a central role for revelation and for the direct experience of God. Al-Ghazālī did not reject wholesale the conclusions of these philosophers, and he did not deny an important role for Aristotelian logic. Some of his conclusions about practical ethics, for example, do not differ from those of Aristotle. Further, although he did reject Neoplatonic emanation schemes entirely, he did so by perspicuously demonstrating their logical impossibility. Nevertheless, al-Ghazālī argued that the work of these philosophers was not built on a sound foundation; would lead the faithful astray in many matters; and, hence, ought to be abandoned in favor of an ethical system based on the Qurʾān, *Ḥadīth*, and experiential knowledge of God—a system that he provided in the *Revival*.

### THE REVIVAL OF RELIGIOUS SCIENCES

Written in forty (the number symbolic of patient effort) chapters, the first section of the *Revival* concerns 'Ibādāt, or worship. The second section, on customs, might seem mundane to Western readers. It offers very practical guidance in such areas as diet, ways to serve food, child rearing, and so forth. (Much of al-Ghazālī's advice on child rearing strikes the modern reader as far ahead of its time.) In Islam, however, all aspects of life, even the most mundane, should be infused with reminders of divine will, and therefore these practical matters are part of religious sciences. The central chapter celebrates the Prophet and emphasizes the importance of the traditions of Muḥammad's life as the "good example" (Qurʾān, *sūra* 33:21) for ethical conduct. The third section examines vices and their sources, and the final section examines those things that lead to salvation (including virtues and their sources, as well as mystical love and longing).

Although Western modernity might see the topics of the *Revival* as diverse, al-Ghazālī clearly saw them as continuous, as necessary training in one's gradual development toward the highest possible perfection. The ultimate goal is experiential knowledge of God, which "can be reached only when the barriers in the heart precluding such achievement are removed." This essentially mystical goal requires practical ethical training so that the passions and excessive attachment to bodily pleasures can be curbed, and so that wisdom can be developed.

### THE NICHE FOR LIGHTS

The relationship of this text to al-Ghazālī's other works has been highly controversial. The *Niche for Lights* is a commentary on the "Sūra of Light" (Qurʾān, 24:35), in which Allah is indicated as the purest Light, which inspired al-Ghazālī to develop a metaphysics of light that has remarkably strong affinities with Illuminationist Sufi doctrines. One refers to Light properly only when one indicates God, al-Ghazālī argued, and one uses "light" only analogically in all other instances. Only the Divine Light exists, and all in this phenomenal world is but a shadow cast by that light (comparison with Plato's allegory of the cave would not be farfetched). The ultimate good in human life is attainment of direct apprehension of Light and complete immersion in Light.

Thomas Gaskill

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SEE ALSO: Averroës; Avicenna; Fārābī, al-; *Ḥadīth*; Sufism.

## Gideon v. Wainwright

THE EVENT: U.S. Supreme Court decision holding that felony defendants are entitled to legal representation regardless of the crime with which they are charged, and that if such a defendant cannot afford an attorney, the court must appoint one

DATE: Ruling made on March 18, 1963

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The Supreme Court ruled that forcing criminal defendants to represent themselves is a violation of the due process clause of the Fifth Amendment, as well as the right to counsel guaranteed in the Sixth Amendment.

Because of a 1942 Supreme Court decision, *Betts v. Brady*, the state was not required to appoint an attorney for Clarence Earl Gideon at the time of his first trial for robbery in Panama City, Florida, in 1961. Following the dictates of *Betts*, Florida provided counsel only to defendants accused of capital offenses, and Gideon, an impoverished individual of limited education, was forced to act as his own attorney. He was found guilty and sent to prison. While there, he penciled a petition to the Supreme Court to hear his claim that his constitutional rights had been violated. The Court agreed that, because he had been forced to appear without benefit of counsel, Gideon had been denied a fair trial. The Court ordered that

Gideon be allowed a new trial and a court-appointed attorney. At his second trial, Gideon was acquitted of all charges. He had demonstrated the power of a single individual to change the entire legal establishment.

*Lisa Paddock*

**SEE ALSO:** Accused, rights of; Attorney-client privilege; Bill of Rights, U.S.; Constitution, U.S.; Due process; Supreme Court, U.S.

## Global warming

**DEFINITION:** Gradual increase of the earth's surface temperatures

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Global warming is a source of long-term but increasing danger to human beings and to all ecosystems on Earth that raises questions

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*Scientists take water samples from the sea, gathering data used to study global warming. (AP/Wide World Photos)*

about the point at which future problems become present ethical concerns.

During the twentieth century, the earth's average surface temperature increased about 0.5 degree Celsius, arguably as a result of concurrent human generation of "greenhouse" gases. Furthermore, some environmental modeling indicates another 0.7 to 2 degrees Celsius of warming after the oceans reach equilibrium, plus a further 2 to 5 degrees by the year 2020 if no action is taken.

Even greater changes, however, occurred many times in the more remote past when no human activities could have caused them. Repeated glaciation and deglaciation in the last million years repeatedly exceeded the hypothesized changes without human influence, and the causes of glaciation are not thoroughly understood. The major environmental effects of global warming include the poleward shift of climatic belts, the sea level's rising as much as 6 meters by 2020, and drastically changed atmospheric and oceanic circulation. All these occurrences will disrupt present human activity. Thus, regulation or abolition of activities that may be responsible for warming, such as the burning of fossil fuels, is an ethical issue that has provoked proposals for action at both national and international levels. The prohibition of combustible fuels, for example, entails massive social and economic changes, which should not be undertaken lightly in view of substantial lack of consensus regarding the causes and future course of currently observed global warming.

*Ralph L. Langenheim, Jr.*

SEE ALSO: Bioethics; Earth and humanity; Ecology; Environmental ethics; Future generations; Greenhouse effect; Nature, rights of; Rain forests.

## Globalization

**DEFINITION:** Process of increasing interconnections and linkages within societies and across international boundaries through improved communications and expanded world trade

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** Because of the economic and social disparities that exist among between countries

and continents, the ethics of globalization are often debated in the international arena, and this debate focuses on who benefits from globalization and who loses.

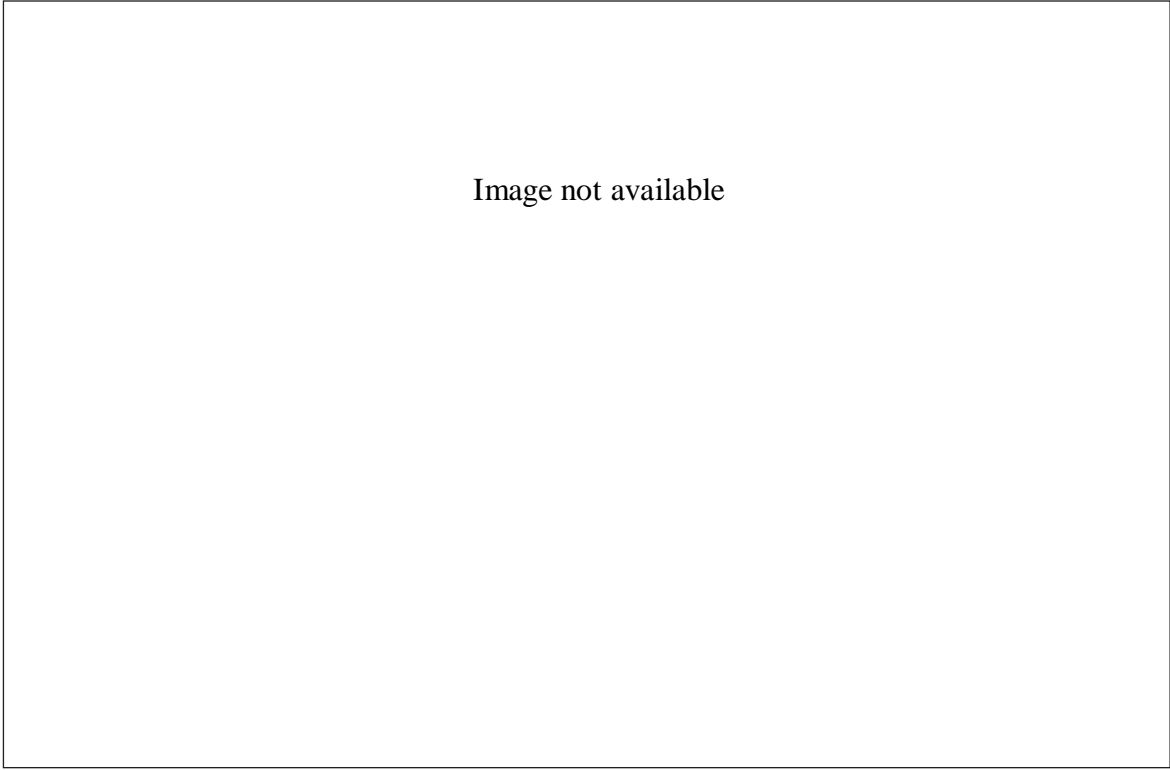
The term "globalization" began gaining prominence during the mid-1980's as a description of the expansion of interrelated economic, social, and cultural activity beyond national borders to societies across national and international geographical boundaries. The interconnections and linkages that occur with globalization have removed barriers to free trade, which has resulted in an increased standard of living for many around the world along with increased life expectancies. At the same time, however, that phenomenon challenged traditional social, political, and economic structures.

Globalization has been brought about by reductions in transportation and communication costs, as well as dissolutions of artificial barriers to movements of trade, services, capital, and knowledge across borders. Specific trade agreements that most often draw attention in discussions of globalization are the General Agreement on Tariffs and Trade (GATT) and the North American Free Trade Agreement (NAFTA).

### PROCESS OF GLOBALIZATION

The process of globalization has been brought about by the creation of new international organizations such as the World Bank, the International Monetary Fund (IMF), and the World Trade Organization (WTO). The World Bank and the IMF were established at Bretton Woods, New Hampshire, in 1944. Known as the Bretton Woods Institutions, the two organizations seem similar but have clear differences. The IMF was established to create stability in international trade and provide temporary financial assistance to countries in financial crises. The World Bank was created to eliminate poverty through reconstruction and development. The three organizations, taken together, attempt to regulate and provide stability to the global economic and trade environment, in the hope of furthering globalization and creating opportunities for globalization for all countries in the world.

The benefits of globalization include open markets, positive competition, increased use of technology, and the potential to enrich many people, espe-

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*Thousands of Filipinos march in Manila on September 13, 2003, as part of coordinated protests throughout the developing world against the developed world's globalization policies. The worldwide "Global Day of Action" coincided with a ministerial meeting of the World Trade Organization in Cancun, Mexico. (AP/Wide World Photos)*

cially the poor. Globalization has reduced the sense of isolation felt by many in the developing world. The expansion and increased use of technology have provided access to knowledge and information that before was limited to only the wealthiest countries.

Globalization has also increased the types and frequency of interactions among peoples of varied cultures. People from all over the world meet together to a much greater extent than they had in the past, and they consequently begin to influence each other as well as begin to understand each other. This global culture has led to the creation of new identities and new forms of literature, music, and art.

While globalization has clear benefits, it has not succeeded in reducing poverty as was promised; in fact, the gap between the haves and the have nots in developing countries is widening. Globalization has also not provided for stability in developing nations. Latin American and Asia are two good examples

of how financial crises can affect the entire global economy. In addition, globalization has had negative effects on the environment, with many poor countries using precious environmental resources in the name of development. The "sustainable development" movement is an attempt to preserve the environment while at the same time providing for development opportunities.

### **ETHICS ISSUES**

The ethics of globalization ultimately centers around two questions: Who benefits from globalization? Who loses from globalization? Political leaders are continually having to consider their economic and social priorities between serving their own people and working to benefit the welfare of citizens in countries other than their own. For those whose interests lie in the health and environmental movements, ethical principles such as autonomy, beneficence,



nonmalfeasance, justice, utility, and stewardship are important to the discussion of the ethics of globalization. For others, global ethics must support social equity and cultural diversity, as well as developing common global goals.

Global ethics cannot be discussed without some reference to the role of morality. However, this further complicates the discussion, since one has to ask "whose morality"? Many people are looking to the religious communities of the world to provide some answer to this question. In a publication entitled *Our Creative Diversity*, published in 1995 by the World Commission on Culture and Development, the United Nations, and UNESCO, the commission lists several elements of a global civic culture that could provide the framework for a global ethical code, including human rights and responsibilities, the peaceful resolution of conflicts, democracy and civic governance, the protection of minorities, fairness of negotiation, and intergenerational equity.

Nongovernmental organizations (NGOs) are calling for global ethics that emerge from a process of discussion and debate from global grassroots movements. These organizations proved to be quite powerful when they worked together to protest the WTO meetings in Seattle, Washington, and in the campaign against the World Bank and the IMF. Their ability to join together across continents allowed for an understanding of shared values and objectives. The production of common statements of protest and organized actions begins to set the stage for a discussion on global ethics. The question now is who will facilitate this process and take responsibility for the ensuing debate.

*Robin Sakina Mama*

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SEE ALSO: Agribusiness; Developing world; International justice; International law; International Monetary Fund; Multinational corporations; Outsourcing; World Trade Organization.

## Gluttony

DEFINITION: Overindulgence in food and drink

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Traditionally one of the seven deadly sins, gluttony is a self-destructive form of behavior, morally objectionable on the grounds both of social propriety and of the imperative to self-preservation. In modern society, gluttony is quickly becoming an endemic social problem as irresponsible eating and exercise habits become one of the major causes of death in the United States.

Since classical antiquity, gluttony has been regarded as a reprehensible individual choice; however, both the motivation and the degree of social censure have varied. In ancient Rome, the vomitoria were viewed as the ultimate symbol of decadence (the *Satyricon* of Petronius), but in general, overindulgence for sheer hedonistic pleasure inspired more envy than disdain.

During the Middle Ages, gluttony came under heavy censure, partly because the overindulging individual was incapacitated, but primarily because of the awareness that excessive consumption by a few denied food to those in need. Gluttony was counted

## Gluttony as a Competitive Sport

In the early twenty-first century—a period when health care professionals are warning of an epidemic of obesity in the United States and are campaigning for more sensible eating habits—competitive eating has reached new levels of popularity. Since Nathan’s hot dog stand at Coney Island, New York, began an annual eating contest in 1916, Americans have associated eating competitions with modest numbers of frankfurters, pies, and watermelon slices. Today, however, eating contests have reached unprecedented levels of volume, vulgarity, and publicity, and some people are seriously arguing that competitive eating should be regarded as a “sport.” Meanwhile, competitors such as these have captured the public imagination:

- A young 145-pound Japanese man whose records include eating more than 20 pounds of food in a single sitting
- A 380-pound American who has eaten—on different occasions—15 burritos in 8 minutes, 9.5 pounds of peas in 12 minutes; 49 doughnuts in 8 minutes, and 12 pounds of cheesecake (containing 37,000 calories) in 6 minutes
- A slender 36-year-old American woman who has eaten 432 oysters in 10 minutes, 7.75 pounds of stuffed duck and turkey in 10 minutes, and 23 pulled-pork sandwiches in 10 minutes

Apart from the obvious health hazards that such eating stunts pose, the growing popularity of the contests raises questions about both the ethics and the aesthetics of conspicuous consumption. In an e-mail message to the *Los Angeles Times*, Michael Strober, the director of the Eating Disorders Program at UCLA’s Neuropsychiatric Institute, suggested that competitive eating might represent, at least for some participants, a means of channeling clinical disturbances of eating behavior, such as binge eating, into socially acceptable behavior.

among the seven deadly sins on the strength of Paul’s censure of “those whose god is their belly” (Phil. 3:19).

From the Renaissance onward, the religious and social censure of gluttony gradually became muted; gluttony even received an ironic apology from François Rabelais in the course of his overall attack on the

vestiges of medieval philosophy and ethics (*Gargantua*, 1552). In the eighteenth and nineteenth centuries, gluttony became increasingly regarded as a purely medical problem, and by the late twentieth century, the term “gluttony” was generally replaced by “eating disorder,” “compulsive eating,” “compulsive drinking,” and “alcoholism,” reflecting a sense that over-indulgence in food and drink (including alcohol) is involuntary and is thus outside the sphere of moral or ethical choice.

*D. Gosselin Nakeeb*

SEE ALSO: Greed; Laziness; Psychology; Sin; Temperance.

## God

DEFINITION: Supreme supernatural being

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: If God exists, and if human conceptions of God are at all accurate, God’s existence would necessarily entail the existence of a universal objective moral law. However, in the absence of conclusively accepted evidence supporting either of those two conditions, religious belief and practice are largely, if not wholly, matters of faith, and morality is a matter of personal conviction.

All persons of sound mind have in some way answered, though few may have asked, the question “Why be moral?” The typically philosophical question is “What is the good?” The answers to both questions have attempted to lay the cornerstone for a moral life. One common answer centers on humanity within the context of the world. “The good,” or “being moral,” is defined in terms of the natural world. Here, natural sciences and anthropocentric disciplines are used to discover the moral life.

A second response to the seldom-asked question “Why be moral?” is God—solely God. God is good. God’s acts are moral acts. God’s acts define morality. From this perspective, theology and philosophy are the primary disciplines that provide insight into the moral life.

A third customary response maintains that there is no fundamental contradiction between God and God's creation. Many believers in God, therefore, combine the first two answers to one of life's most fundamental questions. God is good. God has created a good world. God has created humanity as part of the world in such a way that humans are to live in the manner that God has required of them. Consequently, the natural sciences, social sciences, philosophy, and theology can all contribute to the moral life. Although this more unified approach to morality is most inclusive, avoiding both the abstractions of an intellectually isolated theology and a narrow thoroughgoing naturalism, the remainder of this article focuses on the concept of God and the moral life.

### GOD AND HUMAN MORALITY

There are at least three ways in which God's actions can be relevant for human morality. These three relationships constitute the main theological theories of ethical objectivism. First, God's actions and commandments define what is right. Whatever God commands is moral simply because God commands it. The weakness of this view is that whatever a person understands God to do or to command would be considered moral, including, for example, war, infanticide, and human sacrifice. This would magnify God's power, but at great cost to God's morality. Another way in which God and ethics might be related is for morality to be determined independently of God. All of God's actions and commandments would still be morally correct, but their morality would be determined externally to God. The problem with this view is that morality is determined prior to and separately from God. Thus, God is rendered dependent and limited. Moreover, the identity and nature of this unrivaled moral power is unknown.

The third view holds that God's actions correspond to the good. It is not that any arbitrary act of God defines moral actions or that the good is externally delimited, but that every act of God reveals God's character as the good God who created the good world and continues to act without self-contradiction. God has revealed God's own nature in creating and sustaining a moral world. The difficulty with this view is that one must explain how persons who believe that there is no God, and how persons with radically divergent ideas about God, can nevertheless lead highly moral lives. This complaint appears answer-

able, however, by the third response to the initial question: Humans should be moral because God has created them in the cosmos in such a way that they are to live in the manner for which they have been created. Thus, the sciences, philosophy, and theology can all contribute to the moral life that builds upon God as the source and foundation of morality.

### VARYING NOTIONS OF GOD

Different notions of God lead to different moral decisions. According to the priestly theology of the Pentateuch, Moses justifies many of ancient Israel's civil laws by citing the acts of Yahweh, the God of Israel. At Yahweh's direction Moses taught, "You shall be holy, for I the LORD your God am holy. . . . When you reap the harvest of your land, you shall not reap to the very edges of your field, or . . . strip your vineyard bare; . . . you shall leave them for the poor and the alien: *I am the LORD your God. . . .* You shall not cheat in measuring length, weight, or quantity. You shall have honest balances and honest weights: *I am the LORD your God, who brought you out of the land of Egypt. You shall keep all my statutes: . . . I am the LORD*" (Lev. 19). Although it is the case that many of Israel's laws are related to other religions and nations, its ethical justifications are not cultural, political, or philosophical but historical and, preeminently, theological.

Although not identified as God, Plato's "form of the good" functions in his ethics as God. At the pinnacle of his philosophical hierarchy rests "the good" in relation to which all other objects exist (both ideals and sensible objects) and must properly live. The good is the source of all moral principles. This functional apotheosis of the good, conjoined with the primacy of his ideals or forms (they are nonphysical, nonspatial, nontemporal, and beyond the sensible world), leads Plato to distrust the material world even to the point of rejecting most physical pleasures and advocating a philosopher king rather than a popularly chosen ruler.

In another example, according to the Gospel of Luke, Jesus of Nazareth understands God as generous and forgiving toward all persons. Jesus consciously roots his moral teachings in his concept of God. "Bless those who curse you, pray for those who abuse you. . . . If you love those who love you, what credit is that to you? For even sinners love those who love them. . . . But love your enemies, do good, and lend, expecting nothing in return. Your reward

will be great, and you will be children of the Most High; for he is kind to the ungrateful and the wicked. Be merciful, just as your Father is merciful” (Luke 6:27-36).

By definition, beliefs about God influence the ethics of those who believe that God exists. Nevertheless, a system of ethics and human behavior are not identical. Research has shown that behavior is less predicated upon theological beliefs than upon perceived threats and authority, and upon the central object of one’s trust and loyalty.

*Paul Plenge Parker*

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SEE ALSO: Anthropomorphism of the divine; Deism; Divine command theory; Ethical monotheism; Good, the; Human nature; Jesus Christ; Objectivism; Pantheism; Religion.

## Godparents

**DEFINITION:** Persons who take on special responsibilities when they sponsor candidates for baptism or initiation into Christian life

**TYPE OF ETHICS:** Family issues

**SIGNIFICANCE:** Godparents fulfill a historical custom

in the ethical and religious education of the newly initiated that expands family and spiritual ties.

In the Christian tradition, godparents take responsibility for the religious and ethical educations of the newly baptized or newly initiated whom they are sponsoring. The history of godparenting is thus coextensive with the history of Christian baptism, originating in the early practices of the Church. Serving as godparents is considered an honor, a significant responsibility, and a spiritual bond with the godchildren—who may be infants, children, or adult—and their families.

Although specific practices vary by denomination, godparents traditionally assume several responsibilities for their godchildren. They sponsor the children for baptism, the rite of initiation into the Christian religion (for this reason, godparents are also known as sponsors), and represent the witness of the faith community. Second, they help instruct the children in the religious and ethical doctrines of the faiths into which they are baptized. Finally, they help form and educate their godchildren throughout their spiritual lives.

To fulfill these responsibilities, it is usually required that godparents be active, adult church members who are able to exemplify the faith to their godchildren in both words and practice. Godparents assume the duty of assisting the parents in the religious education of the godchildren, and they assume full responsibility for that duty if the parents cannot fulfill it. For these reasons, preferred godparents are those who can form close, lifelong relationships with their godchildren and be available to them at all the important stages of life.

Godparents also often give their godchildren religious gifts at baptism, send cards on religious anniversaries, teach prayers and customs, and suggest names for infant godchildren. Their chief gift, however, is perhaps to pray for their godchildren. It is commonly thought to be ideal if the same godparent can sponsor a godchild for both baptism and confirmation.

*Howard Bromberg*

SEE ALSO: Character; Christian ethics; Gossip; Morality; Parenting; Responsibility; Role models.

## Golden mean

**DEFINITION:** Ethical principle that virtue consists of following a course of moderation between extremes

**DATE:** Articulated between 335 and 323 B.C.E.

**TYPE OF ETHICS:** Classical history

**SIGNIFICANCE:** The golden mean is based on a model of human experience in which extremity of any kind is to be avoided and stability and comfort in the world are positive ethical goods.

The ethical doctrines of Aristotle are expounded in three major works: the *Nicomachean Ethics*, the *Eudemian Ethics*, and the *Great Ethics*, or *Magna Moralia*. The *Nicomachean Ethics* is considered to be Aristotle's most mature work on the subject of ethics. In the *Nicomachean Ethics*, a work divided into ten "books" of roughly similar length (approximately 20 pages), Aristotle addresses the issue of human conduct and raises and attempts to answer the question: "What is the good life?" In book 6 of the *Nicomachean Ethics*, Aristotle gives one of the most typically Greek answers to this question of ethics and in so doing makes use of the compromise position that he took in philosophy generally.

The golden mean, which has also been called the "doctrine of the mean" and the "Aristotelian mean," is the ideal that Greeks customarily sought as a guide to their daily lives, both public and private. It followed naturally that Aristotle associated ethics with the state—not with religion, as Christianity subsequently taught. Thus, the *Nicomachean Ethics* has been viewed as a fundamentally political work.

Aristotle argues from the premise that human beings occupy an intermediate position in the hierarchy of living forms: Human lives are not as good as those of gods, but they are (or at least can be) better than the lives of other animals and plants. He seeks a theory of the human good that not only accords with this assumption but also explains it: Humans want to know what it is that makes their lives occupy this intermediate position. The best good for a human being, according to Aristotle, must be something that no other animal or plant can achieve.

### VIRTUES OF CHARACTER

To fully understand Aristotle's defense of the virtues of character—the skills that enable humans to

listen to reason—it is necessary to see how they are connected to the preeminent virtue: practical wisdom. In book 2 of the *Nicomachean Ethics*, Aristotle states that he undertakes his present project for a practical purpose: for humans not to contemplate truths about what virtue is, but to become good people. In this spirit, Aristotle then introduces the notion of a mean: Such bodily virtues as strength and health are destroyed by deficiency and excess (too much or too little exercise, too much or too little eating), and the same holds of such virtues of the soul as temperance and courage. For example, to be courageous means not to fear everything and avoid every danger, nor must humans be without fear and accept every risk; to be temperate one must not pursue every pleasure, and one must not go to the opposite extreme of pursuing none. Aristotle points out that the mean for one person in one situation will differ from the mean for someone else in a different situation. The idea is that there is not some one correct amount of anger, for example. Instead, when one aims at the mean, one must aim at something that is for him or her neither too great nor too little: It must be the appropriate amount of anger, fear, or appetite at this time, in relation to this person, and so on.

To be virtuous, people must aim their actions and feelings at a mean between deficiency and excess. In the same way that a good craftsman attempts to produce something from which nothing should be taken away and to which nothing need be added, so humans should strive for something equally appropriate to the situations in which they find themselves. Finding this intermediate path is difficult, according to Aristotle, because there are so many different ways to under- or overshoot one's target. Striking the mean in one's actions and feelings is a task that requires practical reason. Thus, when Aristotle defines ethical virtue, he describes it as a state concerned with choice, since a mean is relative to the individual as determined by reason, the reason by which the practically wise person would determine it.

Echoes of this formulation run throughout Aristotle's discussion of the virtues—to exercise the virtues is to follow reason; his doctrine of the mean is the guiding principle behind his classification of virtues and vices. To possess an ethical virtue is to know how to strike the mean. Consequently, there are two kinds of character defects: One may regularly do and feel either too much or too little. Every such virtue is



therefore to be understood by comparing it with its corresponding vice.

Whether or not Aristotle's claims are true, it has been argued that they do provide a workable standard for decision making. Nearly the whole of book 6 of the *Nicomachean Ethics* is devoted to the study of two kinds of virtues: practical wisdom and theoretical wisdom. Aristotle is saying that either of these should be the target toward which the reasonable person aims. Thus, the "right" amount in actions and feelings will be whatever amount best contributes to the fullest expression of these two rational skills. Aristotle's entire discussion may be viewed as contributing in one way or another to an understanding of what he maintains are the two highest human virtues.

*Genevieve Slomski*

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SEE ALSO: Aristotelian ethics; Aristotle; Excellence; Mādhyamaka; *Nicomachean Ethics*.

## Golden rule

**DEFINITION:** Ethical principle that advises that one should treat others as one wants to be treated

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The golden rule includes both an ide-

alist and a practical component. It asserts that there is a fundamental human nature which entitles all people to the same level of dignity and respect, and it also assumes that the life of each individual will be made better if everyone agrees to abide by a law founded on this assumption, whether the assumption itself is true or not.

The injunction that one should treat others as one wants to be treated is known as the "golden" rule because it is often said to be of unparalleled value as a fundamental ethical principle. Testimony to the value that human beings have accorded this principle is found in its long and rich history, a history that includes, but is not limited to, its appearance in Confucianism (sixth century B.C.E.), Buddhism (fifth century B.C.E.), Jainism (fifth century B.C.E.), Zoroastrianism (fifth century B.C.E.), Hinduism (third century B.C.E.), Judaism (first century B.C.E.), Christianity (first century C.E.), and Sikhism (sixteenth century C.E.).

The golden rule has been formulated both negatively (do *not* do to others what you would not want done to yourself) and positively (do unto others what you would have them do unto you). The negative formulation seems to be the older of the two, being the version endorsed in Confucianism, Buddhism, Jainism, and Zoroastrianism; nevertheless, it has been argued that the positive formulation is superior to the negative formulation because the former includes a call to beneficence that is lacking in the latter. This criticism of the negative version does not withstand scrutiny, however, for neglect is certainly one of the things that an individual might want to avoid and thus—in keeping with the negative formulation—would be something an individual should not do to others.

A more serious problem said to afflict both versions of the golden rule is that neither provides a basis for distinguishing between virtuous and non-virtuous wants. Thus, an individual who wants to be debased or subjugated is enjoined by the golden rule to debase and subjugate others. For this reason, it has been thought that the golden rule cannot serve as a fundamental principle of morality, since its just application is possible only if one already has some independent means for distinguishing between morally good and morally corrupt behavior.

**LOVE THY NEIGHBOR**

Because of this concern, it has sometimes been suggested that a close cousin of the golden rule—Love thy neighbor as thyself—is a superior fundamental moral principle. The superiority of the call to love one's neighbor as oneself is thought to reside in the concept of love, a concept that specifies that one's wants should be directed toward the welfare of oneself and others. By virtue of its focus upon the welfare of the beloved, the call to extend the same love to oneself and others prohibits acting upon wants that are unjustifiably damaging. In fairness to the golden rule, however, it should be pointed out that applicability of loving one's neighbor as oneself presupposes both that people do love themselves and that this self-love can be used as a model for attitudes toward others. While these presuppositions might seem reasonable, it is worth noting that the possibility of nonvirtuous self-directed wants that drives the objection against the golden rule poses similar problems for the aforementioned presuppositions of the call to love thy neighbor as thyself.

It was also concern over the problem of corrupt wants that led Immanuel Kant to distinguish his own first moral principle, the categorical imperative, from the golden rule. One version of Kant's categorical imperative states that one should act only according to that maxim (rule of action) that one can, at the same time, will to be a universal law. The difference between the golden rule and the categorical imperative is found, according to Kant, in the fact that one can always treat others as if they shared one's wants, corrupt or otherwise; however, it is not possible consistently to will the universalization of corrupt behavior. To illustrate the difference between the two principles, Kant points out that many individuals would gladly agree to receive no assistance from others and thereby—in accordance with the golden rule—be relieved of the duty to assist others. Willing that such mutual neglect be universal would be irrational, however, because it would involve willing that no human being ever render assistance to others, a policy that would undermine the very existence of the human race. In this way, says Kant, the categorical imperative excludes corrupt wants that the golden rule allows to stand.

Even if the problem of nonvirtuous wants and related problems do show that the golden rule cannot generate an ethical system by itself, however, the rule

is still deserving of its rich history insofar as it can serve as a ready test of the impartiality of some proposed plan of action.

*James Petrik*

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SEE ALSO: Impartiality; Kant, Immanuel; Sidgwick, Henry; Universalizability.

**The Good**

DEFINITION: That which one ought to do

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: The good is the total of all positive morality: actions one is required to take, qualities which are considered virtuous, and constructive, full, or otherwise admirable ways to live one's life. It names a presence of moral right rather than a mere absence of moral wrong.

Plato spoke of a kind of trinity of forms: the good, the true, and the beautiful. Each of these corresponded to the perfection of a faculty in humanity. The beautiful was the perfect object of the faculty of judgment. The true was the perfect object of the faculty of the intellect, and the good was the perfect object of the faculty of the will. In Platonic metaphysics, moreover, these three forms enjoy a kind of consubstantiality. In later natural-law thinking, goodness, truth, and beauty were coextensive with being itself.

In the theodicy of Saint Augustine, furthermore, this becomes crucial, since that father of the Church overcame the metaphysical implications of the existence of evil by denying real being to evil: Evil does not enjoy substantial existence but subsists in a kind of parasitic relation to the good. Evil is the absence of a good where a good should be. In the will, this situation amounts to a choice of a lesser good over a greater good.

In these ways, metaphysical notions of goodness interact with ethical conceptions of the good. Classical philosophers as well as patristic and Scholastic theologians held that the human will must always will a good; in reality, there are only goods to be willed.

Aristotle analyzed the nature of goods by distinguishing between intrinsic and nonintrinsic goods (often called instrumental goods). Intrinsic goods are valuable for their own sake, while nonintrinsic goods are sought for the sake of some intrinsic good. Aristotle further noted that among intrinsic goods, one good will be a *summum bonum*, or ultimate good. The *summum bonum* for Aristotle (and for Saint Thomas Aquinas) was happiness—*eudaimonia*—and the activity/state most associated with the achievement of this end was philosophical contemplation for Aristotle and beatitude (with the attendant beatific vision) for Saint Thomas. On account of this divergence, Aristotelian ethics are designated as natural eudaimonism and Thomistic ethics as supernatural, or theological, eudaimonism.

For both Aristotle and Thomas Aquinas, the *summum bonum* served as an architectonic principle that was capable of ordering all other lesser goods in relationship to it. This Aristotelian-Thomistic approach combines eudaimonism with a natural-law approach that conceives of a fixed and universally shared human essence. Each subordinate faculty of humanity

has its own teleology—its specific purpose or end (that is, its own good)—but the ends of these are ordered to the final end of humanity.

### NATURAL LAW AND THE GOOD

This natural-law approach to morality upholds a strict objectivity in ethics, for while a man might pervert his nature by ignoring the promptings of his conscience and his reason, that would in no way alter the nature of his true good. Ethical pluralists deny that there is a *summum bonum* for humankind; there are only individual choices of goods in accordance with hierarchies of value created by individual tastes and commitments.

The distinction between ethical objectivists and ethical subjectivists in regard to goodness is vital. Subjectivists maintain that there is no activity of persons or state of being that is inherently good unless it produces an appropriate subjective response in the individual. An objectivist, however, claims that some human activities or states of being are inherently good, apart from any subjective response that they may produce in the subject.

Classical hedonism of both the rational school, associated with Epicurus, and the so-called irrationalist school (or Cyrenaic school), associated with Aristippus of Cyrene, claimed pleasure as the inherent good for humanity. In the more sophisticated versions of hedonism, the concept of pleasure is so expanded as to come close to the multifaceted concept of *eudaimonia*.

In modern times, in both the act utilitarianism of Jeremy Bentham and the rule utilitarianism of John Stuart Mill, pleasure is the good for humanity, which position has caused many scholars to treat utilitarianism as a special form of hedonism. Classical hedonism developed its social aspects by building up its theory from the individual's interests, needs, and desires, while utilitarianism, with its central criterion of "the greatest good for the greatest number," begins with an inherently social perspective.

Both Mill and Bentham defined the good as pleasure, but they differed so radically in their definitions of pleasure that it has been standard practice among philosophers to refer to Bentham's quantitative theory of pleasure as hedonistic utilitarianism and to Mill's qualitative theory of pleasure as eudaimonistic utilitarianism.

### THE NATURALISTIC FALLACY

There was, perhaps, no more significant development in the modern search for the good than G. E. Moore's demonstration of the so-called naturalistic fallacy. Having demonstrated that no natural property can be designated as the good, Moore went on to claim that goodness must be a nonnatural property inhering in good acts.

Analytical philosophers of the Anglo-American tradition accepted Moore's proof that the good could not be a simple natural property, but they rejected his notion that it constituted a nonnatural property, electing instead to assume that the term was used differently in different contexts, indicating quite different natural properties or combinations of natural properties.

Pragmatists such as John Dewey agreed with the analytical philosophers concerning the nature of the good, but they were led to their conclusions by ontological rather than linguistic considerations. Given his commitment to situational ethics and to the ultimate plasticity of human nature, Dewey envisioned the good as varying with historical circumstances and cultural contexts.

Noncognitivist ethicists have interpreted the good in terms of their special linguistic approaches. Emotivists have held the term "good"—like all positive ethical language—to express a positive emotional response to ethical actions in the world: "Charity is good" is translated as an emotional approval of charity. Imperativists hold that ethical statements are overt or covert commands, and "Charity is good," for them, means "Perform charitable deeds." Finally, emoto-imperativists see a term such as "good" as combining a command function with emotional responses.

David Hume's explication of the is/ought problem also must be seen as vital for an understanding of the difficulties that modern ethical philosophers have had with the concept of the good. With the discovery that prescriptive ("ought") conclusions cannot be derived from descriptive ("is") premises, the conception of the good was put under an inordinate strain. Always implicit in the concept of the good had been the notion of "that which one ought to do." With the is/ought dichotomy, this aspect of the concept of the good was forever divorced from the more substantive contents of its various alternative definitions.

Sir Karl Popper noted that the definition of the

good as "that which one ought to do" cannot be expanded to accommodate any substantive content beyond that meaning.

In contrast to the consequentialistic tradition in ethics, the great countertradition of formalism arose, defining the good not in view of the consequences of particular acts, but in respect to the form of the ethical judgments that choose those acts. Cicero may be seen as the originator of formalism, with his unique ethical theory that derived from the academics of the late Platonic school, the peripatetics of the late Aristotelian school, and the stoics. In Ciceronian moral philosophy, the *summum bonum* was equated generally with virtue and specifically with the virtue of *honestum*, or right doing.

### IMMANUEL KANT

Immanuel Kant, whose ethical thought seems to have been influenced by Cicero and the stoics, is the very epitome of a formalist ethicist. Although Kant believed that a properly virtuous person would ultimately enjoy acting morally and would achieve happiness thereby, these considerations were unnecessary for the essential goodness of his or her actions. The goodness of an action rests in its meeting the formal criterion of the categorical imperative: An action whose implicit maxim can become a universalizable law for all moral agents is a good action. Any action not in accord with that standard is a morally impermissible action.

For Kant, furthermore, it is not meritorious to do the correct action because one desires some benefit from that action. A merchant who keeps honest weights and measures because such a practice is good for his business is not acting in a morally good manner. To be morally virtuous, Kant would maintain, an action must be done for the sake of the moral law. That is why Kant could term his ethical system a "deontology"—a science of duty.

In contrast to the absolutist moral claims of Kantian formalism, the various forms of ethical relativism have descriptive definitions of the good. In individual ethical relativism, nothing is held to be right or wrong for the individual person except that which he or she truly believes to be right or wrong. Cultural ethical relativism holds that good actions are those approved by one's culture and that evil actions are those condemned by one's culture. Finally, the relativism of situational ethics defines the good in terms

of the judgments of one's historical era and so forth.

Divine command morality, one of the less fashionable byways of ethical theory, must be acknowledged as having a formalistic account of the good, for the goodness of acts consists in their being done in response to divine command alone.

The history of ethical philosophy may well be said to be the history of the changing notions of goodness, and that history is a tormented one indeed. In the earliest days of ethical theory, Aristotle found it necessary to abandon Plato's form of the good because, attractive as that concept was, it seemed to bear no real relationship to human ethics. Aside from possible mystical experience, humans do not seem to have access to the form of the good; thus, it could have no real bearing upon ethical theory.

Aristotle's abandonment of the form of the good led to great alterations in agathokakological theory—the philosophy of good and evil. While Plato ascribed evil to ignorance—Socrates stated repeatedly that to know the good is to do the good—Aristotle added *akrasia* (weakness of the will) to the causes of evil. Aristotle did not deny the role that the Socratic/Platonic concept of evil arose from ignorance, but he held that notion to be inadequate to encompass all evil. Some men know the good, Aristotle believed, but lack the force of will and character to pursue it.

In late Judaism and early Christianity, the concept of the free will (*liberum arbitrium*) and its role in the selection or rejection of the greater good came to play a predominant part. The notion that one may know the good, have the strength of will to do it, and yet deliberately reject it entered theological ethics. Freely chosen evil—the “Mystery of Iniquity”—came not merely to supplement the concepts of ignorance and *akrasia* as wellsprings of evil but to dominate them. Evil done from ignorance or *akrasia* in this view would be true moral evil only if the ignorance or *akrasia* were itself culpable, and that culpability requires that, at the end of the chain of moral causation, a free choice must have been the basis of all else that followed.

In part, concerns of theodicy—the theological/philosophical investigation of divine justice—fueled the Judeo-Christian development of the concept of freely chosen evil. How is it just that God punishes sin if an individual could not act otherwise? Freely chosen evil was the answer that was proposed. In addition, Judeo-Christian demonology, with the figure

of Satan/Lucifer, contributed to the need for a new explanation for the rejection of the good, for by traditional doctrine, Lucifer was the highest of all created minds and, as an angel, lacked a lower nature—thus, ignorance and *akrasia* are excluded as explanations for his evil.

For Kant also, the question of freely chosen evil became a fundamental problem in his ethical theory. In the *Foundations of the Metaphysics of Morals* (1795) and the *Critique of Practical Reason* (1787), Kant seemed to speak as if deliberately chosen evil were possible. Already, however, there were problems, for true freedom—the autonomous will—was possible only when the will made a law for itself, and that law could only be the categorical imperative.

Finally, in *Religion Within the Bounds of Reason Alone* (1793), Kant repudiated the notion of freely chosen evil, maintaining that there could be no “devilish minds.” Despite Kant's conclusion, however, it is unclear that the notion of human free will—the *liberum arbitrium*, the free choice between good and evil—can be maintained without the concept of freely chosen evil. Furthermore, as hard and soft determinists contest with one another, it is uncertain that moral responsibility can be maintained in the absence of the *liberum arbitrium*. In this way, the very question of the ability freely and knowingly to reject the good ties into the most basic issues in ethics, such as free will and the existence of moral responsibility.

There is, perhaps, no concept so central to every aspect of ethical philosophy as the concept of goodness. What distinguishes ethical philosophies from one another most often are their differing visions of the good. They are further distinguished by their handling of the brute fact of human rejection of the good. What is the good? Why do people find it attractive? How are some able to reject the good? These are among the three most crucial questions in the ethical sphere.

Patrick M. O'Neil

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SEE ALSO: *Beyond Good and Evil*; Epicurus; God; Hedonism; Intrinsic good; Life, meaning of; Morality; Teleological ethics; Truth; Value; Virtue ethics; Wickedness.

## Good samaritan laws

**DEFINITION:** Taking their name from the New Testament story of the Good Samaritan, laws specifying that, under normal circumstances, health care professionals and other people attempting to provide help during an emergency cannot be sued for damages inadvertently caused by their efforts

**DATE:** First enacted during the 1980’s

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Good samaritan laws afford a measure of legal protection for emergency medical professionals and for passersby who decide to get involved in emergency situations. They are founded in the beliefs that it would be unjust to punish someone for making a good faith effort to help people in need, and that such efforts should be encouraged as a matter of public policy.

Some people refuse to stop and help injured accident victims because they fear being sued for improper action. Much of the fear is generated by misunderstanding and by misinterpretation of the laws. Good samaritan laws have helped to alleviate some of these fears. Essentially, good samaritan laws protect from lawsuit emergency medical services personnel (and, in some cases, private citizens), as long as they act in good faith and to the best of their abilities. Mistreatment, gross negligence, and abandonment are not included in this protection.

Thus, these good samaritan laws attempt to ensure that anyone who voluntarily helps an injured or ill person at a scene is not legally liable for error or omissions in rendering good faith emergency care. The provision of the Massachusetts General Law c111C, section 14, which is typical of that of many other states, reads: “No emergency medical technician who in the performance of his duties and in good faith renders emergency first aid or transportation to an injured or incapacitated person shall be personally in any way liable as a result of rendering such aid or as a result of transporting such person to a hospital or other safe place.”

Jane A. Slezak

SEE ALSO: Charity; Disability rights; Human rights; Physician-patient relationship; Right to life.

## *Goss v. Lopez*

**THE EVENT:** U.S. Supreme Court decision holding that states must provide some elements of due process of law in school disciplinary proceedings that can result in suspension

**DATE:** Ruling made on January 22, 1975

**TYPE OF ETHICS:** Civil liberties

**SIGNIFICANCE:** *Goss* established that, since disciplinary proceedings in public schools have the power to deprive students of a state-provided right to education, they must be conducted in accordance with the basic principles of due process.

During a period of unrest in the Columbus, Ohio, school system, Dwight Lopez was a student at Central High School. He was suspended from school for ten days for allegedly participating in a demonstration in the school cafeteria. There was some physical damage to the lunch room. Lopez received no hearing prior to his suspension. He later testified that he himself had not participated in the disturbance.

In a 5-4 decision written by Justice Byron R. White, the Supreme Court held that Lopez and the other nine suspended appellants were entitled to a hearing prior to suspension so that the charges against them could be assessed. The state of Ohio's argument that it was constitutionally entitled not to offer public education at all and could thus manage the system as it pleased was rejected by the Court; having established the system and given the public rights in it, Ohio could not deprive people of due process by later depriving them of that right. The dissenting justices in this case argued that the penalty was too insignificant to warrant a hearing.

*Robert Jacobs*

**SEE ALSO:** Bill of Rights, U.S.; Due process; *Gault, In re*; Supreme Court, U.S.

## **Gossip**

**DEFINITION:** Rumors or talk of a personal, sensational, or intimate nature regarding other persons who are not present

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Although gossip is generally re-

garded as an unethical behavior, it can serve positive social functions.

The word "gossip" comes from Old English *godsibb*, meaning a person related to one in God, or a godparent. Before the nineteenth century, the word "gossip" signified friendship. Because the amounts of gossip usually increase as the amounts of firm information on other people decrease, the information provided during gossip is founded primarily on speculation. It is in part because of this speculation that gossip is typically considered an unethical behavior and prohibited by most religious teachings and secular rules. Jewish law, for instance, generally forbids gossip and contends that gossip is a means by which personal honor is stolen. Passages in the Old Testament books of Leviticus, Exodus, Psalms, and Proverbs condemn the spreading of information, whether true or false, against someone in private.

Although by modern standards gossip is considered undesirable, it serves several positive social functions. For example, it is a means by which social rules and norms and limits on personal behavior can be communicated to new members without direct confrontations. It also allows members of groups to make comparisons with other members to put their own problems in perspective and gain moral compasses on their own behavior. Finally, gossip allows people to share intimacies that promote social bonding, which in turn helps to build sustainable communities.

The question of whether gossip may be considered ethical may be answered by asking questions such as these: Are the remarks that people say or hear about others the kinds of things that they would not want said about themselves? Are people saying things with the intent of harming other people's reputations? Are the remarks being made for personal gain? Are the remarks betraying personal confidences or spreading sensitive information? If the answers to any of these are yes, then the gossip is probably unethical.

*T. Stewart Watson  
Tonya S. Butler*

**SEE ALSO:** Buddhist ethics; Cell-phone etiquette; Cheating; Confidentiality; Etiquette; Internet chat rooms; Jewish ethics; Journalistic ethics; Privacy.

## Gratitude

**DEFINITION:** Appreciation or thankfulness

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The appropriate expression of gratitude may be considered a virtue, while ingratitude may be considered a vice.

Humankind is constantly preoccupied with equitable exchange. Gratitude is the heart's internal indicator when the tally of gifts outweighs exchanges. Gratitude is a moral value that helps regulate the "give and take" of human encounters. Gratitude is a universally recognized virtue. The Roman poet Cicero called it the "mother of all virtue." Seneca, an ancient Stoic, stated, "There was never any man so wicked as not to approve of gratitude and detest ingratitude." When the ancient Chinese sage Confucius was asked to summarize his ethics in one word, he replied, "Reciprocity." "Reciprocity" implies a sense of gratitude that arises when goods received go beyond what was deserved. The consensus of sages and philosophers is that people have a moral duty to keep fresh the memory of good things done for them.

As is often the case, moral injunctions serve to counter a trend in human nature that would otherwise remain unchecked. Prophets and moralists have found it necessary to counter the selfish and ungrateful tendency in human nature. Social critic Christopher Lasch, in his *Culture of Narcissism* (1978), has called attention to the dangers of a society that fails to maintain an "attitude of gratitude" as a core value. When the individual's "expectation of entitlement" becomes the group norm, gratitude is destroyed and the fabric of society is weakened. Gratitude is imperative for group survival and cohesion.

Many Christian theologians have argued that gratitude is the obligatory response of the believing person to the grace and goodness of God's creation and redemption. Saint Paul writes, "In everything give thanks." One's metaphysical and political commitments may, however, shape one's perceptions of life in such a way that "gratitude," rather than being a virtue, may be judged to be a form of self-deception or even a subtle coalition with one's oppressors. For example, Jean-Paul Sartre argues that life is essentially absurd and inchoate, prompting one who is "authentic" to have a fundamental attitude of "nausea" toward life. Karl Marx, an economic determin-

ist, implied that the individual has a moral obligation to feel ingratitude toward society when that society fails to fairly meet the needs of all.

### ASIAN SYSTEMS OF BELIEF

In many forms of Asian thought, the status of gratitude is ambiguous, since gratitude requires a certain dualism between "benefactor" and "recipient" that may not apply in Asian systems. In much of Asian thought, the goal of life is to transcend the smallness of the finite self. As the devotee comes to identify with the impersonal absolute, the concept of "giving and receiving" becomes vacuous. The enlightened Hindu devotee may say, "One to me is loss or gain, One to me is fame or shame, One to me is pleasure, pain." Thus, gratitude may assume a different meaning in Asian thought.

Buddhists, who hold steadfastly to the doctrine of "no-self," staunchly express gratitude to the noble Buddha who taught the path of "no-self." In the Daoist perspective, good and evil lose their absolute character to such a degree that the concept of gratitude may become irrelevant. If both faces of fortune are greeted with equal countenance, the concept of gratitude becomes equivocal.

The book *Twelve Steps and Twelve Traditions* by Bill Wilson, a cofounder of Alcoholics Anonymous, states, "Action expresses more gratitude than words." Retroactively, gratitude is expressed through thankful remembrances, verbal expressions, and thank-you notes. Proactively, gratitude is expressed through charitable deeds that are performed without thought of reward. Alcoholics Anonymous (AA) meetings often focus on the topic of "gratitude" since the inculcation of this attitude is believed to be not only morally desirable but also necessary for peace of mind and high-quality sobriety. AA teaches that gratitude is the key to happiness and recovery, thus implying a moral imperative to be grateful.

Friedrich Nietzsche believed that gratitude was usually a disguise for covert interests. To have a person's gratitude is to have that person's loyalty. Sacrifice to the gods was never purely to express gratitude but to appease or ward off other evils. The "slave" who serves the "master" above the call of duty secretly expects a boon, not merely the master's gratitude. If gratitude is expressed with the motive of eliciting more gifts from God or any other superior agent, it becomes a form of mercantilism or spiritual materialism.

Nietzsche did, however, recognize a higher gratitude that makes possible a noble expression based on strength and true generosity of spirit. Similarly, Fyodor Dostoevski saw a dynamic connection between gratitude and human freedom. In the "Legend of the Grand Inquisitor," in *The Brothers Karamazov* (1912), he allegorized that when God calls to humanity he must do so in an ambiguous form in order to maintain humanity's nobility. If God were to appear to humans with all of his power, glory, and gifts, humans would be awed with gratitude and would have no choice but to obey. God, however, wanted human obedience and gratitude to be freely given. Hence the ambiguous nature of God's gifts and communications. This ambiguity dampens humanity's gratitude while preserving its freedom.

Joseph Amato, in his *Guilt and Gratitude* (1982), argues that the concept of gratitude is based on an older worldview that assumes a "limited good and the age-old struggle against scarcity." This older worldview taught that humankind was dependent on material things. In a world of "scarcity," gifts are deeply appreciated. To give generously was noble. Amato argues that the concept of gratitude requires a worldview based on scarcity of goods. There is a new "worldview" emerging, however, which says that the good is unlimited and that happiness can be achieved on Earth. A new ethics of gratitude is implied in this view. This challenges the old understanding of gratitude as based on sacrifice and limitation. Gratitude no doubt will continue to be a socially desirable attitude but will have high moral value only when intentions to posture, control, or placate the benefactor are absent. Correlatively, the only gift that can evoke the highest form of gratitude is one that is truly given without expectation that the recipient be obliged or perhaps even capable of repaying the gift.

*Paul August Rentz*

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SEE ALSO: Confucius; Dostoevski, Fyodor; Etiquette; Generosity; Humility; Marx, Karl.

## **Gray Panthers**

**IDENTIFICATION:** Public advocacy group that combats discrimination based on age

**DATE:** Founded in 1970

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** Gray Panthers was the first national organization to bring old and young people together to address discrimination based on age.

In 1970, a woman named Maggie Kuhn joined several friends to address two concerns. They wanted to change the laws that permitted forced retirement at age sixty-five, because they knew many people older than that who had much to contribute, and they wanted to join younger people in actively opposing the Vietnam War. From these concerns came a group called the Consultation of Older and Younger Adults for Social Change, whose name was later changed to Gray Panthers.

The name of the Gray Panthers is a humorous takeoff on Black Panthers, a militant nationalist group for African Americans. Gray Panthers, whose motto is "Age and Youth in Action," is unlike many other advocacy groups for older people in that it does not set up or feed on competition between old and young people. It advises that by valuing its youngest and oldest citizens, society can become more just and humane. Through national publications and local seminars, the members of Gray Panthers work for improved media sensitivity to age, regulation of the nursing-home and hearing-aid industries, affordable and adequate housing for all, innovative concepts

for jobs and work emphasizing the involvement of people of all ages, and an increased emphasis on intergenerational association.

*Cynthia A. Bily*

SEE ALSO: Ageism; American Association of Retired Persons; Health care allocation; Retirement funds.

## Greed

**DEFINITION:** Excessive desire to acquire things; avarice

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Traditionally one of the seven deadly sins, greed is often described both as a personal moral failing and as a sign of societal corruption or decline.

Greed occurs at all levels of human endeavor, and it can occur at the individual or the group level. Donald Worster documents the “greed is good” mentality in the rise of agribusiness. In its greed for short-term profits, it has followed a “slash-and-burn” policy of economic development that has wreaked environmental destruction and bequeathed future generations a legacy of worsening soil erosion, water shortage, dust bowl conditions, and extinction of wildlife.

Greed may also characterize the workings of government. Robert Lekachman stated the liberal argument that the administration of U.S. president Ronald Reagan was motivated by greed. Reagan’s administration purportedly engaged in an enthusiastic and massive redistribution of wealth and power that further enriched the already rich, such as “greedy dabblers in oil, gas and coal properties.” All this was at the expense of the working poor, minorities, and welfare families.

### ORIGINS OF GREED

In Western systems of belief, greed is a sin. The biblical concept of Original Sin states that individuals are born as sinners; sin is rooted in human nature.

Rather than viewing greed as an inherent trait or motive, other explanations have looked to the environment. Psychoanalyst Erich Fromm believed that parents are shaped by society to mold their children

in a manner consistent with society’s values. Fromm viewed American society as passing through a series of stages. One of these was the “hoarding character,” which was obsessed with accumulating, holding, and retaining things. In this vein, Ray Porter observed that the noble and virtuous intentions of the Constitution and Bill of Rights, Christian religion, and the capitalist economy actually fostered a mentality of greed that led to widespread destruction of the environment. The right to own and accumulate private property and do with it whatever one wanted was seen as legitimate self-interest. The view that humankind was created in God’s image and had a soul led to the view that plants and animals were subordinate to human purposes. The Scriptures and the Protestant ethic encouraged people to control and exploit nature to their profit. Economics contributed the belief that the source of all that was of value was labor. Nature had no intrinsic value until it was exploited for products and wealth—a “greed is good” mentality.

### GREED AND ETHICS

Greed is a sin—that is, a thought, motive, or desire that results in evil behavior because of a wrong attitude toward God. Greed rests in opposition to the eternal law of God and results in alienation from him and possible ruin and destruction. The Old and New Testaments of the Bible contain numerous references to the sinfulness of greed.

The list of the seven deadly sins has been common since the time of Thomas Aquinas. One of these sins is gluttony, which is listed in *Roget’s Thesaurus* and *Webster’s Collegiate Dictionary* as a synonym for greed. Gluttony/greed and the other sins were considered to be root causes of actions or failures to act that constitute serious sins or which are the inevitable source of other sins. They are considered to be deadly because they are directly opposed to virtue.

### SOLUTIONS

Both the Bible and modern writers agree that greed is bad and potentially destructive to the individual and to society. Both also agree that greed needs to be replaced by contentment with a modest style of living. The Bible extols individuals to “Keep your lives free from the love of money and be content with what you have” (Heb. 13:5). “Godliness with contentment is great gain. For we brought nothing into the world and we can take nothing out of it. But if



we have food and clothing we will be content with that” (1 Tim. 6:6-10).

Psychologist Burrhus F. Skinner believed that people must reduce their consumption, especially of nonessential luxuries that are falsely believed to be necessary for a satisfying life. “The assignment is to somehow induce people to take the future into account and live simpler lives, consuming less and moving less . . . we need to arrange immediate consequences which will induce people to act in ways which have consequences that are ultimately constructive.”

John A. Nevin believes that it is necessary to emphasize the increasingly aversive conditions under which humankind lives and target those responsible: industries seeking short-term profits at the expense of long-term well-being; religions that encourage overpopulation to maintain and increase their membership; and, ultimately, each overavid consumer.

*Laurence Miller*

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SEE ALSO: Corporate compensation; Exploitation; Gluttony; Laziness; Needs and wants; Professional athlete incomes; Profit economy; Selfishness.

## **Green parties**

**DEFINITION:** Diverse political parties that are most widely known for promoting environmental issues

**DATE:** First organized during the 1980’s

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Greens were the first political parties promoting environmental issues to win seats in national legislatures.

Green parties, or Greens, make environmental issues the focus of their political goals. They criticize the social, political, and economic structures and policies of industrialized countries as the causes of the environmental crisis. Greens consider environmental, economic, social, and political problems to be interrelated and global. Because of this relationship, Greens variously espouse grassroots democracy, social justice and equality, peace, and small-scale economics. They often oppose capitalism, the construction of nuclear power plants, and the testing and production of nuclear weapons.

Most Green parties were established during the 1980’s in industrialized countries and became active in every Western European country, as well as in Australia and New Zealand. West Germany’s Green Party (*die Grünen*), one of the most powerful Green parties, in 1983 became the first to win seats in a national legislature. Support for the Greens was strongly linked with active involvement in social movements. The majority of voters supporting the German Green party in 1983 were active in the ecology, antinuclear, or peace movements. Green parties have also won seats in Austria, Belgium, Finland, Luxembourg, the Netherlands, Romania, Sweden, Switzerland, and the European Parliament.

In the United States, the Association of State Green Parties (ASGP), later the Green Party, was formed after the presidential elections of 1996. The first Green statewide officeholder was Audie Bock, who was elected to the California Assembly in 1999, and the Green Party’s choice to run Ralph Nader as its presidential candidate in 2000 arguably changed the outcome of that election.

*Marguerite McKnight  
Updated by the editors*

SEE ALSO: Environmental ethics; Environmental movement; Nader, Ralph; Social justice and responsibility.

## Greenhouse effect

**DEFINITION:** Increase in the earth's surface temperature caused by the absorption of reflected infrared radiation by atmospheric "greenhouse gases"

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The greenhouse effect poses a potential danger to all human life and societies, as well as other species. It raises the issue of the extent of each individual person's and corporation's ethical responsibility to alleviate a threat to the species and to the planet.

The "greenhouse gases"—water vapor and small amounts of carbon dioxide, methane, nitrous oxide, ozone, and chlorofluorocarbons—absorb reflected infrared radiation, thus raising the atmospheric temperature. Without this increase, the earth's mean surface temperature would be about 15 degrees Celsius rather than the observed 17.3 degrees Celsius (approximate); therefore, the "greenhouse effect"

makes the earth habitable. The warming primarily results from absorption and restricted diffusion rather than reflection and is more properly referred to as the "atmospheric effect."

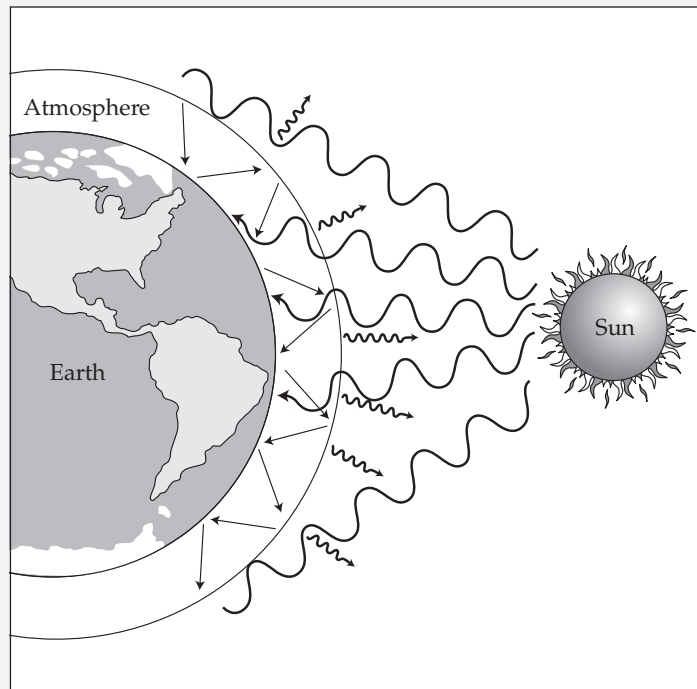
Human production of carbon dioxide, chlorofluorocarbons, nitrous oxide, and ozone may have caused the global warming that has been noted since industrialization. Atmospheric carbon dioxide is increasing about 0.3 percent annually, an increase closely paralleling rates of fuel consumption. Some scientists predict doubled atmospheric carbon dioxide by the year 2080. Chlorofluorocarbons, which are entirely of industrial origin, are increasing by 5 percent per year. Actions to control greenhouse gas emissions include attempts to restrict fossil fuel combustion, which generates carbon dioxide, and reforestation and forest preservation, which remove carbon dioxide from the atmosphere. An international agreement made in 1987 required the halving of chlorofluorocarbon emissions in thirty-one countries by the next century.

*Ralph L. Langenheim, Jr.*

### The Greenhouse Effect

Clouds and atmospheric gases such as water vapor, carbon dioxide, methane, and nitrous oxide absorb part of the infrared radiation emitted by the earth's surface and reradiate part of it back to the earth. This process effectively reduces the amount of energy escaping to space and is popularly called the "greenhouse effect" because of its role in warming the lower atmosphere. The greenhouse effect has drawn worldwide attention because increasing concentrations of carbon dioxide from the burning of fossil fuels may result in a global warming of the atmosphere.

Scientists know that the greenhouse analogy is incorrect. A greenhouse traps warm air within a glass building where it cannot mix with cooler air outside. In a real greenhouse, the trapping of air is more important in maintaining the temperature than is the trapping of infrared energy. In the atmosphere, air is free to mix and move about.



SEE ALSO: Clean Air Act; Earth and humanity; Global warming; Nuclear energy; Pollution; Rain forests.

## Greenpeace

IDENTIFICATION: International organization dedicated to the protection of the environment

DATE: Founded in 1971

TYPE OF ETHICS: Environmental ethics

SIGNIFICANCE: Greenpeace helped introduce the practice of organized interference with environmentally destructive activities, including governmental activities. The group helped extend the principles of civil disobedience to the environmental movement.

In 1971 Jim Bohlen, Paul Cote, and Irving Stowe formed the Don't Make a Wave Committee, in Vancouver, Canada, and it sent a protest vessel, the *Rainbow Warrior*, to Amchitka in the Aleutian Islands to provoke publicity regarding nuclear testing at that site. An attempt to disrupt the test failed, but the resultant publicity established Greenpeace, the new name of the group, as a major factor in environmental activism. Also, no further tests were held at that site.

Among the notable continuing campaigns of Greenpeace is the attempted disruption of French nuclear tests at Mururoa in the South Seas. This effort led to violence on the high seas when French agents sank the *Rainbow Warrior* in Auckland Harbor, New Zealand, killing one activist. In 1973, Greenpeace began expanding from antinuclear activity to general environmental protest. Interference with sealing and whaling in the St. Lawrence estuary and on the high seas, also involving physical conflict at sea, became prominent. The organization also spread to Europe, the United States, Argentina, and elsewhere, initiating numerous acts of protest and physical interference with such activities as waste disposal.

SEE ALSO: Civil disobedience; Earth and humanity; Ecology; Environmental movement; Green parties; Nature, rights of.

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*Sailors from a French naval vessel prepare to board the Rainbow Warrior in September, 1995, when the Greenpeace ship attempted to enter the restricted zone around the South Pacific's Mururoa atoll, where the French were planning to test nuclear weapons. The French later sank the Rainbow Warrior. (AP/Wide World Photos)*

## Griswold v. Connecticut

THE EVENT: U.S. Supreme Court decision striking down a Connecticut law that prohibited both the use of contraceptives and counseling about contraception

DATE: Ruling made on June 7, 1965

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: *Griswold* has significant free speech implications, but its primary intent and effect are to affirm the existence of a constitutionally guaranteed right to privacy and explicitly to extend the protections afforded by that right to the conduct of one's marriage. It places a limit upon the state's

ability to regulate the intimate details of citizens' private lives.

The Planned Parenthood League's executive director (Griswold) and medical director (Buxton) knowingly violated a Connecticut statute that prohibited the giving of counsel to any person for the purpose of preventing conception. After being convicted in the Connecticut courts, Griswold and Buxton appealed to the U.S. Supreme Court, which overturned the Connecticut birth control law as unconstitutional. Justice William O. Douglas, writing the majority opinion, held that a right to privacy is implied in the Bill of Rights, that the marriage "right of privacy [was] older than the Bill of Rights . . .," and that the state could not invade its freedoms.

Concurring opinions by the court emphasized that the due process clause of the Fourteenth Amendment incorporated the Bill of Rights against any intrusion by state governments. Justices Hugo Black and Potter Stewart dissented on the grounds that the Bill of Rights does not explicitly list a right of privacy, stating that this law did not violate any specific provision of the Constitution and that the high court had no right to invalidate state laws simply because those laws were "capricious or irrational."

*Stephen D. Livesay*

SEE ALSO: Birth control; Due process; Privacy; Sexual revolution; Supreme Court, U.S.

## Grotius, Hugo

IDENTIFICATION: Dutch philosopher who wrote *On the Law of War and Peace (De iure belli ac pacis libri res*, 1625)

BORN: April 10, 1583, Delft, Holland

DIED: August 28, 1645, Rostock, Mecklenburg

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Grotius pioneered the early modern concept of the secular international society whose members should interact according to an international law based upon norms.

Living in a world embroiled in sectarian religious wars that were both civil and international, Hugo Grotius sought to provide a model for international

relationships that was grounded in natural, God-given guidelines that were fully secular in that they could be learned and understood by unaided reason alone. Any unity in Christian revelation had disintegrated in the success of the Reformation movements, and thus only the action of human reason might lead to certain guidelines. This was essentially an extension of the Renaissance era's program of uncovering the natural truth of classical pagan ethics.

A Dutch Protestant, Grotius believed in the divine ordering of the universe. God's preferences for human behavior were embedded from Creation in what Grotius calls "divine law," which is manifested in God's revelations to people. This is a law that demands a "very high degree of moral perfection" and is associated with the Jewish and Christian moral and ethical systems. Natural law, on the other hand, is also an expression of God's will, but it is discernible through the exercise of human reason alone and requires a rather lower ethical and moral bar than that for God's Chosen or saved peoples. People assent to the first through faith and to the second by what Grotius called the "exercise of Right Reason" and "common consent of mankind."

International relations, especially matters of war and peace, should be carried out according to the natural law that applies to all people and nations at all times. This was Grotius's "primary law of nations." Custom and written agreements constituted a "secondary law," or positive law, that may or may not have been in synch with natural law. To be just and command the obedience of Christians, human-made laws must be based in the natural law established by God. By extension, states' interactions should also conform to the norms embodied in and derived from natural law.

Grotius recognized that the conduct of war was a legitimate activity of a state, but he insisted that just as there were wars acceptable under natural law, there were those that could not be justified, and states and their soldiers had to conform to norms rooted in natural law to be justified in their conduct of hostilities. In important ways he adjusted St. Augustine's comments on just wars and justifiable combat. By grounding these in the same natural law according to which nations should interact among themselves, he laid the groundwork for the modern agreements, such as the Geneva Conventions, that regulate the conduct of war.

*Joseph P. Byrne*

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SEE ALSO: Christian ethics; Geneva conventions; International law; Jewish ethics; Just war theory; Lying; Natural law; Natural rights; Nussbaum, Martha.

## Group therapy

**DEFINITION:** Simultaneous psychotherapeutic treatment of several clients under the leadership of therapists who try to facilitate helpful interactions among group members

**DATE:** Term coined in 1932

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** In addition to abiding by the same ethical strictures that bind all psychotherapists, group therapists must take special care not to aid one member of the group at the expense of another member. Moreover, all members of therapy groups are morally obligated to hold confidential everything that occurs within group sessions.

Typically, therapy groups consist of three to twelve members who meet once per week for twelve to an unlimited number of weeks. Formats of group therapy differ widely depending on the approach taken by the therapist, but all forms provide an opportunity for members to interact with other members and to learn from these interactions with the help of the therapist.

Compared to individual therapy, group therapy provides a fuller social context in which an individual can work out social problems. Thus, group therapy affords a unique laboratory for working out interpersonal relationships. Members interact in a setting that is more representative of real life than is individual therapy.

Group therapy was developed over the first three decades of the twentieth century by several innovative mental health professionals. The term was coined by Jacob Moreno, also associated with the invention of psychodrama, at a psychiatric conference in 1932. The practice first became popular during World War II, when there were too few therapists available to treat all the psychological casualties of war. Many experienced therapists, however, have come to believe that group therapy has a number of advantages beyond the efficient use of a therapist's time (and lower cost to the individual).

One additional advantage of group therapy is that it encourages members to recognize quickly that they are not the only ones who feel the way they do; it gives them the opportunity to derive comfort, encouragement, and support from others who have similar, perhaps more severe, problems. This recognition tends to raise each member's expectations for improvement, an important factor in all forms of treatment. In addition, members have an opportunity to see themselves as others see them and to obtain more honest feedback about their behavior than they receive elsewhere in everyday life. They receive this feedback not only from the leader but also from other members, whose insights and observations can be very beneficial.

Members also have opportunities to try alternative responses when old ones prove ineffective. Thus, they can actually practice new behaviors in addition to talking about them. Further, members can learn vicariously by watching how others behave and can explore attitudes and reactions by interacting with a variety of people, not only the therapist. Also, members often benefit from feeling that they are part of a group, from getting to know new people, from expressing their own points of view, and from becoming emotionally intimate with others. The group experience may make members less guarded, more willing to share feelings, and more sensitive to other people's needs, motives, and messages. Members may also experience increased self-esteem as a result of helping other members.

Group therapy poses several potential disadvantages. First, some people, because of insecurities or distrustfulness, may be unsuited to group therapy or may need individual therapy before they can function well in a group setting. Second, in some groups, the therapist's attention may be spread too thin to give



each member the attention that he or she needs. Third, the pressure to conform to group rules may limit the therapy process. Fourth, some people may desire more confidentiality than a group can afford or may desire individual attention.

Some types of problems are more appropriate for group than individual therapy. Such problems include substance abuse, eating disorders, child abuse, problems with intimacy, compulsive behaviors (such as gambling), hypochondriasis, narcissism, and post-trauma adjustment (such as post-divorce adjustment or recovering from the effects of sexual victimization). Also, group therapy is a popular form of personal growth therapy; thus, groups are often composed of individuals who are essentially normal but who want to grow or develop more fully.

#### TYPES OF GROUP THERAPY

Some forms of group therapy currently in existence are sensitivity training or encounter groups, which promote personal growth by encouraging members to focus on their immediate relationships with other members; assertiveness training, in which leaders demonstrate specific ways of standing up for one's rights in an assertive but not aggressive manner; psychodrama, in which an individual acts out dramatic incidents resembling those that cause problems in real life; family therapy, in which two or more family members work as a group to resolve the problems of each individual family member (for example, school phobia in an eight-year-old) and to create harmony and balance within the family by helping each family member better understand the family's interactions and the problems they create; marriage encounter, in which couples explore themselves and try to expand and deepen their marriage relationships; and self-help groups such as Alcoholics Anonymous, Parents Without Partners, Synanon, and Weight Watchers, which often function within a specified structure but without a trained or formal leader.

People most likely to benefit from group therapy are those who can communicate thoughts and feelings and who are motivated to be active participants. Poor candidates are those who are withdrawn, uncommunicative, combative, antisocial, or so depressed or unreachable that they are likely to frustrate other group members.

*Lillian M. Range*

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SEE ALSO: Behavior therapy; Family therapy; Personal relationships; Psychology; Therapist-patient relationship.

## Guilt and shame

**DEFINITION:** Painful emotions resulting from self-evaluation either as moral transgressor (guilt) or as morally inadequate in the judgment of others (shame)

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Along with outrage or anger at others' transgressions, guilt and shame are the most visceral and immediate aspects of a person's moral judgment and experience. They play crucial roles in motivating people to avoid moral transgressions.

An individual is "objectively" guilty if he or she is responsible for violating a standard of conduct prescribed by an authority, which violation renders the individual liable to compensation for the transgres-

sion. The violated standard may be a law, a rule of group morality, or a principle of the individual's own conscience. The subjective condition of "feeling guilty" is the sense of having committed an immoral act for which one is answerable to the authority of one's own conscience. Although the compensation to which one feels bound because of this transgression can take a variety of forms (punishment, repayment, being forgiven, and so forth), subjective guilt always involves the sense that one must do or suffer something in order to rectify a moral wrong that one has committed. As defined, the sense of being guilty is not identical with feeling empathic pain for those harmed by the violation. It is also not fear of repercussion or fear of punishment or the sense of having "made a mistake."

A person may be "objectively" guilty of acting against the law or the morals of others and yet not feel guilty. This occurs when such transgressions are not contrary to personal conscience. A person also may be objectively innocent of violating the law or group morality and yet feel guilty. This occurs if the individual violates the dictates of conscience even though the conduct is allowed by the law or others' morals.

### SHAME

Shame is the sense that one is a failure because one is regarded as such in the eyes of others. In feeling moral shame, one is thinking of and endorsing a moral condemnation by others (either real or imagined) of some specific fault, which occasions a global sense of one's own moral inadequacy. One is "shamed" by others into being "ashamed of" one's whole self. In feeling guilt, one condemns oneself and does so only for a specific misdeed. This difference between shame and guilt is evident in the way each varies in intensity. Guilt varies as a function of the grievousness of the misdeed and the degree of responsibility of the agent.

A sense of full responsibility for doing something horribly wrong should elicit a severe sense of guilt. A sense of less responsibility for doing something that is regarded as less grievous should elicit a less severe sense of guilt. Moral shame varies in degree as a function of the esteem in which the others who are condemning the self are held. Those who are held in low regard should elicit little or no shame in the individual whom they morally disparage. Those who are

held in high esteem should elicit much shame if they are regarded as being critical (even if what they are morally condemning is regarded by the individual as trivial).

Both guilt and shame play crucial roles in moral motivation. Guilt motivates one to make compensation for wrongs done, by submitting to punishment and/or by making satisfaction for harm caused. Doing either assuages the painful feeling of being guilty by partially "undoing" the wrong. Because guilt is a painful emotion, people are motivated to avoid experiencing it in the first place; that is, to avoid committing the wrongs that cause them to feel guilty. By shame, people are motivated to correct moral defects that they take others to be criticizing in them. This correction serves to assuage the pain of shame by eliminating its cause. It also serves to reestablish good relations with those who are regarded as being critical. Again, because shame is a painful emotion, people are motivated to avoid experiencing it in the first place; that is, to avoid acting in ways that cause them to be ashamed. Thus, people take account of and anticipate the moral judgments of them by others and "adjust" themselves accordingly.

Guilt and shame have closely related origins. When wrongdoing and punishment by parents become sufficiently linked in a child's mind, the mere thought of having done wrong will elicit the associated pain, as in guilt. Parental punishment also establishes a linkage between pain and negative evaluation of the self by others. Hence, the very thought of disapprobation of oneself by "significant" others will come to elicit the associated pain, as in shame.

Whether an individual is more prone to guilt or to shame depends upon whether the wrongs done by the person as a child or the disapproval by others of those wrongs was emphasized by the parents. This emphasis varies across cultures. Some societies emphasize the individual's sense of responsibility for wrongdoing (so-called "guilt societies"), while others emphasize the individual's sense of what others think of the individual's wrongdoing (so-called "shame societies").

Experiencing the appropriate degree of either shame or guilt on the occasion of moral wrongdoing or failure is rational and constitutive of being a moral person. Shame and guilt become irrational, however, when they are unwarranted by the occasion in which they are experienced. Irrational shame and guilt be-

come pathological when they are persistently experienced even after their irrationality is acknowledged.

*Mark Stephen Pestana*

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SEE ALSO: Bystanders; Conscience; Forgiveness; Freud, Sigmund; Jurisprudence; Moral education; Moral responsibility; Passions and emotions; Punishment.

## *The Gulag Archipelago*

IDENTIFICATION: Book by Aleksandr Solzhenitsyn (1918- )

DATE: *Arkhipelag GULag, 1918-1956: Opyt khudozhestvennogo issledovaniya, 1973-1975 (The Gulag Archipelago, 1918-1956: An Experiment in Literary Investigation, 1974-1978)*

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Solzhenitsyn's *The Gulag Archipelago* examines the history of the penal system established in the Soviet Union after the Russian Revolution and brought to light the cruelties inflicted upon millions of political prisoners.

The word "gulag" derives from the Russian acronym for the Chief Administration of Collective Labor Camps, which was established in the Soviet Union

after the Russian Revolution of 1918. An archipelago is an extensive group of islands, such as exists in the Arctic Ocean off the coast of Siberia. It was in these bitterly cold regions that collective labor camps were built to house more than ten million inmates. In 1973, Aleksandr Solzhenitsyn, a Russian novelist, began publishing a three-volume history of those camps called *The Gulag Archipelago, 1918-1956: An Experiment in Literary Investigation*. Although banned in his own homeland, Solzhenitsyn's work was smuggled to the West, was translated, became a best-seller, and led to the author's expulsion from Soviet territory in 1974. The three published volumes were based on letters, documents, and the experiences of 227 eyewitnesses, including those of the author, who spent eight years in the camps.

### HISTORY

Soviet labor camps were first established by Vladimir Lenin, leader of the Russian communists during the revolution, to reeducate and punish enemies of the Communist Party. After Lenin's death in 1924, Joseph Stalin took power and sent millions of Soviet citizens to the camps for "crimes against the state." In a chapter titled "The History of Our Sewage Disposal System," Solzhenitsyn explores Stalin's legal and ethical motivations for carrying out a reign of terror that lasted from 1927 until the dictator's death in 1953. Under the Soviet constitution, written by the dictator himself, any "counterrevolutionary" activity was punishable by ten years of slave labor or even death. Any actions "injurious to the military might" of the Soviet Union, any "intention" to do injury, and any "attempt to weaken state power" could get a citizen thrown into the Gulag.

Other crimes included attempts at armed rebellion, providing aid to the "international bourgeoisie" or capitalist class, espionage, suspicion of espionage, and contacts "leading to suspicion to engage in espionage," including more easily witnessed criminal acts such as "subversion of industry, transport, and trade" by failing to achieve and produce as much as was expected of loyal citizens. One could also be punished for failing to denounce people whom one suspected of having committed any of these crimes. Solzhenitsyn received an eight-year sentence for violating the law against weakening the state by criticizing its leaders. He had criticized Stalin's military leadership in a "private" letter to a fellow army officer, but since all

mail was opened and read by secret police agents, nothing was truly private. The communist judge sent Solzhenitsyn to a labor camp in Siberia. While in the Gulag, he heard many stories of suffering, death, and other horrors, and he pledged to write about those experiences so that they would never be forgotten.

### ETHICAL PRINCIPLES

Inside the camps, the most vicious criminals were in charge. According to Stalinist ethics, political prisoners had no human rights because they were inferior beings and enemies of the state. Refusal to obey orders or attempts to avoid work meant immediate death. Millions died from twenty-hour days in gold mines or in clearing forests in 60-degrees-below-zero weather. Inmates were not expected to survive, so they were fed inadequate, miserable food, frequently nothing more than watery potato or "fish" soup and a moldy crust of bread once a day.

The camps were built and maintained according to the ethics of pure force. Stalin's word became law, and his only motive became increasing his own power. "To choose one's victims, to prepare one's plans minutely, to slake an implacable vengeance, and then to go to bed . . . there is nothing sweeter in the world," he wrote. The methods of force that he used included torture and psychological terror. The only way to avoid immediate death at the hands of the police was to confess to everything and to submit to the absolute power of the torturers. Stalinist ethics were based on one principle: Stalin and the party were right, and everything else was wrong. Even children as young as twelve could be executed for crimes against the state, usually upon no more proof than a confession elicited after the child had been subjected to days of continuous questioning, without sleep, in an isolated cell.

The ethics of the Gulag inmates demanded the destruction of all human feeling and trust. Survival depended upon finding meaning in circumstances that evoked only horror, hatred, and degradation. Yet, as Solzhenitsyn discovered, many inmates did survive. He attributed survival inside the camps to a prisoner's

strength of character before he entered the system. The people who surrendered and died or became informers were those who "before camp had not been enriched by any morality or by any spiritual upbringing." Survival demanded a "steadfast faith" in the human spirit or in some religious ethic. People who had found meaning in life before becoming victims of the terrorists could put up with the worst conditions, while those without a philosophy of life surrendered to despair and died horrible deaths. For Solzhenitsyn, this was the lesson of the Gulag: Know how to live and you will survive any conditions within or without the camps.

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SEE ALSO: Concentration camps; Solzhenitsyn, Aleksandr; Soviet psychiatry; Stalin, Joseph; Torture.

# H

## *Ḥadīth*

**DEFINITION:** Traditions of the life and sayings of the Prophet Muḥammad

**DATE:** Developed during the seventh to ninth centuries

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The actions and decisions of Muḥammad, as related in the *Ḥadīth*, are seen as exemplary in Islamic ethics and are, in many traditions, legally binding in those instances in which there are not specific Quranic injunctions.

The first source of ethical guidance in Islam is the Qurʾān and its exegesis. One text, however rich, cannot supply guidance in the particulars of all matters, though, and so great importance usually is placed on the traditions of the actions and statements (way of life, or *sunna*) of the Prophet Muḥammad. The importance of *Ḥadīth* is further grounded in the Qurʾān, which enjoins the faithful to look to Muḥammad's example for guidance. There is a broad range of subjects of *Ḥadīth*, from those that have or are alleged to have mystical import, to those concerned with proper worship, to those that deal with the most everyday matters such as manner of dress.

There has also been a broad range of approaches to the use of *Ḥadīth*. In many Islamic legal traditions, *Ḥadīth* is second only to the Qurʾān in authority and is legally binding. Very often, it is seen as ethically regulative, especially in matters of worship but not always in more mundane matters. There has also been persistent critique of the use of *Ḥadīth* as innovative or unreliable, although such critique tends to be a minority position.

The question of which *Ḥadīth* to accept as authentic became a central concern in Islamic legal and ethical thought because the *Ḥadīth* could determine the community's acceptable range of behavior. Thus arose the science of analysis of *isnād*, the chain of transmission of *Ḥadīth* in which the authenticity and accuracy of each stage of the transmission is ex-

amined. The major collections of *Ḥadīth* were assembled in the ninth century, with the collections by Abū ʿAbdallāh Muḥammad al-Būkhārī and Abū al-Ḥusayn Muslim ibn al-Ḥallāj most often accepted as authoritative. The elections of *Ḥadīth* were at the core of the curriculum at many of the medieval *madrasas* (roughly equivalent to modern colleges). The importance of *Ḥadīth* was also a major impetus to serious, scholarly research into history in the Islamicate world, since the soundness of the chain of transmission of *Ḥadīth* cannot be determined without accurate facts about the history of the transmitters.

Many Sufis often employ controversial *Ḥadīth* with less concern for *isnād* than for transcendent or mystical meaning of the *Ḥadīth*. Ibn ʿArabī, for example, reported the *Ḥadīth* that God had revealed to Muḥammad that God was a hidden jewel, who created the world so that he could be known. Ibn ʿArabī then argued against the independent reality of the phenomenal world, which is merely a mirror of God.

*Thomas Gaskill*

**SEE ALSO:** Būkhārī, al-; Ghazālī, al-; Islamic ethics; Muḥammad; Qurʾān; Sharīʿa; Sufism.

## **al-Ḥallāj**

**IDENTIFICATION:** Persian mystic

**BORN:** c. 858, Tūr (now in Iran)

**DIED:** March 26, 922, Baghdad (now in Iraq)

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Al-Ḥallāj's life, his teachings in *The Tawasin* (early tenth century), and his execution and martyrdom were central to the development of Sufism.

Abū al-Mughīth al-Ḥusayn ibn Manṣūr al-Ḥallāj has often been called the martyr of mystical love, because he paid the highest price for his devotion to loss of the ego in pure, unconditional love of God. His burning desire for extinction of the self is reflected in



his verse, "Kill me, oh, my trustworthy friends." He is best known for proclaiming, in a state of mystical ecstasy, "*anā'l-ḥaqq*." *Al-ḥaqq* literally means "the truth" (often in the sense of "true reality"), but is also one of the names of God. *Anā'* is the first-person singular pronoun. This led many to interpret al-Ḥallāj as a pantheist (reading *anā'l-ḥaqq* as "I am God"), which led to his particularly gruesome execution. Al-Ḥallāj's surviving works and the work of Louis Massignon (*The Passion of Ḥallāj*) make clear that the charge was false. Al-Ḥallāj's calm and steadfastness in love of God throughout his execution ensured his later role in much of Sufism as a martyr. Following his execution, most of his disciples fled from Iraq to the more tolerant northeast, where they energized Khurasani and Central Asian Sufism.

*Thomas Gaskill*

SEE ALSO: Ahimsā; *Bhagavadgītā*; God; Moral status of animals; Nonviolence.

## Hammurabi's code

**IDENTIFICATION:** Set of 282 specific laws regulating the social and economic behavior of the people of Babylon

**DATE:** Established between 1792 and 1750 B.C.E.

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The code of Hammurabi was one of the earliest and most thorough attempts in history to set up a harmonious social order based on individual rights backed by the gods and the state.

Hammurabi (ruled c. 1792-1750 B.C.E.) was the sixth king of an Amorite (Semitic) dynasty ruling over the city-state of Babylon and one of the most important rulers of ancient times. He united all the city-states of Mesopotamia under his rule and, in time, created a huge empire. As an effective, pragmatic administrator, he desired to establish order by setting up standardized rules of moral conduct and ensuring that people would accept decisions made by courts rather than seek to avenge wrongs on the spur of the moment without restraint.

In order to establish a uniform system of justice and create something approaching universal law applicable to varying cultures from formerly indepen-

dent city-states, Hammurabi used existing laws and court decisions, and he added new laws as different situations arose. Earlier Mesopotamian law codes, antedating Hammurabi's code by one to three centuries, indicate that the great Babylonian king consulted precedent and that his code rested on a widespread ancient Near Eastern legal tradition. Three previous Near Eastern codes are the Code of Ur-nammu (founder of the third dynasty of Ur c. 2060 B.C.E.); the Code of Lipit-Ishtar (c. 1870 B.C.E.); and the Laws of Eshnunna (promulgated c. nineteenth century B.C.E.)

### INSCRIPTION

After all the laws and judgments had been collected, they were inscribed on several stelae, which were set up in public in various cities of the empire. Officials were appointed by the king to mete out the prescribed penalties to violators of the law.

A single copy of the Code of Hammurabi was first discovered in the winter of 1901-1902 at Susa, the capital of ancient Elam. The recovered stele is an eight-foot-tall block of black diorite. The upper part displays a relief, or carving, depicting Hammurabi receiving the commission to write the law from the god of justice, the sun god Shamash. This commission provided significant legitimization of the code by showing the world that the gods were behind the establishment of the code and that they desired, as well as expected, mortals to behave according to its principles. There is no hint in the code itself, however, of the concept of *imitatio dei* (the requirement to be holy because God is holy) as the rationale for moral behavior.

The inscription on the stele was divided into three parts: a prologue, the code itself, and an epilogue at the bottom of the stone slab. The epilogue added extra incentive for obedience by reinforcing the promise of rewards to those who obeyed the laws and punishment to those who disobeyed.

### ETHICAL PRINCIPLES

Hammurabi proclaimed that he issued his code on divine authority in order to "establish law and justice in the language of the land, thereby promoting the welfare of the people." The main ethical principle upon which the code rested was that "the strong shall not injure the weak." Individuals were not permitted to take the law into their own hands.

An important consideration for modern interpreters of the code, however, centers on how one defines such terms as “justice” and “injury to the weak.” One striking feature of the code is that it was not strictly egalitarian in its application of punishments; the law differed according to the social status of the offender. Aristocrats were not punished as harshly as commoners, and commoners were not punished as harshly as slaves. Still, slaves had rights and received some protection under the law.

The code also rested on the conviction that punishment should fit the crime. Like the Law of Moses in ancient Israel, Hammurabi's code employed the *lex talionis*, “an eye for an eye, and a tooth for a tooth,” and it may be the oldest law code in the ancient Near East to prescribe this system. It operated, however, only among equals. An aristocrat who destroyed the eye of a commoner or slave could pay a fine instead of losing his own eye. As long as the criminal and victim shared the same social status, however, the latter could demand exact retribution.

In an attempt to guarantee a fair trial and a just verdict, the code forbade a judge to change his verdict once a decision had been rendered. Any judge who did so was heavily fined and deposed. There were no public prosecutors in Hammurabi's day, so individuals brought their own complaints before the court and produced supporting documentation or witnesses. In cases of murder, the accuser had to prove the defendant guilty. Any accuser who failed to do so was put to death. This severe measure was designed to prevent frivolous, groundless cases from clogging the courts and wasting the time of defendants.

Hammurabi's code displays an understanding of the difference between accidental deed and malicious intent, but it does not seem to attach to this principle the same importance afforded it by the later Mosaic code.

### CIVILIZATION AND MORAL CONTINUITY

Hammurabi's code addressed what it considered to be unethical behavior in a wide variety of situations, demonstrating a significant moral continuity between ancient and modern civilization. The concept of strict accountability is evident in all the laws.

The code mandated consumer protection. Merchants and businessmen had to guarantee the quality

of their goods and services. No one was exempt. A house builder whose careless work resulted in the collapse of a house and the death of its inhabitants was himself put to death. A merchant who tried to increase the interest rate on a loan forfeited the entire loan amount. A surgeon whose patient died during an operation was executed. A surgeon whose patient lost an eye during treatment had his fingers cut off—a punishment that no doubt proved inconvenient to his future career.

Crime was a serious problem in Mesopotamian urban life, so the code ordered that exacting measures be taken against criminals. Burglars caught in the act were put to death on the spot. Anyone caught looting a burning building was thrown into the fire. Such penalties were intended to stamp out crime as well as limit the cycle of violence that sometimes resulted from private vengeance.

Hammurabi's code gave careful attention to marriage and family relationships. Proved adultery with a married woman incurred the death penalty for both participants. The wife was expected to be rigorously faithful, and the husband had virtually absolute power over his household. By the standards of the time, however, certain “rights” of women were set forth in this code for the first time. Husbands who abused their wives without cause had to pay a penalty in silver. If a wife proved herself innocent of charges of adultery, she could take her dowry and leave her husband.

There is debate over how often, if ever, the penalties and provisions of Hammurabi's code were actually carried out. Contemporary legal documents are scanty and silent on the issue, but there is no question that the code greatly influenced the behavior of the civilizations and the people of the Near East long after the fall of Babylonia. It provided the backdrop against which Moses revealed the law to Israel. The Law of Moses contains many similarities and parallels to Hammurabi's code. While it was not the first law code in history, the Code of Hammurabi was the most comprehensive in the world until the Byzantine emperor Justinian ordered the compilation of the *Corpus Juris Civilis* about 550 C.E.

Andrew C. Skinner

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SEE ALSO: Capital punishment; Constitutional government; Criminal punishment; Ethical monotheism; Hebrew Bible; Homicide; Jewish ethics; Law; Magna Carta; Moses; Ten Commandments.

## Hare, R. M.

IDENTIFICATION: English philosopher  
 BORN: March 21, 1919, Backwell, near Bristol, Somerset, England  
 DIED: January 29, 2002, Ewelme, Oxfordshire, England  
 TYPE OF ETHICS: Modern history  
 SIGNIFICANCE: In such works as *The Language of Morals* (1952), *Freedom and Reason* (1963), *Applications of Moral Philosophy* (1972), *Moral Thinking* (1981), *Essays in Ethical Theory* (1989), and *Essays on Political Morality* (1989), Hare attempted to argue that all moral judgments are commands rather than factual propositions, without sacrificing the normative force of such judgments.

R. M. Hare's moral theory, called "universal prescriptivism," was based on the idea that moral judgments are universalizable prescriptions. Like the noncognitivist, he stressed the commending or evaluating function of value statements. Therefore, at least

part of what it means to say "x is right" is "x is to be commended," or "one ought to do x." Hare also thought, however, unlike the noncognitivist, that moral statements are meant both to guide choices through a veiled appeal to universal principles and to assert on rationally testable grounds that something is the case. He agreed with G. E. Moore that naturalistic theories are fallacious but differed in his account of the reason for this.

Hare's work was one of the most eclectic efforts in contemporary moral philosophy, for his view had certain definite affinities with utilitarianism (in the idea that the basic human good is to maximize rational preferences that embody prescriptions), with existentialist ethics (in his suggestion that one makes a "decision of principle" when one chooses a particular action), with Kantian ethics (in connection with his universalizability thesis), and with emotivism (in his focus on the logic of the language of morals). On the practical side of moral philosophy, Hare showed an unusual philosophical interest in problems related to moral education and moral decision making.

R. Douglas Geivett

SEE ALSO: Cognitivism; Emotivist ethics; Existentialism; Kantian ethics; Language; Metaethics; Moore, G. E.; Ought/can implication; Prescriptivism; Unamuno y Jugo, Miguel de; Will.

## Harm

IDENTIFICATION: Physical or mental damage done to others  
 TYPE OF ETHICS: Theory of ethics  
 SIGNIFICANCE: An important consequence of wrongdoing, harm is often argued a necessary prerequisite to certain charges of wrongdoing or to set limits on the conduct that the state can legitimately criminalize.

The term "harm" in ethics, as in ordinary language, appears in both noun and verb form. Although vague, ambiguous, and reflecting contested value judgments, the term has a number of discernable meanings in ethics.

Use of the noun "harm" is typically limited to refer to any diminution from an entity's good, welfare,

function or well-being. To cause harm, one must at least cause such diminution. It is, however, often said that harm can only occur to something that not only has a good or function but is also sentient or has interests. Hence, one might harm a person or animal but one cannot directly harm (one can merely damage) a knife or tool. One might still cause harm in a derivative sense to a knife or tool, by damaging something that someone takes an interest in. Some also extend harm to refer nonderivatively to purported harms to certain inanimate entities like the environment. Persons employing such extensions almost always aim to invoke some of the moral objection that they view as warranted by harm to sentient beings.

In verb form, “harm” can be used minimally to mean simply to cause harm. In this sense, inanimate objects, natural events, and people engaging in nonobjectionable conduct can harm others. To say that one has harmed another in ethics is, however, often to make a more serious moral charge of wrongdoing. Hence, only appropriate subjects of moral criticism—such as persons, agents, or groups—can so harm another. To harm another in this morally laden sense, one must also typically negligently, recklessly, knowingly, or intentionally cause foreseeable harm to another by violating another’s rights. Hence, one cannot harm another, in this morally laden sense, by such actions as giving birth to someone who happens to undergo a traumatic death later in life, attempting but failing to cause harm, voting, benefiting from a contract freely entered into, or failing to return another’s love. One does not harm another in this sense by failing to provide a benefit where no special duty is owed.

#### JOHN STUART MILL’S HARM PRINCIPLE

Perhaps the best-known use of “harm” in ethics appears in John Stuart Mill’s harm principle, which asserts that the state can only legitimately criminalize conduct, or otherwise coerce individuals, to prevent them from harming others. In elaborating this principle, Mill explicitly excludes both purported moral corruption and offenses to others’ moral or religious sensibilities as relevant cases of harm. Others theorists have, however, used harm to include these latter phenomena and have thought that such harms must be taken into account when deciding what laws, norms or state actions are legitimate or good.

*Robin Bradley Kar*

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SEE ALSO: Collective guilt; Ethical Principles of Psychologists; Experimentation; Milgram experiment; Mill, John Stuart; *On Liberty*.

## Hart, H. L. A.

IDENTIFICATION: English legal philosopher

BORN: July 18, 1907, Harrogate, England

DIED: December 19, 1992, Oxford, England

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: Hart defended a distinctively modern version of legal positivism—the view that law can be accounted for in neutral sociological terms, without adverting to moral criteria.

H. L. A. Hart was the most influential Anglo-American legal philosopher of his generation and, arguably, of the twentieth century. He wrote on a wide range of topics, including punishment, the nature of obligation, the illegitimacy of criminally enforcing popular morality, and the role of excuses and causality in morality and law. He is, however, best known for his legal positivist account of what law is. Against natural law theorists, who believed that law is inextricably bound up with moral standards, Hart argued that there is no necessary connection between law and morality. Hart thought this separation critical for the meaningful moral criticism of law.

Drawing on advances in linguistic philosophy, Hart nevertheless argued that prior legal positivists—such as John Austin—who sought to offer similarly neutral, descriptive accounts of law had failed to distinguish between legal systems and situations of gunmen writ large. For Austin, law consisted in sovereign orders, habitually obeyed and backed by coercive threats, but such accounts fail to distinguish between following commands and being coerced. To cure this defect, Hart analyzed social rules as involving widespread attitudes (the “internal point of

view”) toward standards as offering both internal guides to conduct and grounds for criticizing deviations. To Hart, Austinian accounts of law also reduced too many phenomena to the criminal law model, thus obfuscating the way law allows people to vary their normative relations with one another—as in the law of contracts, trusts, and estates. Hart dubbed rules of the latter kind “power-conferring rules.”

For Hart, law is distinctive in that it combines primary rules of conduct with secondary, power-conferring rules, including a “rule of recognition,” which allows officials to identify the law. Law consists in the complex social situation in which a group of officials takes up the internal point of view toward a rule of recognition, which in turn specifies primary rules of conduct for citizens, who typically obey (for any number of reasons).

Hart later clarified that he is an inclusive legal positivist: Rules of recognition are social conventions that can require employing moral criteria. This clarification was meant to deflect Ronald Dworkin’s modern natural law criticisms—namely, that interpreting the law often involves employing moral standards. The clarification nevertheless exposed Hart to Joseph Raz’s exclusive legal positivist criticism that any such reference to moral criteria would prevent law from providing independent practical guidance, as law purportedly claims. That such prominent legal philosophers define their positions partly in response to Hart’s testifies to Hart’s continuing centrality to modern jurisprudence.

*Robin Bradley Kar*

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SEE ALSO: Ayer, A. J.; Comte, Auguste; Emotivist ethics; Language; Law; Negligence.

## Hartshorne, Charles

IDENTIFICATION: American philosopher and theologian

BORN: June 5, 1897, Kittanning, Pennsylvania

DIED: October 9, 2000, Austin, Texas

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Credited with reviving interest in religious ethics among philosophers, Hartshorne was a proponent of process theology—the theory that God is not an absolute but constantly changes in response to events affecting humanity. From his theories of religion, Hartshorne argued for a rational, relative view of ethics.

Despite his prolific publications, Charles Hartshorne was a little-known philosopher of theology. He challenged the traditional view of God as being omnipotent or omniscient while recognizing the existence of God. In more than twenty books and one hundred articles, Hartshorne argued that God suffered and celebrated with his creations as they traveled through life. Hartshorne found the origins of his theories in the work of Harvard philosopher Alfred North Whitehead for whom he worked as an assistant during the 1920’s.

Hartshorne is credited with reviving interest in religious philosophy. As a first step, he applied mathematics to develop sixteen proofs of the existence of God. Arguing that God existed placed Hartshorne beyond the mainstream of philosophers. He then postulated a dipolar view of God. At one pole, the abstract God is unchanging and absolute. The concrete pole is a God who perfectly suffers with his creations.

Late in his life, Hartshorne published many of the writings he had completed but stored away. One of these works was *Omnipotence and Other Theological Mistakes* (1984), which he published when he was more than eighty years old. Hartshorne also developed an expertise in ornithology, specializing in natural selection among birds. In *Born to Sing: An Interpretation and World Survey of Bird Song* (1973), he argued that some birds like to sing simply for the joy of it, even when not in mating season or when threatened.

Despite the volume of his writing, Hartshorne was troubled that his theories did not attract the attention of his peers. However, by the time he died in 2000, he was able to see that his theories were being debated in a reenergized discipline. His writings on



ethical issues, such as abortion, attracted less attention. These arguments were marked by rational, less emotional, views of ethical behavior.

*John David Rausch, Jr.*

SEE ALSO: Derrida, Jacques; God; Niebuhr, H. Richard; Niebuhr, Reinhold; Religion; Tillich, Paul; Whitehead, Alfred North.

## Hasidism

DEFINITION: Form of emotional Jewish mysticism originating in eighteenth century Poland

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Hasidism rejects an intellectual, scholarly model of religious practice and instead insists that true worship is simply the joyous recognition of the immanence of God in all of creation.

Modern Hasidism is based on the teachings of the eighteenth century Jewish leader Baal Shem Tov, who was born Israel ben Eliezer. His relatively uncomplicated message of joyful worship appealed to the predominantly uneducated peasant populations of eastern Europe. Many Jews abandoned the rabbinical, intellectual traditions of Talmudic study to embrace Hasidism's emotionalism. Hasidism stressed God's mercy, the goodness inherent in human beings, the universality of God leading to the spiritual unity of God and humanity, and the joyfulness of religious experience, which frequently found expression in music and dance.

Despite the opposition of Talmudists who, in 1781, pronounced Hasidism heretical, the popularity of the anti-intellectual movement peaked during the early nineteenth century. While less numerous in the twenty-first century, Hasidic communities remain an active force in modern Judaism, and Hasidism has broader influence in both the Jewish and gentile worlds principally through Hasidic composers, artists, and philosophers, including, notably, composer Ernest Bloch and Yiddish writer Isaac Bashevis Singer. Through the works of philosopher Martin Buber, Hasidism has also influenced twenty-first century life, notably, through the adoption of Buber's system of collective farming known as the *kibbutz*.

*Mary E. Virginia*

SEE ALSO: Buber, Martin; *I and Thou*; Jewish ethics; Kabbala; *Tzaddik*; Wiesel, Elie.

## Hate

DEFINITION: Personal or social antipathy toward others

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Hate is a primary cause of conflict between individuals, groups, and nations. Its moral status varies wildly in different contexts, from the Christian view that hatred is sinful to Friedrich Nietzsche's frank admiration of the great haters who brought about the slave revolt in morality.

Most people understand hate, or hatred, as an emotion felt by one individual for another that is characterized by animosity and sometimes is accompanied by the desire to see the hated person suffer. This highly personal understanding of hate is, however, relegated almost entirely to laypersons; scholars have given it not only moral but also metaphysical, sociological, psychological, and criminological significance.

To the early Greek philosopher Empedocles, hate was a metaphysical reality, one of two forces of change in the universe, the other being love. Empedocles explains all natural objects in terms of four basic material elements—fire, earth, air, and water—which combine and decombine in a cyclical process of production and decomposition. Love is responsible for the attraction between elements and for whatever order and stability the universe possesses. Love is in constant conflict with hate, its cosmic opposite. As the cycle of change unfolds, love is superseded by hate in its turn, and disorder and decay appear in direct proportion to the hate unleashed by the progression of this cycle. The universe is the scene of constant creation and destruction as the dyadic conflict between love and hate proceeds.

### SPINOZA AND NIETZSCHE

Baruch Spinoza gives hate a prominent place in his *Ethics* as a fundamental emotion and determinant of human behavior. People love what arouses joy in them, while they hate what arouses sorrow; likewise, one loves the person who "affects with joy a thing which we love" but hates him if "we imagine that he

affects it with sorrow.” Love and hate, the respective responses to joy and sorrow, are psychological constants in the deterministic natural order of which humans are a part, acting as the determinants of the nature of all relationships with others, whether they be individuals, classes of individuals, or entire nations. So strong are these emotions that one may hate an entire class or nation of people because one of its members has done one an injury. Hatred induces “anger,” the desire to injure those one hates; when one’s hatred and anger toward others are mutual and result in an injury being done to one, one develops the desire for vengeance against those who have injured one. Hatred also exists in other forms—“indignation,” hatred of those who injure others, and “envy,” hatred of another’s good fortune.

For Friedrich Nietzsche, hate exists primarily as *ressentiment* (resentment), the vengeful, jealous hatred that reveals the weakness of those who perceive their own self-respect to be threatened by their superiors. The early Christians resented the Romans because of their paganism and their power. Resentment is what was directed by the “herd,” the masses of nineteenth century Europeans, who were bound to one another by mediocrity and conformity, against the noble individual who dared to be different, who determined for himself what his values would be, and who used the life-giving energy provided by his animal instincts to create a superior life characterized by the mastery of those instincts. Consequently, resentment of others, according to Nietzsche, is beneath the dignity of the noble man; if he does experience hatred, it spends itself quickly and is over before it “poisons” him. Hatred festers in the souls of the weak and powerless, who spend whatever creative energies they possess cultivating plans for revenge.

The Nietzschean view of hatred as a psychosocial phenomenon is reflected in the attitudes of twentieth century thinkers, who have made it the object of not only philosophical reflection but also psychological, sociological, and criminological research. Samuel Tenenbaum, in *Why Men Hate* (1947), adopts a distinctly Nietzschean view of hatred: “Hate warps and stultifies the soul. It consumes the individual and fills him with suspicion and distrust. . . . The world becomes a giant conspiracy, where men and women, instead of living normal lives, connive and plot.” The twentieth century saw hatred erupt as animosity to-

ward various racial, ethnic, and religious groups, often culminating in open warfare.

### OTHER VIEWS

Jeffrie Murphy, in *Forgiveness and Mercy* (1988), acknowledges several varieties of hatred: simple hatred, which is dislike for someone for some “non-moral objectionable quality,” such as being a bore; moral hatred, which consists of hatred of someone because of the person’s association with an immoral cause, such as Nazism; and, finally, malicious hatred, which consists of the desire to injure another for the purpose of gaining some competitive advantage. Only the last variety of hatred is morally objectionable, but Murphy also argues for the existence of “retributive hatred.”

Retributive hatred is hatred that is motivated by justifiable anger over an unjustifiable wrong, for which the wronged party rightfully expects and is entitled to some form of retribution. No matter how justifiable it is, however, Murphy does not favor acting upon retributive hatred. Moral humility demands that one recognize one’s own limitations of knowledge and virtue, lest one’s hatred drive one to excessive vengeance. In addition, retribution is often either impossible or too costly, and one’s own moral decency imposes constraints upon one’s desire for revenge. For these reasons, although retributive hatred is a proper response to a genuine wrong, it can be dangerous and should be subjected to “reflective restraint.”

Barbara Forrest

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SEE ALSO: Bigotry; Cruelty to animals; Genocide, Frustration-aggression theory of; Hate crime and hate speech; Hitler, Adolf; Racism; Revenge; Sexual stereotypes.

## Hate crime and hate speech

**DEFINITION:** Criminal acts and offensive speech directed against individuals because of their race, ethnicity, religion, sexual orientation, or other group affiliations

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** The impact and control of hate crimes and hate speech have become significant public policy concerns and raise a variety of ethical questions that may not be obvious.

Since the early 1980's, nearly every U.S. state has passed some type of hate-crime law, and many local governments and other agencies (especially schools and universities) have attempted to regulate hate speech in some manner. These laws and regulations have engendered several important ethical issues. One issue that has arisen is the question of what kinds of groups should be included within hate-crime and hate-speech protections. Although categories such as race, ethnicity, and religion are virtually always included, there has been considerable debate over other categories, such as those pertaining to sexual orientation and gender.

By 2003, approximately sixteen states had hate-crime laws that did not include crimes committed on

the basis of sexual orientation. In addition, one of the primary impediments to the enactment of federal hate-crime legislation has been the question of whether to include sexual orientation. This is a significant issue because research has shown that sexual-orientation-based crimes are almost as common as those based on race and religion. Critics, however, assert that including sexual orientation in hate-crime laws will amount to an official government endorsement of homosexuality, which they oppose because they believe that homosexuality is morally or spiritually wrong. On the other hand, proponents of inclusion claim that when laws address other kinds of bigoted acts but not those motivated by sexual orientation, they send the implicit message that violence against gays and lesbians is acceptable.

By late 2003, gender was included in the hate-crime statutes in nineteen states. Opponents of inclusion have voiced several concerns. Among other things, they claim that gender-based violence is significantly different in character than crime based on categories such as race and religion, and some fear that if all cases of sexual assault and domestic violence eventually become hate crimes, that development will obscure other kinds of bigotry. Conversely, other critics claim that crimes against women will no longer receive adequate attention if they are subsumed under the rubric of hate crime. However, those who wish to include gender claim that these concerns are unwarranted, and that gender-based crimes are very much like those based on more traditional hate-crime categories.

Aside from questions about which groups to include in hate-crime and hate-speech protections, the other major ethical dilemma that has arisen is how to protect people from violent or offensive attacks, while at the same time protecting the freedoms of expression and association. For example, should college students be permitted to hang Confederate or Nazi flags in their dorm windows if other students find such displays offensive? Should there be efforts to regulate the content of Web sites created by white supremacist and other extremist groups? Should people be punished for burning crosses? Answers to such questions are not obvious, and the questions have inspired both debate and legal controversies.

*Phyllis B. Gerstenfeld*

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SEE ALSO: Bigotry; Genocide, frustration-aggression theory of; Genocide and democide; Hate; Homophobia; Ku Klux Klan; Lynching; Racism; Sexual abuse and harassment; Violence.

## Head Start

IDENTIFICATION: Comprehensive U.S. developmental program of educational, social, and health services for disadvantaged children

DATE: Founded in 1965

TYPE OF ETHICS: Children's rights

SIGNIFICANCE: Head Start was designed to break the cycle of poverty by enabling children from low-income families, as well as their parents, to improve their intellectual development, self-esteem, and physical and mental health.

Created as a result of the Economic Opportunity Act of 1964, Head Start emerged as a social-action program at a time in history when social and political forces, as well as intellectual traditions in the social sciences, had begun to focus on the problem of poverty. The program developed out of the civil rights era and the War on Poverty, the revival of scientific interest in the role of the environment in human development, and the design of educational-intervention efforts for economically disadvantaged children. The lines of its development converged amid an alliance of child-development experts and social policy makers, under whose auspices Head Start grew from an idea to a proposal and finally to an active program. Head Start provides a broad range of services to children and their families. Play, group, and individual

activities with both direct and indirect instruction are offered, as well as medical and dental care.

*Genevieve Slomski*

SEE ALSO: Bilingual education; Child labor legislation; Children's rights; Children's television; Godparents; Moral education; United Nations Declaration of the Rights of the Child.

## Health care allocation

DEFINITION: Distribution of health care resources to specific areas and to certain individuals in need of particular procedures

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: Health care allocation raises questions of societal obligation and individual rights to health care, as well as values inherent in specific treatment choices.

The allocation of scarce resources is an issue central to every political party, every government, and every organization and company. Whether to allocate 2 percent or 10 percent of the gross national product to health care, rather than defense, or education, or housing, or whatever other particular need is most pressing, is a decision that is central to the type of government and the values of those in power. Once a health care budget is established, the choices become progressively less global and more oriented to the individual recipient of health care. Although the values inherent in the original budget decisions can still be found, they are often less visible than the physician's personal opinions or the assessment of medical or social utility found in specific allocation decisions. Certain salient issues include the need to balance ethical concerns with economic realities, the need to allocate scarce health resources, the call for heightened accountability, and the impact of various policies on vulnerable populations.

### MACRO- vs. MICROALLOCATION

Are patients individuals or members of populations? Should health care be regulated as part of the public good? Given a set amount of resources—funding, personnel, equipment, and so forth—to dedicate to health care, a particular system must then

determine the allocation to different areas of health care. Preventive medicine, health care promotion, research, medical education, the physical establishment of new facilities, and technological advancement all compete for resources dealing with the treatment of injured and ill patients. This system-wide form of decision making, along with the initial allotment of resources, is usually considered macro-allocation. The macro level concerns the scope and design of basic health care institutions: the delivery and financing of personal medical services that comprise acute care, including the system of high-technology hospital and clinic, support staff, research institutions, and public health programs involved in prevention.

Macro decisions generally determine the kinds of health care services that exist in society, who will receive them and on what bases, who will deliver them, and the distribution of financial burdens. In contrast, the individual determination of eligibility for a given procedure or selection of patients for treatment is called microallocation. Allocation in general is inextricably linked with societal and individual perceptions of justice. A society that considers inequities in health to be unjust, as opposed to unfortunate, will allocate a proportionately greater amount of its resources to mitigate health differences. If a society deems it a pity but not unjust that some people enjoy better health care than others, it will not feel such a societal obligation to correct these differences.

### **THEORIES OF JUSTICE**

Distributive justice establishes principles for the distribution of scarce resources in circumstances in which demand outstrips supply and rationing must occur. Needs are to be considered in terms of overall needs and the dignity of members of society. Aside from the biological and physiological elements, the social context of health and disease may influence a given problem and its severity. Individual prejudices and presuppositions may enlarge the nature and scope of the disease, creating a demand for health care that makes it even more difficult to distribute scarce resources for all members of society. Principles of fair distribution in society often supersede and become paramount to the concerns of the individual. Questions about who shall receive what share of society's scarce resources generate controversies about a national health policy, unequal distributions of

advantages to the disadvantaged, and rationing of health care.

Similar problems recur with regard to access to and distribution of health insurance, medical equipment, and artificial organs. The lack of insurance as well as the problem of underinsurance constitutes a huge economic barrier to health care access in the United States. Tom L. Beauchamp and James F. Childress have pointed out that the acquired immunodeficiency syndrome (AIDS) crisis has presented dramatic instances of the problems of insurability and underwriting practices, where insurers often appeal to actuarial fairness in defending their decisions, while neglecting social justice. Proposals to alleviate the unfairness to those below the poverty line have been based on charity, compassion, and benevolence toward the sick rather than on claims of justice. The ongoing debate over the entitlement to a minimum of health care involves not only government entitlement programs but also complex social, political, economic, and cultural beliefs.

Decisions concerning the allocation of funds will dictate the type of health care that can be provided for which problems. Numerous resources, supplies, and space in intensive care units have been allocated for specific patients or classes of patients. A life-threatening illness, of course, complicates this decision. In the United States, health care has often been allocated by one's ability to pay rather than other criteria; rationing has at times been based on ranking a list of services or one's age. There are several theories of justice with regard to health care, some of which overlap, and others of which have different possible methods of distribution applicable to the overall concept. Three of the most general theories are the egalitarian, the libertarian, and the utilitarian.

### **EGALITARIAN THEORIES**

Egalitarian theories of distributive justice advocate either the equal distribution of goods and resources to all people or the provision of equality of opportunity in obtaining care. Equal distribution has the major drawback of ignoring differences in health needs in a given population. For example, treatments appropriate to reasonably healthy individuals would certainly not be appropriate for people with diabetes or epilepsy, much less kidney disease or cancer.

Equality of opportunity emphasizes distribution of resources in accordance with what each individual



person needs in order to function at a “normal” level. “Normal” in this sense is usually taken to mean that level that is species-typical. The assumption made is that no one should be denied medical treatment on the basis of undeserved disadvantaging properties such as social class, ability to pay, or ill health. The questions of what constitutes need and what constitutes an undeserved disadvantage, however, make the application of this theory very complicated. For example, does a person with a disfiguring feature, such as a birthmark or scar, need to have plastic surgery in order to enjoy the same social benefits as others?

Problems also arise when a particular system does not have enough resources to provide for all. At what level is it necessary to provide these resources? The range goes from the treatment of common diseases and injuries to the provision (at least theoretically) of heart and liver transplants to anyone who shows a need.

#### LIBERTARIAN AND UTILITARIAN THEORIES

Libertarian theories of justice, when applied to health care, challenge the concept of health care as a right. If something is a right, society has an obligation to provide it to all people. Libertarians contend that justice results from allowing a society to participate in voluntary exchanges to obtain what they need; in other words, a free-market economy. A person is entitled to health care in proportion to his or her ability to exchange that which has been rightfully acquired. Any redistribution of resources, such as taxing the wealthy to fund health care for the poor, is inherently unjust, because it denies the wealthy the right to use that which they fairly gained. These theories tend to ignore the fact that extreme wealth can give the rich the power to deny the poor the ability to exercise their rights freely.

Utilitarian theories focus on the principle of the greatest good for the greatest number. If  $x$  dollars could provide food for fifty starving people or open-heart surgery for one, that money should be devoted to food. Utilitarians think that the government is responsible for enacting laws that promote the general public’s happiness and that the legislature is responsible for inducing people to act in socially desirable ways through a system of incentives and disincentives. They feel that the law should focus on equality of opportunity for all people and that property rights should be protected because the security of property

is crucial to attaining happiness. The problem with utilitarian systems in general is that they tend to lose sight of the individual in favor of the entire population as a whole.

#### TWO-TIERED SYSTEMS

Many modern health systems are the results of a two-tiered philosophy. On the first level, a minimum of health care is provided to every person in a society, without regard to wealth or class. On the second level, goods are obtained on the basis of individual decisions and ability to pay. This is usually considered a fair compromise in the United States’ health care system. Debate will always exist regarding where the tiers separate, and what decent minimum should be provided for all. There is a lack of consensus on principles for allocating resources.

*Margaret Hawthorne*

*Updated by Marcia J. Weiss*

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SEE ALSO: Acquired immunodeficiency syndrome (AIDS); Ageism; Cost-benefit analysis; Distributive justice; Holistic medicine; Illness; Medical bills of rights; Medical ethics; Medical insurance.

## Hebrew Bible

**IDENTIFICATION:** Foundational scripture for Judaism and the basis for the Christian Old Testament

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The ethics of the Hebrew Bible are bound up in the sacred story of the ancient Israelites, in which divine implications are at the heart of social actions. Ancient Israelis saw themselves as God's family, a metaphor that forms the basis for ethics in the three Abrahamic monotheisms, in which human beings are socially responsible as well as individually free. The primary ethics of ancient Israel are social justice and mercy, which are indivisible with the commandment to love God unconditionally.

In the religion of the Hebrew Bible, human beings are socially responsible and free to choose. In many religious traditions, the human drama is only part of the vast cosmos. In biblical religion, however, human history is the divine arena and human social action is the center of meaning. At the heart of the concept of monotheism is a god who is intimately related to the acts and feelings of human beings; thus human ethics comes to surpass the sacrificial model of worship. The Hebrew Bible, or Tanakh, is the foundational scripture for Judaism, which became the Old Testament for Christians, and which was also one of the major influences on the formation of the Qur'ān, the sacred text of Islam.

The three Abrahamic monotheisms—Judaism, Christianity, and Islam—ground their ethical assumptions and challenges in a familial relationship between the biblical god and his people. The biblical story is basically one of family, and from these family dynamics, the central characteristics of biblical ethics is formed.

The Hebrew Scriptures, treated devotionally as a single text, constitute a collection, or library, that extends over a millennium of events, ideas, and literary forms. Tanakh is an acronym for the three categories of books in the Bible: Torah, law; Nebiim, prophets; and Kesubim, writings. Each of these categories—law, prophets, and writings—exemplifies a key element of biblical ethics. They can be characterized in these ways: Ethics in Torah is embedded in the narratives of the patriarchs, in the covenantal relationship that ensures devotion to god and to fam-

ily. Ethics in the Prophets is also twofold: devotion to god and social responsibility as worship. Ethics in the writings, in particular the wisdom writings, is also grounded in devotion to god, but without the emphasis on expectations for god's intervention in history, or divine meaning in family or ethnic histories.

### TORAH: THE ANCIENT STORIES

Torah is made up mostly of three cycles of stories: tales of the origins of Earth and people; founding tales of the patriarchs, Abraham, Isaac, and Jacob; and the story of the Exodus, the return of the people from slavery to the promised land of Israel. These cosmogonic tales—or myths of origin—generate the basis of biblical ethics, that worship is based in a covenant, or contract, of loyalty toward god and enacted in family or community. Throughout the stories runs a deep thread of human frailty and God's judgment and forgiveness. Some of the ancient stories, particularly in Genesis or Judges, would be difficult to comprehend ethically if they were not understood in the context of the uncompromising devotion to the god of Israel and human relationships as the echo of that devotion to the divine. Otherwise, stories such as the sacrifice of Jephthah's daughter (Judges 11), or even the testing of Abraham (Genesis 22), would make little sense to modern readers.

### RITUAL AND ETHICAL LAW CODES

Attached to these sacred stories are law codes, such as the pre-monarchial (before the tenth century B.C.E.) Covenant Code (Exodus 20:22-23:33), perhaps the oldest set of biblical laws, in which appears the "eye for eye, tooth for tooth" sense of justice. It has many parallels to the Code of Hammurabi of the Babylonians. These are case laws (casuistic law), or specific legal questions with an if/then form:

When a man seduces a virgin who is not engaged to be married, and lies with her, he shall give the bride-price for her and make her his wife. But if her father refuses to give her to him, he shall pay an amount equal to the bride-price for virgins (Exodus 22:16-17).

Although women had some protections under Israelite law, the laws favored patriarchal values—women were subject to the authority, or even owner-

ship, of men. Nevertheless, the Covenant Code also reveals compassion for widows, orphans, servants, outsiders, and even beasts. The Deuteronomic Code (Deuteronomy 12-26) is perhaps the “Book of the Law” referred to as discovered in the temple during the reign of Josiah (622 B.C.E.), setting off a reform including centralized worship in Jerusalem. The Holiness Code in Leviticus (17-26) is a priestly concern that lists prohibitions on worship, on sex and daily life for individuals to keep the people of Israel pure, in order to set them apart from their neighbors, the Canaanites. Thus, their purity is bound up also in exclusivism.

### TEN COMMANDMENTS (DECALOGUE)

The law codes collected in Torah are attributed traditionally to Moses, the deliverer of his people from Egypt. The Decalogue in particular is tied to a story of Moses ascending the Mountain of God and receiving two tablets of law written by the finger of God. According to the story, Moses descended the mountain only to find his people worshipping a golden calf. Enraged, he smashed the tablets, then ground the golden calf to powder, mixed it with water, and made the people drink it. He then ascended the mountain again, and God again prepared two tablets of law.

It is notable that the story emphasizes the violation of cultic regulations rather than social morality. These apodictic, or unconditional, laws of the Decalogue cover the two crucial aspects of ancient Israelite life: the way to worship God (religious obligations) and the way people should treat one another. Often the Decalogue is emblematic for universally accepted moral behavior; however, the religious obligations belong to a particular way of conceptualizing the divine, and the social obligations may have left room for ownership of human beings in their ancient forms. Modern traditions have shifted their ways of reading the laws or their understanding of the ancient laws. For example, the commandment against killing may have originally been a law forbidding murder of a member of one’s own community, but not forbidding the killing of outsiders, as in warfare. Not only is it difficult to determine what it may have meant historically, modern communities are divided about what the law means for moral behavior today.

### THE PROPHETS

Ancient Israel conceived of ultimate reality as a family relationship, of God as father or husband, and the people as wayward sons or unfaithful wives. Around 750 B.C.E., Amos went to the northern kingdom of Israel to utter profound oracles spoken with the authority of Yahweh (God). Amos claimed that Yahweh had said, “I hate and despise your feast days,” meaning that cultic regulations were not sufficient for worship. Instead, he said, “Let justice roll down like waters, and righteousness like a mighty stream.”

Amos’s words became a touchstone for Martin Luther King, Jr., as he cited them in his “Letter from Birmingham Jail,” marking the Civil Rights movement. Thus, beginning with Amos, the writing prophets (Nebiiim), insisted that worshipping God was embedded in moral behavior toward one another. Some of the prophets, notably Hosea, were equally interested in cultic purity, the exclusive worship of Yahweh, uncontaminated by the symbols and practices of the gods of the neighbors—including some Israelites who practiced religion outside the parameters of pure Yahwism.

### WISDOM LITERATURE AND STORIES

Two sorts of wisdom writings are represented in the biblical canon: conventional wisdom (such as found in Proverbs), which tends to be practical and answers questions about human behavior, and speculative wisdom (as found in Ecclesiastes), which raises questions about human meaning. The Book of Job is the masterpiece of speculative wisdom; it is an ethical departure from the major thrust of biblical moral principles, as wisdom in the Book of Job is not concerned with Israel’s history or God’s intervention in human affairs; rather, the wisdom writings of the sages is concerned with a search for the moral order of the natural world.

The concern with God’s justice, called theodicy, asks, why is there suffering? Beginning with a folk-tale form, God and Ha-satan (who is a servant of God in this book) hold a contest over Job’s unswerving loyalty to God. Everything is stripped from Job: his riches, his animals, his children (who are marks of his wealth, the blessings that had been heaped upon him), even his health. His friends make the case that Job must have caused the misfortune. However, Job was a blameless and upright man.

Job angrily accuses God, demanding an explanation. God answers out of the whirlwind, with startling, poetic grandeur. He does not justify his ways to humanity, but rather the God of Job is beyond human reason and justification. The poem places God as the maker of nature rather than the maker of social justice. It is likely that the conclusion to Job, in which he gets all his wealth restored and more, is a pious addition to a troubling wisdom writing suggesting the mysteries of God are beyond the realm of the social good.

Stories and rituals, which may seem on the surface to have little to do with ethics and morality, are the source and sustenance of a biblical worldview that posits a god who acts in history for the moral benefit of humans, and humans, whose historical activities have metaphysical meaning. Ethics arise from social order, ritual protections, and the deep stories (or myths) that illuminate those social and ritual activities. Sacred story in the age of the patriarchs is the basis of biblical ethics; social ethics in the age of the prophets is a means to worship.

Lynda Sexson

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influence on contemporary social attitudes and behaviors.

SEE ALSO: Jewish ethics; Talmud; Ten Commandments; Torah; *Tzaddik*.

## Hedonism

DEFINITION: Philosophical belief that pleasure is the highest good

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Classical hedonism and its descendants are full-fledged philosophical systems that argue that the rational pursuit of pleasure as the greatest good is a positive moral virtue. Hedonism can also name the rejection of rationality and constraint and the unfettered license of desire. This latter practice is commonly thought of as either immoral or amoral.

From the Greek word *hīdonī*, meaning “pleasure,” hedonism is the ethical theory that maintains that pleasure is the highest good. The term is also sometimes used to refer to the psychological theory that all human behavior is motivated by the desire for pleasure or the avoidance of pain. This second view is properly designated “psychological hedonism” (a theory about the way things *are*) in order to distinguish it from ethical hedonism (a theory about the way things *ought* to be or about what things are good). The English philosopher Jeremy Bentham, in his *Introduction to the Principles of Morals and Legislation* (1789), espoused both of these views when he wrote, “Nature has placed mankind under the guidance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do.”

#### PSYCHOLOGICAL HEDONISM

Many ethical hedonists point to the purported fact of psychological hedonism in support of their ethical position, but is it a fact? Only if an adherent admits the possibility of a human action not being motivated by the desire for pleasure can psychological hedonism be a factual or empirical claim. Since the adherent cannot admit an exception because he or she equates motivation with desire for pleasure, however,

then the claim is not a factual one; it provides no information.

Philosophers opposed to hedonism have noted that persons who deliberately seek pleasure fail to find it, while, paradoxically, they find pleasure when they seek other things as their end and obtain those other things. This has been called the “hedonistic paradox.”

Further, if psychological hedonism is true and all human actions *are* motivated by a desire for pleasure, then the ethical hedonist’s admonition that people *ought* to seek pleasure is unnecessary.

Ethical hedonists also support their position in other ways. One of these is by claiming that hedonism is true by definition. Examples of this approach can be seen in John Locke, who defined “good” as that which “is apt to cause or increase pleasure,” and in Baruch Spinoza, who defined it as “every kind of pleasure.” John Stuart Mill has also been said to define “good” as the “desirable” and the “desirable” as what is desired, which happens to be pleasure.

This definitional approach is criticized by those who insist that there are things other than pleasure that are intrinsically good and some pleasurable things that are intrinsically bad. Further, G. E. Moore has argued that such attempts to define “good” commit the naturalistic fallacy; that is, they purport to define the indefinable, especially to define a moral entity in terms of a natural one.

### THE ANCIENT GREEKS

Aristippus founded an early school of hedonism known as the Cyrenaics, so named for his birthplace, Cyrene. This Greek philosopher, a follower of Socrates, claimed that one’s way of life should be one of as much pleasure as possible, even if followed by pain, but that one should maintain control of the pleasures as opposed to being a slave to them.

The Greek philosopher Epicurus on the contrary, maintained that practical wisdom weighs pleasures against pains, choosing pleasures that are accompanied by the least pain and pains that are accompanied by the most pleasure. Mental pains were especially to be avoided. The Epicureans believed that the fear of death or fear of the gods could be dispelled by the study of atomistic philosophy.

### MODERN ENGLISH PHILOSOPHERS

Bentham supported his quantitative hedonism (that is, one that claims that all pleasures are sensual

and hence comparable quantitatively) with a “hedonistic calculus.” The calculus allows the computation of specific values of pleasures in terms of their intensity, duration, certainty (how likely to be realized), propinquity (nearness or remoteness), fecundity (likelihood of being followed by more pleasures), purity (chance of *not* being followed by pain), and extent (number of persons affected by them). Bentham provided his students with a ditty to help them remember:

John Stuart Mill, Bentham’s young friend and protégé, rejected Bentham’s quantitative hedonism for a qualitative one, holding that pleasures differ in kind as well as quantity. “Human beings have faculties more elevated than the animal appetites, and when once made conscious of them, do not regard anything as happiness which does not include their gratification.” “Better to be a human being dissatisfied than a pig satisfied; better to be a Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, are of a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides.”

Mill, in his attempt to raise hedonism from the level of a “pig philosophy,” may have espoused a view that abandoned hedonism. If the amount of pleasure ceases to be definitive, and if the only judges qualified to make qualitative judgments must exercise “higher-than-pig” judgments, it seems that Mill is guilty of either circular reasoning (with respect to his choice of judges) or of introducing criteria other than pleasure as being intrinsically good (in his appeal to qualitative differences).

Hedonism has had a long and continuing history in varied forms. As long as philosophers and others ask questions about what is intrinsically valuable or good, hedonism will no doubt remain a popular answer.

Ruth B. Heizer

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SEE ALSO: Bentham, Jeremy; Cyrenaics; Epicurus; Existentialism; Good, the; Human nature; Sidgwick, Henry; Utilitarianism.

## Hegel, Georg Wilhelm Friedrich

**IDENTIFICATION:** German philosopher  
**BORN:** August 27, 1770, Stuttgart, Württemberg (now in Germany)  
**DIED:** November 14, 1831, Berlin, Prussia (now in Germany)  
**TYPE OF ETHICS:** Politico-economic ethics  
**SIGNIFICANCE:** The author of *The Phenomenology of Spirit* (*Die Phänomenologie des Geistes*, 1807) and *The Philosophy of Right* (*Grundlinien der Philosophie des Rechts*, 1821), Hegel was one of the most influential philosophers of the nineteenth century. He put forward an idealist teleological model of history in which all of reality was coming to know and understand itself, and history would eventually end in a world of absolute knowledge, perfect justice, and total social harmony.

Georg Wilhelm Friedrich Hegel's central ethical beliefs include a moral requirement of each person to recognize fully each other person's unique dignity and contribution to the social totality, and the insight that freedom is a property of societies rather than individuals, so that until everyone is free, no one is

truly free. The political and ethical dimensions of his philosophy grow out of his understanding of mind and dialectic.

In Hegel's philosophy, mind (*Geist* in the original German) is defined as "absolute consciousness." "Absolute," in this usage, means "absolved" of relations to objects outside consciousness. As absolute consciousness, mind is consciousness of consciousness itself. The opposite concept, "relative consciousness," is so called because it relates to objects outside itself.

### LOGIC AND DIALECTIC

Logic is traditionally understood to consist of unchanging rules that govern thought. Hegel's logic is different. He sees the rules of thought in terms of mind as absolute consciousness. Absolute consciousness, as Hegel understands it, is a process in which mind continuously realizes itself, moving from potential to actual self-knowledge. The laws of thinking that concern Hegel are the steps in this process. The resulting "logic in motion" is called dialectic. It proceeds in a three-step pattern that repeats itself, in spiral form, on ever-higher levels of consciousness.

Hegel's philosophy is known for its difficulty, but anyone who has entered a hall of mirrors can retrace the basic steps of Hegelian dialectic:

Step 1: I become conscious of some object outside my consciousness, for example a stone.

Step 2: I become conscious of my consciousness of the stone.

Step 3: I become conscious of self-consciousness in my consciousness of my consciousness of the stone.

Step 1 (repeated at higher level): The consciousness of self-consciousness just realized becomes the new object of my consciousness. What was consciousness is now distanced from it, no longer consciousness in immediacy, but its object.

Step 2 (repeated at higher level): I become conscious of my consciousness of this new object.

Step 3 (repeated at higher level): I become conscious of self-consciousness in my consciousness—and so on.

The self-consciousness that keeps appearing in this spiral of self-reflection is occasioned by an object outside consciousness (the stone) but is not dependent on it as a specific object. Any other object would do as well. This self-consciousness is also oc-

caused by an individual “I” but is not dependent on any specific person. Anyone will do. Consider the hall of mirrors. Each individual sees his or her own image reflected, but the pattern of reflection, determined by the mirrors and the unchanging laws of optics, remains the same no matter who is reflected. Consciousness of consciousness always has the same form and content, regardless of which specific individual happens to be “reflecting.”

The pure self-consciousness that appears in this spiraling reflection is the phenomenon Hegel refers to when he speaks of mind. The highest level of consciousness occurs when the individual becomes conscious of the universal aspect of this pure self-consciousness, recognizes it as mind, and realizes that this recognition is not so much an individual recognizing mind as it is mind recognizing itself. The individual is an instrument used by mind to come to itself.

The spiraling steps of Hegelian dialectic have names. The first is called “thesis,” the second “antithesis,” and the third “synthesis.” The movement continues as the synthesis becomes the thesis of the next dialectical round.

Thesis and antithesis oppose but do not destroy each other. The synthesis conserves their opposition at a higher level of awareness, in which the condition that held thesis and antithesis together in opposition is discovered to be their underlying unity.

This can be illustrated by reconsidering the stone used above as an example of an object “outside consciousness.” This object is not left behind in the dialectical steps that follow, but is taken along. What changes is the perception of its nature. At a higher level—from the point of view of absolute consciousness—it is seen that the stone did not enter consciousness through the individual’s sense perception, but was in the consciousness from the beginning. What really happened—again, from the Hegelian position of absolute consciousness—is that mind concealed or negated itself with respect to the stone so that the individual consciousness could discover it as an object outside its own consciousness, thus occasioning the dialectical process of progressively greater self-consciousness, in which mind comes to itself.

Ultimately, for Hegel, nothing is truly outside absolute consciousness: All that is, is mind. This is the fundamental tenet of German idealism.

## PHILOSOPHY OF HISTORY AND POLITICAL PHILOSOPHY

The dialectical process in which mind realizes itself as absolute consciousness is, for Hegel, not an abstract principle. It is the meaning of history. Hegel’s concept of history is Eurocentric. He believed that history realized itself more perfectly in Europe than elsewhere. Western history begins, Hegel taught, with the Judaic teaching of monotheism, the first awakening of mind to its own oneness. The rest of Western history is interpreted as a process in which mind achieves progressively higher levels of self-awareness, finally approaching full development in Germanic civilization, Hegel believed, the first to completely exclude slavery and conceive of universal freedom.

The bloody French Revolution and slavery in the United States convinced Hegel that democracy would not lead to freedom. History, as the increasing self-realization of mind, must lead to ever-increasing freedom—not for individuals to pursue happiness, but for the state to institute laws integrating culture, religion, and politics into a rational, harmoniously functioning national unity.

Hegel’s philosophy influenced conservative and revolutionary political theory. Hegel used it to justify the Prussian State (a centralized monarchy, enlightened, perhaps, in comparison to others, but an authoritarian regime with police-state tactics all the same). His philosophy also, however, provided the background for the theory of socialistic democracy developed by Karl Marx.

*Ted William Dreier*

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SEE ALSO: Alienation; Bradley, F. H.; Existentialism; Idealist ethics; Ideology; Marx, Karl; *Phenomenology of Spirit*; Tragedy; Work.

## Heidegger, Martin

IDENTIFICATION: German philosopher

BORN: September 26, 1889, Messkirch, Germany

DIED: May 26, 1976, Messkirch, West Germany

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Heidegger's philosophy, espoused in his *Being and Time* (*Sein und Zeit*, 1927), subsumed the discipline of ethics wholly within the discipline of ontology, or the study of being.

Martin Heidegger studied at the University of Freiburg under Edmund Husserl, whom he succeeded as professor of philosophy in 1928. For Heidegger, the basic questions of ethics, such as "What is good?" and "What is it that one ought to do?" are subsumed in the prior ontological question "What is?" Heidegger found, however, that the traditional formulation of the ontological question "What is being?" failed to explicitly thematize the dimension of *meaning*. The leading question in Heidegger's thought, as opposed to traditional ontology, became "What is the *meaning* of being?" The Greek words used by Plato and Aristotle that are commonly translated as "being" and "truth," had meanings, Heidegger showed,

that had been neglected by the tradition. The Greek words for being (*einai*, *ousia*) mean "presence"; the central word for truth (*aletheia*) means "discovered."

Discovering these early meanings for being and truth marked the beginning, not the end, of Heidegger's search for the meaning of being. Why was "presence" the first name for being in the Western tradition? Had not this tradition always taught that "presence" was a mode of time, and that being was essentially timeless, outside the real of history? Is time the original and necessary context for asking about the meaning of "being?" This final question was the question of *Being and Time*, Heidegger's first major publication.

*Ted William Dreier*

SEE ALSO: Arendt, Hannah; Existentialism; Levinas, Emmanuel; Personal relationships; Sartre, Jean-Paul; Unamuno y Jugo, Miguel de.

## Heroism

DEFINITION: Overcoming of significant danger or difficulty in order to help others or act for the common good

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Heroism as a label is reserved for actions of extraordinary virtue or nobility. It connotes moral admirability of the highest order.

Anxiety is a primary human emotion and is existential; that is, it is a basic, normal part of existence. Anxiety is a pervasive, unpleasant feeling of apprehension, menace, threat, or fear that is produced by a dangerous or difficult situation. Thus, heroism involves the consideration of the advantages and disadvantages of several alternative courses of action that may present a danger or threat to the self and that elicit anxiety and the subsequent choice of a course of action that confronts that danger and anxiety, that is indicated by practical reason, and that promotes the general well-being and common good.

### HEROISM AND COURAGE

Courage is widely listed as a synonym for heroism. Courage is certainly a necessary component of

### The Components of Heroism

- One particular act is performed rather than another.
- That act is perceived as risky or dangerous to the actor's well-being. To perceive no peril in what one does is not to act heroically. The peril may involve injury or death, economic loss, loss of prestige, ostracism, or censure. The act is likely to be accompanied by feelings of fear or anxiety. The danger involved in performing the act may be formidable enough that most people in the same situation would find it difficult to perform the act.
- The actor believes that performing the act is worth the risk that it entails.
- The decision to perform the act is reasoned and rational, rather than foolish or reckless. A person playing Russian roulette who backs down, afraid to pull the pistol's trigger, is acting wisely, not cowardly.
- The actor is not coerced into performing the act by threats of a punishment more feared than performing the act itself. A soldier who destroys an enemy tank after being ordered to do so or be summarily executed is not acting heroically.
- The act has a purpose or goal that is believed to be important and worthwhile. Heroism is a virtue that is exhibited through goal-directed behavior that benefits the general well-being and public good.

heroism; heroism could not exist without courage. Yet courage lacks a component that heroism possesses. Courage has been called a "self-regarding" virtue because it may primarily serve the purpose of the courageous individual. Heroism, in contrast, represents an "other-regarding" virtue because the welfare of others and the common good are the central considerations. Heroic acts are noble and virtuous in that they are necessarily intended to promote the general well-being of others or the common good. Because heroic individuals can be relied on when the

common good is threatened, heroism is a highly prized commodity.

One can exhibit acts of courage without being heroic, however, if the act does not positively affect the general well-being or the common good. A criminal who executes a daring bank robbery, may be courageous but certainly not heroic.

Cowardice is the opposite of heroism. The coward is beset by excessive fears that prevent him or her from acting on his or her practical reasoning in situations in which it would be reasonable to act. The coward therefore avoids actions that he or she might otherwise perform and is thus incapacitated.

### HEROISM AND ETHICS

Heroism is an ethical act of the highest order. Through it, the actor affirms the essence of his or her being and serves humanity in the face of elements that conflict with this affirmation of the self. Since the beginning of the history of Western thought, heroism has been considered to be noble and virtuous. In Plato's *Republic*, it is the unreflective quest for that which is noble. Aristotle believed that heroism led a person to act for the sake of what was noble, which was the purpose of virtue. Heroism is to be praised because it allows one to achieve one's potential.

Thomas Aquinas continued this thought. He often refers to courage, but it would seem that what he says describes heroism rather than courage. For him, courage/heroism was a strong mind that was able to overcome whatever blocked the path to the highest good. Courage/heroism, along with wisdom, temperance, and justice, were the four cardinal virtues.

These themes carry through to modern times. A noteworthy example is F. Scott Peck's famous book *The Road Less Travelled* (1978). To Peck, life is difficult because it continually presents problems that demand confrontation and solution. This fact can make life a painful process, but this is also where life achieves meaning. Problems call forth and create the resources that allow people to solve them. By solving problems, people grow mentally and spiritually. In order to foster the growth of the human spirit, it is necessary to solve problems. When this process incorporates actions that serve the common good and general welfare, human mental and spiritual growth attain high levels.

*Laurence Miller*

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SEE ALSO: Courage; Narrative ethics; Role models; Schindler, Oskar.

## Hindu ethics

**DEFINITION:** Ethical systems derived from the Hindu religion and Vedic texts

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Hindu ethics postulates that moral virtue is ultimately rewarded by liberation from a cycle of repeated reincarnations and the achievement of a paradise beyond the mundane world. It sees personal and spiritual well-being as fundamentally interdependent.

Hindu ethics is based on the premise that ethical life is the means to spiritual freedom. Hinduism has behind it a philosophy that is not only a religious doctrine but also a complex web of moral principles. It offers practical guidance, rites, prayers, festivals, and social structures, all aimed at securing social harmony and God realization (direct experience of God). Since God is the embodiment of truth and justice, right action is the means to experience God realization.

Hindu ethical philosophy has been evolving for four thousand years. Its sources are the Vedas, the

oldest known literature in the world. Hindu ethics differ from much of Western ethics in perceiving a direct link between social and spiritual life. Greek philosophy is a "pursuit of truth for its own sake," based on reason and the intellect, in which the wise, the lawmakers, direct people to create a moral society. Hindu ethics is primarily concerned with right action as a means to religious fulfillment.

**VEDIC LITERATURE**

The Vedas are hymns and rites that glorify the Vedic gods, who are representatives of the divine power of the Supreme God. They deal with personal issues, universal concerns, and theories of creation. Hinduism teaches that reading or listening to the Vedas enlivens the connection between the individual and the Creator. Vedic writings are fundamental to Hinduism.

The *R̥g Veda* and the *Atharva Veda*, the hymns of the Vedas, are quite specific about actions that can be seen as righteous and moral. Honesty, rectitude, friendship, charity, nonviolence (Ahiṃsā, a moral principle that attracted considerable attention when it was espoused by Mohandas K. Gandhi), truthfulness, modesty, celibacy, religious worship, and purity of heart are all listed as desirable and necessary virtues. The *R̥g Veda* also cites bad intentions, swearing, falsehood, gambling, egoism, cruelty, adultery, theft, and injury to life as sinful actions.

The *Bhagavadgītā*, a central text of Hinduism, gives very specific ethical advice. It consists of a dialogue between Lord Kṛṣṇa, an incarnation of one of the three major gods of Hinduism, and Arjuna, a noble warrior. Arjuna is unable to go into battle because his opponents are also his kinsmen. He appeals for help. Lord Kṛṣṇa states that the correctness of the action should be the primary consideration when doing something. He advises Arjuna always to act in accordance with dharma (ethical living). Furthermore, he says, if Arjuna could experience the divine, his actions would spontaneously reflect absolute wisdom and purity, and therefore all dilemmas would evaporate. In this instance, the right course of action is to fight.

There are numerous stories in Hindu literature about morality and how best to behave. Deities advise and guide. In the *Rāmāyana*, the hero, Rāmā, is the embodiment of dharma, teaching the values of obedience, respect, and duty. The later writings of the



Image not available

*On the first day of Hinduism's Kumbh Mela festival, millions of Hindus bathe themselves at the confluence of the Ganges, Jamuna, and Saraswati Rivers, near Allahabad in India. According to Hindu beliefs, the rivers' sacred waters wash away sins. (AP/Wide World Photos)*

Purāṇas, specific to Śiva and Viṣṇu, advocate worship and devotion as a means to liberation.

The Upaniṣads embrace the concept of God as an impersonal Supreme Being, *Brāhmin*. The verses state that divinity is everywhere, that the individual is indeed *Brāhmin* itself—"Ahum Brahmasmi" ("I am the totality"). The Upaniṣads reaffirm that *mokṣa* ("liberation") is the goal of life. To achieve liberation, it is necessary to follow a strict code of ethical and spiritual discipline. Austerity, chastity, silence, and solitude lead the soul forward, while self-restraint, self-sacrifice, and compassion free one from greed and anger.

#### **SOCIAL LIFE**

Hinduism asserts that, just as there is order in the universe, human life can be equally harmonious and orderly. Human society should express the divine

purpose. All people belong to social castes determined by character, natural inclinations, and function in society. These castes consist of *Brāhmins* (the wise), *Kṣatriyas* (warriors), *Vaiśyas* (merchants), and *Śūdras* (laborers). Within each caste, the individual can achieve perfection, and the whole system promotes spiritual progress.

Hindu thought divides life into four twenty-five-year stages, giving specific ethical advice for each. The first stage is for learning, the second is the time of the householder, the third is a time for meditation and study of the scriptures, and the final stage is one of renunciation of the outer life. This sequence should ultimately end in liberation, the goal of life. Members of a family should always follow their duty. Children should respect and obey their parents' wishes. Husbands and wives ought to be loving and respectful, advising their families and teaching moral values.

Many Hindu practices derive from the belief that *Brāhmin*, the divine, is all-pervading. If divinity is everywhere, then everything must be respected. Nature is not separate from humanity; therefore, animals are revered, particularly cows. Gandhi defended this as a “practical application of the belief of oneness, and therefore the sacredness of life.”

The importance given to spiritual life in India creates the interdependence between the mystical and the practical. Ethics is central to Hinduism, improving the present and ultimately freeing the individual from the cycle of birth and death. Hinduism, with all its complexity, has unity at the heart of its diversity. Its goals are to raise the quality of life, ensure spiritual awakening, and fulfill humanity’s destiny.

*Catherine Francis*

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SEE ALSO: Ahimsā; Aśoka; *Bhagavadgītā*; Buddhist ethics; Caste system, Hindu; Jain ethics; Karma; Nirvana; Poona Pact; Sikh ethics; Upaniṣads.

## Hippocrates

IDENTIFICATION: Greek physician

BORN: c. 460 B.C.E., Greek island of Cos

DIED: c. 377 B.C.E., Larissa, Thessaly (now in Greece)

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: Hippocrates is traditionally credited

with the authorship of a collection of about sixty treatises on medicine and medical ethics, including the Hippocratic oath. This body of writings both created a standard of professional etiquette for the physician and formed the basis of the Western tradition of medical ethics.

Although Hippocrates has traditionally enjoyed the reputation of being the father of Greek medicine, little is known about him. Only a few references to him by contemporary or near-contemporary authors exist. According to these references, he came from the island of Cos, off the southwestern coast of Asia Minor, and was a teacher of medicine. He was a member of the Asclepiads, a family or guild of physicians that traced its origins to the god of healing, Asclepius. For reasons that are not clear, Hippocrates came to be idealized after his death, and he became the subject of an extensive biographical tradition. Four short biographies exist, together with a collection of spurious epistles that are attributed to Hippocrates. They assert that Hippocrates learned medicine from his father, who was also a physician. He is supposed to have taught medicine in Cos (which later boasted a famous school of medicine) and to have traveled throughout Greece, dying at an advanced age at Larissa in Thessaly, in northern Greece. Many of the biographical details recorded in these later works must be regarded as legendary.

A large collection of about sixty medical treatises, the Hippocratic Corpus, came to be attributed to Hippocrates after his death. Most were written during the late fifth or fourth centuries B.C.E., but some were composed much later. The works are anonymous and are marked by differences in style. Even in antiquity it was recognized that not all of them were genuine, and attempts were made to determine which were written by Hippocrates. There is no reliable tradition that attests the authenticity of any of the treatises, and the internal evidence is inconclusive. Most modern scholars believe that none of them can be attributed with certainty to Hippocrates.

#### HIPPOCRATIC MEDICAL ETHICS

The ethical or deontological treatises of the Hippocratic Corpus (*The Physician*, *Precepts*, and *Decorum*, dates unknown) constitute the earliest writings on medical etiquette. They define the professional duties that should be expected of Greek physicians.

Most of these principles of etiquette are the product of common sense. They recognize that certain types of conduct are inherently detrimental to the practice of medicine. Physicians should behave in a manner that will add dignity to their profession. Thus, they should look healthy and not be overweight. They should be gentlemen, cheerful and serene in their dealings with patients, self-controlled, reserved, decisive, and neither silly nor harsh. They should not engage in sexual relations with patients or members of their households. They are to be sensitive to the fees they charge, should consider the patient's means, and should on occasion render free treatment.

### The Hippocratic Oath

I will look upon him who shall have taught me this Art even as one of my parents.

I will share my substance with him, and I will supply his necessities, if he be in need.

I will regard his offspring even as my own brethren, and I will teach them this Art, if they would learn it, without fee or covenant.

I will impart this Art by precept, by lecture, and by every mode of teaching, not only to my own sons but to the sons of him who has taught me, and to disciples bound by covenant and oath, according to the Law of Medicine.

The regimen I adopt shall be for the benefit of my patients according to my ability and judgment, and not for their hurt or for any wrong.

I will give no deadly drug to any, though it be asked of me, nor will I counsel such, and especially I will not aid a woman to procure abortion.

Whatsoever house I enter, there will I go for the benefit of the sick, refraining from all wrongdoing or corruption, and especially from any act of seduction, of male or female, of bond or free.

Whatsoever things I see or hear concerning the life of men, in my attendance on the sick or even apart therefrom, which ought not to be noised abroad, I will keep silence thereon, counting such things to be as sacred secrets.

Many of these precepts are meant to preserve the reputation of the physician, which (in the absence of medical licensure) was his most important asset in building and maintaining a medical practice.

### THE HIPPOCRATIC OATH

The best-known, though most puzzling, of the Hippocratic writings is the so-called Hippocratic oath. The oath is characterized by a religious tenor. It begins with an invocation of the healing gods Apollo and Asclepius and includes a pledge to guard one's life and art "in purity and holiness." It is divided into two parts: the covenant, which is a contract between the teacher and his pupil; and the precepts, which defines the duty of the physician to his patients. The oath prohibits, among other things, dispensing a deadly drug, performing an abortion, and practicing surgery (or at least lithotomy).

Several stipulations of the oath are not consonant with ethical standards prevalent elsewhere in the Hippocratic treatises, while some practices prohibited by the oath (induced abortion, euthanasia, and surgery) were routinely undertaken by Greek physicians. It is difficult, moreover, to find a context in which to place the oath. Although it was traditionally attributed (like the other Hippocratic treatises) to Hippocrates, it is anonymous. It has been dated as early as the sixth century B.C.E. and as late as the first century of the Christian era (when it is first mentioned). Most scholars assign it to the fifth or fourth century B.C.E., making it roughly contemporaneous with Hippocrates. It has been suggested that it was administered to students who were undertaking a medical apprenticeship, but there is no evidence that it ever had universal application in the Greek world. Greek and Roman physicians were not required to swear an oath or to accept and abide by a formal code of ethics. To be sure, ethical standards appear in the Hippocratic Corpus, but no one knows how widespread these standards were among medical practitioners in antiquity. The oath appealed to Christian physicians, however, who in late antiquity took over its precepts and infused them with new meaning. It was later adopted by Christian, Jewish, and Muslim physicians as a covenant by which physicians could govern their practices.

There have been a number of attempts to explain away the problem passages of the oath or to attribute it to an author whose views represented those of

a group that lay outside the mainstream of medical ethics as described in the Hippocratic Corpus. The most notable is the attempt by Ludwig Edelstein to demonstrate that the oath originated in the Pythagorean community. Parallels can be found outside Pythagoreanism for even the most esoteric injunctions of the oath, however, and its Pythagorean origin cannot be said to have been conclusively proved.

### THE INFLUENCE OF HIPPOCRATIC ETHICS

The medical-ethical treatises of the Hippocratic Corpus have exercised great influence on the formulation and development of Western medical ethics. In establishing not only guidelines for the physician's deportment but also standards of professional obligation, they created both the basis of Greek medical ethics and an ideal of what the physician ought to be. Even in the rapidly changing field of bioethics, their influence continues to be felt to the present day.

*Anne-Marie E. Ferngren  
Gary B. Ferngren*

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SEE ALSO: American Medical Association; Bioethics; Confidentiality; Medical bills of rights; Medical ethics; Medical research; Mental illness; Physician-patient relationship; Professional ethics.

## Hiring practices

**DEFINITION:** Methods used by employers to hire new personnel

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The late twentieth century saw a significant increase in government oversight of hiring practices, pressure on employees by special interest groups, and greater efforts to develop fair hiring practices within private companies.

During the last two decades of the twentieth century, hiring processes of private American entities came under increasing supervision by the federal government and various special interest or pressure groups in society. In addition, the presence of human resource departments within companies and their role in the hiring process became more evident and influential in the workforce. All signs pointed to greater efforts by employers to bring ethics into their hiring practices.

However, the task of incorporating ethical processes into hiring is not easy for several reasons. One of the biggest obstacles to ethical hiring practices is the simple fact that different people are sometimes not in agreement as to what constitutes an ethical decision. However, the difficulties that employers face in their attempts to bring ethical behavior to the hiring process should not stop them from trying to bring it about. Companies may not succeed to the extent that they wish when it comes to bringing ethical choices in the hiring process, but even a small amount of success is better than no success at all.

In contemplating how to incorporate ethical behavior into the hiring process, several issues need to be kept in mind. First, it has to be a major goal for employers. This means that its presence has to be foremost in the minds of employers as something they desire to achieve. However, companies must also be honest and demonstrate integrity in the hiring process. This implies that they clearly indicate to future employees what their reasons are for choosing one candidate over others. Employers must also be aware of their need to conform to the law when making employment decisions. The federal government has made it clear that it intends to provide equal employment opportunities to its citizens, and it is important that there be compliance with all legal provisions relating to hiring practices.

Employers must also be careful not to be influenced in the hiring process by subjective reasons and avoid any projection of personal gain. Perhaps one of the best ways to answer the question of whether employers have been successful at incorporating ethical behavior into the hiring process is to ask what an outside committee reviewing the employer's actions might indicate about how it made its choice regarding an employment position.

*William E. Kelly*

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SEE ALSO: Biometrics; Business ethics; College applications; Downsizing; Equal pay for equal work; Fear in the workplace; Labor-Management Relations Act; Merit; Resumés; Wage discrimination; Work.

## **Hiroshima and Nagasaki bombings**

**THE EVENTS:** U.S. dropping of atom bombs on two Japanese cities during World War II

**DATES:** August 6 and 9, 1945

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** The ethics of choosing to use a weapon of mass destruction to attack the civilian residents of two densely populated cities have been debated ever since the close of World War II. The philosophical issue revolves around whether it was acceptable to kill tens of thousands of inno-

cents in order to prevent the deaths of hundreds of thousands or even millions more by bringing the war to a swift conclusion. A further practical issue concerns whether it is in fact true that use of the atom bomb ultimately saved so many lives.

The unleashing of atomic weapons on Hiroshima and Nagasaki profoundly shaped the nature of international relations in the post-World War II era. These bombs, so lethal and used only twice in history, have forced humankind to examine critically the nature of modern warfare, especially within the context of "just war theory."

The development of the atom bomb by the U.S. government during World War II is generally regarded as one of the greatest technological and engineering achievements of modern times. What was particularly noteworthy about the atom bomb was the sheer scale of its ability to kill and devastate. Drawing upon the insights and efforts of the most brilliant physicists, mathematicians, and chemists of the nineteenth and twentieth centuries, scientists and engineers were able to liberate the cataclysmic power of the atom, harnessed in a single bomb that had the destructive impact of almost twenty kilotons of conventional explosives.

#### **ETHICAL CONTEXT**

Using a weapon of such magnitude raised serious ethical issues, especially as they related to an idea that can be traced back to the ancient Greeks: just-war theory. Considered down through the centuries by such thinkers as Aristotle, Cicero, and Saint Augustine, just-war theory involves the essential notion that war, though intrinsically evil, can be justified morally if certain conditions exist. Although the theory consists of several components, particularly relevant to the bombing of Hiroshima and Nagasaki are the ideas of proportionality and discrimination.

Proportionality refers to the idea that a warring power should not use any means over and above what is necessary to achieve victory. By late July, 1945, according to most military historians, Japan's military situation was desperate. From March onward, Japan suffered almost daily bombings by American B-29 bombers armed with incendiary bombs. Such bombing runs resulted in almost 190,000 deaths from fires and asphyxiation in six major Japanese cities. In addition, the U.S. Navy was taking steps to implement a





full-scale blockade of Japan. After the war, the U.S. Strategic Bombing Survey maintained that such tactics would have eventuated in Japan's surrender by approximately November 1, 1945, without the use of atom bombs.

Those who advocate that the dropping of atom bombs was a proportional response in the war make two points. First, while the bomb that fell on Hiroshima immediately killed 78,000 people and the one that fell on Nagasaki killed 70,000 people, the use of the bombs prevented a large-scale land invasion of the Japanese mainland. While estimates vary, some speculate that total American and Japanese casualties would have approached one million because of the determination of the Japanese people. Hence, the atom bombings, while gruesome, actually prevented

more deaths in the immediate future. A second line of argument holds that given the conduct of the Japanese military during the war—for example, the surprise attack on the U.S. fleet at Pearl Harbor, the Bataan "Death March," and the brutal treatment of Allied prisoners-of-war—the dropping of the atom bombs was a morally justifiable and proportional action.

The concept of discrimination maintains that in the conduct of war, every effort should be made to prevent civilians from suffering the potentially brutal fate of soldiers. The force unleashed by an atom bomb is such that it devastates everything in its wake: combatants, noncombatants, military outposts, hospitals, crops, and so forth. It must be pointed out, however, that the distinction between civilians and

soldiers already had been blurred by more conventional weapons in use during the war. The fires ignited by incendiaries dropped from American planes over Hamburg and Dresden resulted in tens of thousands of civilian deaths. Moreover, Dresden was bombed although it was primarily a cultural center, not a significant military target. Similarly, toward the end of the war, German V-1 and V-2 rockets fell indiscriminately throughout England, resulting in thousands of civilian casualties.

Also apropos of discrimination, some military strategists argued that since many civilians were engaged in supporting a nation's capacity to wage war through their jobs as farmers, machinists, seamstresses, and technicians, the distinction between civilian and military no longer obtained. Indeed, British pilots were explicitly ordered to bomb working-class neighborhoods during their runs in order to reduce both the Nazi war effort and civilian morale. In the conduct of the war, "civilian" deaths increasingly became a regrettable, but accepted, component of modern warfare.

### ETHICS OF SCIENCE

After the detonation of atom bombs, the avowed neutrality of science was questioned. For example, because something is theoretically and practically possible (nuclear fission), especially something so powerful as atomic energy, must it be developed? If scientists develop something novel, can they guarantee control of its use? After witnessing the awesome energy released in the first explosion of a nuclear device in New Mexico in July, 1945, some of the scientists working on the bomb's development argued that Japanese officials should be privy to a demonstration of the bomb's power rather than experiencing an actual bombing. Their views were summarily dismissed by the military as impractical.

A final aspect of the ethics of the atom bombing of Hiroshima and Nagasaki concerns utilitarian logic. This model of decision making argues that people must rationally calculate the perceived costs and benefits of pursuing certain actions. From this perspective, the investment of more than \$1 billion and four years of intense work by tens of thousands of workers and scientists (the bomb's costs) almost guaranteed that the bomb would be used once it was developed (its perceived benefit, shortening the war). No one could have perceived, however, the immense eco-

nomie, political, and social costs associated with the Cold War after "The Bomb," and people still debate whether the decision to drop atom bombs on Hiroshima and Nagasaki was a benefit at all.

*Craig M. Eckert*

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SEE ALSO: Atom bomb; Dresden firebombing; Just war theory; Manhattan Project; Military ethics; Unconditional surrender.

## Hitler, Adolf

- IDENTIFICATION: German political leader  
 BORN: April 20, 1889, Braunau am Inn, Austro-Hungarian Empire (now in Austria)  
 DIED: April 30, 1945, Berlin, Germany  
 TYPE OF ETHICS: Politico-economic ethics  
 SIGNIFICANCE: Hitler initiated the Holocaust against European Jewry, perhaps the single most traumatic event in modern history. As a result, he has come to symbolize the ultimate evil for many, al-

though others think of him as insane rather than evil. Hitler was, moreover, an extremely charismatic figure in his heyday, and his theories of racial and national destiny combined to form a powerfully twisted ethic that continues to attract many people.

It does little good to insist that Adolf Hitler and his Nazi Party were without a system of ethics; to do so demonizes Hitler and perpetuates the unfortunate myth that the Nazi period may be explained by the German nation having temporarily lost its collective mind. The more difficult truth is that a great many German people identified a system of morality in the Nazi party that corresponded with their own.

Adolf Hitler's system of ethics was based upon the twin foundations of race and nationalism. His combination of these traditions in German political life was both of great help to him in his quest for

power and of inestimable force in the drive toward the Holocaust. Believing that might made right, Hitler promoted this ethic within his party—and later his state—with a ruthless zealotry.

### ORIGINS

The variety of anti-Semitism that Hitler found in Vienna in the period of 1907 to 1913 was both populist and German nationalist—best described by the German word *volkisch*. Hitler was greatly influenced by the mayor of Vienna, Karl Lüger, who combined vehement anti-Semitism and the political strength to dominate Viennese politics to a degree that Hitler admired. In fact, Hitler, in an uncharacteristic display of humility, described Lüger in his book *Mein Kampf* as the last great German born in Austria.

Another great influence on Hitler's intellectual development in Vienna was the leader of the Pan-German movement, Georg von Schönerer. Schön-



Surrounded by the trappings of the Nazi Party, Adolf Hitler addresses a party meeting in 1938. (Library of Congress)

erer's movement appealed to Hitler on both a racial and a national level. Like Hitler, Schönerer believed that the unification of all German-speaking peoples was an imperative and blamed Germans of Jewish extraction for standing in the way of unification.

In German history, as well, there were many influences on Hitler's thought. Figures as diverse as Martin Luther, Frederick the Great, Houston Stewart Chamberlain, and, most famously, Richard Wagner contributed to Hitler's ideas of race and the destiny of the German people. Their ideas about authority, nationalism, race, and the romantic ideals of war, sacrifice, and destiny all influenced Hitler in ways that many historians have identified as seminal.

### RACE

Essentially, Hitler believed that the German race could only succeed if it were "pure." *Mein Kampf* is filled with statements such as "the originally creative race died out from blood poisoning." Hitler blamed the Jews for the apparent dissipation of "pure German stock," particularly in Austria, where he first was introduced to anti-Semitism. Hitler's variety of anti-Semitism differed from that of Lüger and Schönerer, though, in that Hitler insisted that religion had nothing to do with it; race, not religion, was what made Jews different and dangerous in Hitler's mind.

The implications of this idea are grim. If Jews are considered dangerous because of their religion, they can at least convert. This is what happened in a great many cases previous to Hitler. If, as Hitler thought, Jews are dangerous because of their race, there can be no conversion. Extermination is the logical answer in Hitler's convoluted and hateful system of thought. Because he believed that the "parasite" of European Jewry was threatening the strength and virtue (Hitler employed a great deal of sexual imagery in his discussions on this subject) of the German nation, Hitler thought it justifiable to "eradicate the parasite."

### NATIONALISM

The second foundation for Hitler's system of thought was nationalism. Considering himself a student of history, Hitler was influenced by a kind of skewed Hegelianism, identifying cycles of world leadership and seeing a sort of dialectical pattern of struggle and destiny in assuming that leadership. Further influenced by the Franco-Prussian War (1870-1871) and the unification of Germany (1871),

and filled with a patriotism that only an envious noncitizen can muster (Hitler was not a German citizen), Hitler came to the conclusion that it was Germany's turn to act as leader of the world. There was no room in the world for Jews, intellectuals, socialists, or liberals.

Much of the intolerance contained in Hitler's nationalism can be traced to the traditions of German Romanticism. The romantic imagery found in Hitler's anti-Semitism was also present in his thought on questions of nationalism (race and nationalism were inexorably tied in his mind). Shunning Christianity as "a religion for cowards," he saw Germany's true heritage in the pagan spectacle of the operas of Richard Wagner. The antirationalism of the Romantic period, as filtered through the German experience, served to create a religion of nationality and race in Hitler's mind, with himself as messiah (Hitler spoke at length about Providence's intentions for him), that was as compelling to the true believer as any other religion could be.

### ZEALOTRY

Hitler's religion of blood and nation was compelling to many Germans in large part because of the power it promised. The hate that Hitler felt, his dreams of dominion, could not be fulfilled without both power and an ethic that sanctioned the use of power in ways that most people would describe as morally reprehensible. Hitler worshipped power, and his system of thought relied on it heavily. On reading *Mein Kampf*, one cannot help but be struck by the number of times Hitler wrote the equivalent of "might makes right." Hitler admired the Marxists' tactics of violence and intimidation, preferring to use converted communists as street fighters because they shared his zealotry. His greatest scorn for the liberal parties of his day concentrated on "the weakness of will inherent in parliamentary government."

### IMPLICATIONS

Hitler and his millions of followers believed that his vision allowed, even compelled, them to shun questions of everyday ethics. His vision established a new system of ethics defined by race and the nation, utterly devoid of moral restraint. The outcome of this system of thought was, inevitably, the Holocaust.

*Robert A. Willingham*



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SEE ALSO: Anti-Semitism; Concentration camps; Dictatorship; Evil; Fascism; Genocide and democide; Holocaust; Nazism; Racial prejudice; Stalin, Joseph; Tyranny.

## Hobbes, Thomas

IDENTIFICATION: English political philosopher

BORN: April 5, 1588, Westport, Wiltshire, England

DIED: December 4, 1679, Hardwick Hall,

Derbyshire, England

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: Hobbes was the most prominent seventeenth century English advocate of political absolutism. Author of *De Cive* (1642), *Leviathan: Or, The Matter, Form, and Power of a Commonwealth* (1651), and *De Homine* (1658), he deduced his theories of morality, including his political ethics, from a mechanistic, materialist understanding of reality.

Thomas Hobbes was a proponent of natural rights and monarchical absolutism, although he was dis-

trusted by both Cromwellian republicans and supporters of the Stuart monarchy. As a student at Magdalen College, Oxford University, Hobbes rejected the ethics and methodological perspectives of Aristotelianism, medieval Scholasticism, and Christian philosophy. The moral political philosophy expressed in Hobbes's works was grounded in the methodology of mathematical argumentation, empirical science, and secularism. Hobbes's mechanistic and materialist explanation of existence, including political ethics, was sharply criticized by seventeenth century ecclesiastical leaders for having suggested an agnostic or atheistic metaphysical foundation.

In Hobbes's political philosophical works, moral behavior was scientifically explained and logically reduced to corporal matter in motion. Moral judgments were made in reference to two types of human movements or endeavors: appetites, or motions toward material objects perceived to be desirable; and aversions, or motions away from material objects perceived to be harmful. Hobbes's pessimistic interpretation of human nature, in conjunction with his "resolutive compositive" method, reduced political morality to an individual's most basic fears and passions (for example, fear of violent death and the desire for possessions). In contrast to classical Greek and medieval Christian moral political philosophy, in Hobbes's thought, reason was not the faculty that guided and constrained the passions. Knowledge (or "scientific reason") and power were the prescribed means to fulfill each individual's subjective desires.

Hobbes considered ethics to be an essential field of philosophy and natural rights as the critical subject of ethics. Hobbes's political philosophical works, particularly *Leviathan*, conveyed a moral theory that was focused on the natural right of self-preservation and governmental legitimacy linked to the protection of human life. Although all people were in agreement about the critical value of self-preservation, Hobbes's ethical relativism or nominalism articulated the position that there were no universal objective or absolute moral, political, or spiritual truths. Individuals named or evaluated the moral worth of particular acts based upon the consequences of such acts to their self-interests. *Leviathan* expressed the political theory that sovereign political authority and governmental legitimacy were based on a social contract (government by "institution") or superior physical coercion



(government by “acquisition”). The prescribed commonwealth was conceived as the highly centralized rule of an absolute sovereign—preferably, an absolute monarch.

*Mitchel Gerber*

SEE ALSO: *Leviathan*; Locke, John; Machiavelli, Niccolò; Social contract theory; *Two Treatises of Government*.

## Holistic medicine

DEFINITION: Approach to medicine that treats the whole person as a unity rather than isolating, attending to, or diagnosing only parts of the whole

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: Holistic approaches to medicine usually emphasize noninvasive procedures, patient education, and nontraditional or non-Western practices such as acupuncture, homeopathy, and yoga. Advocates of such an approach see it as ethically admirable, because it humanizes the patient, whereas they believe mainstream medicine often treats patients as mechanical systems or objects.

Holistic health practitioners regard patients as whole persons, teaching health maintenance, offering a wide choice of cures, and freely sharing expert knowledge. Holistic practitioners accept as valid knowledge from prescientific ages, as well as psychological and spiritual knowledge that is accessible to everyone. Therefore, for the holistic practitioner, the best possible health care makes use of ancient as well as modern healing arts from a variety of cultures. It treats people as psychological and spiritual beings as well as bodies and educates them in the care of their own psychological and physical health. Therefore, holistic health maintenance and disease curing typically involve teaching the patient actively to change habits of nutrition, exercise, and self-reflection.

In contrast, mainstream medicine is based on the premise that physical science is the most authoritative field of knowledge, though it can only be understood by trained experts such as medical doctors. Therefore, the mainstream physician offers the best possible care by acting as an expert authority, dis-

persing diagnoses and treatments of bodily diseases with the help of new technologies that are the fruits of science.

*Laura Duhan Kaplan*

SEE ALSO: Fairness and Accuracy in Reporting; Faith healers; Health care allocation; Illness; Medical ethics; Medical research.

## Holocaust

THE EVENT: Systematic murder by the Nazi regime of six million Jews, as well as Gypsies, homosexual men, political and religious dissenters, the mentally ill, and others

DATE: 1933-1945

TYPE OF ETHICS: Human rights

SIGNIFICANCE: The Holocaust stands as an evil of incomprehensible, unimaginable scope and horror. Since it occurred, ethics has striven to comprehend how it could have happened and what meaning it holds for systematic formulations of morality.

Referring to their regime as the Third Reich, Adolf Hitler and his Nazi Party ruled Germany from 1933 to 1945. The Holocaust happened during those years. It was Nazi Germany’s planned total destruction of the Jewish people and the actual murder of nearly six million of them. That genocidal campaign—the most systematic, bureaucratic, and unrelenting the world has seen—also destroyed millions of non-Jewish civilians. They included Gypsies (Roma and Sinti), Slavs, Jehovah’s Witnesses, Freemasons, homosexuals, the mentally retarded, the physically handicapped, and the insane. The Nazis believed that their threat to the Third Reich approached, though it could never equal, the one posed by Jews.

In the German language, this unprecedented destruction process became known euphemistically as *die Endlösung*—the “final solution.” The Hebrew word *Shoah*, which means catastrophe, is also used to name it, but the term “Holocaust” most commonly signifies the event. That word has biblical roots. In the Septuagint, a Greek translation of the Hebrew Bible, the Hebrew word *olah* is translated as *holocauston*. In context, *olah* means that which is offered

### Estimated Numbers of Jews Killed During the Holocaust

<i>Country</i>	<i>Jewish populations</i>		
	<i>Pre-Holocaust</i>	<i>Deaths</i>	<i>Percent who died</i>
Poland	3,300,000	3,000,000	90
Baltic countries	253,000	228,000	90
Germany/Austria	240,000	210,000	90
Protectorate of Bohemia and Moravia	90,000	80,000	89
Slovakia	90,000	75,000	83
Greece	70,000	54,000	77
Netherlands	140,000	105,000	75
Hungary	650,000	450,000	70
SSR White Russia	375,000	245,000	65
SSR Ukraine*	1,500,000	900,000	60
Belgium	65,000	40,000	60
Yugoslavia	43,000	26,000	60
Romania	600,000	300,000	50
Norway	1,800	900	50
France	350,000	90,000	26
Bulgaria	64,000	14,000	22
Italy	40,000	8,000	20
Luxembourg	5,000	1,000	20
Russia (RSFSR)*	975,000	107,000	11
Denmark	8,000	—	—
Finland	2,000	—	—
<i>Totals</i>	<i>8,861,800</i>	<i>5,933,900</i>	<i>67</i>

\*Germany did not occupy the entire territories of these republics.

up. It refers to a sacrifice, often specifically to “an offering made by fire unto the Lord.” Such connotations make “Holocaust” a problematic term for the devastation it names. The word’s religious implications seem inappropriate, even repulsive, to many people, including many Jews. Still, Holocaust remains the term that is most widely used.

Nazi Germany’s system of concentration camps, ghettos, murder squadrons, and killing centers took more than twelve million defenseless human lives.

Between five and six million of them were Jewish, including approximately one million children under the age of fifteen. Although not every Nazi victim was Jewish, the Nazi intent was to rid Europe, if not the world, of Jews. Hitler went far in meeting that goal. Although Europe’s Jews resisted the onslaught as best they could, by the end of World War II, two-thirds of European Jews—and about one-third of Jews worldwide—were dead. The vast majority of the Jewish victims came from Eastern Europe. More

than half of them were from Poland; there, the German annihilation effort was 90 percent successful. At Auschwitz alone—located in Poland, it was the largest of the Nazi killing centers—more than one million Jews were gassed.

How did the Holocaust happen and why? Those questions are both historical and ethical. Their implications are huge. As Elie Wiesel, Jewish survivor of Auschwitz and winner of the 1986 Nobel Peace Prize, has rightly said of Birkenau, the major killing area at Auschwitz: “Traditional ideas and acquired values, philosophical systems and social theories—all must be revised in the shadow of Birkenau.”

### HISTORY

Hitler became chancellor of Germany on January 30, 1933. He soon consolidated his power through tyranny and terror. Within six months, the Nazis stood as the only legal political power in Germany,

Hitler’s decrees were as good as law, basic civil rights had been suspended, and thousands of the Third Reich’s political opponents had been imprisoned.

Emphasizing the superiority of the German people, Nazi ideology was anti-Semitic and racist to the core. The Nazis affirmed that German racial purity must be maintained. Building on precedents long-established by Christianity’s animosity toward Jews, the Nazis went further and vilified Jews as the most dangerous threat to that goal. Here it is important to underscore that Jews are not, in fact, a race but a people unified by memory and history, culture, tradition, and religious observances that are widely shared. Any person of any race can become Jewish through religious conversion. Nevertheless, Nazi ideology defined Jewish identity in biological and racial terms.

German law established detailed conditions to define full and part-Jews. To cite three examples, if one had three Jewish grandparents, that condition was



*Starved concentration camp prisoners who died while being moved by train from one camp to another in 1945. (National Archives)*

## Death Camps in Nazi-Occupied Territories During the Holocaust



Source: Yitzhak Arad, ed., *The Pictorial History of the Holocaust* (New York: Macmillan, 1990).

sufficient to make one fully Jewish. If one had only two Jewish grandparents and neither practiced Judaism nor had a Jewish spouse, however, then one was a *Mischlinge* (mongrel) first-class. A person with only a single Jewish grandparent would be a *Mischlinge* second-class. The identity of one's grandparents was

determined, paradoxically, not by blood but by their membership in the Jewish religious community. Once these Nazi classifications were in effect, the identity they conferred was irreversible.

Defining Jewish identity was crucial for identifying the population targeted by the Nazis' anti-Semitic policies. Those policies focused first on segregating Jews, making their lives intolerable, and forcing them to leave Germany. Between 1933 and the outbreak of World War II in September, 1939, hundreds of decrees, such as the Nuremberg Laws of September, 1935, deprived the Third Reich's Jews of basic civil rights. When Jews tried to emigrate from German territory, however, they found few havens. In general, doors around the world, including those in the United States, were opened reluctantly, if at all, for Jewish refugees from Hitler's Germany.

World War II began with Germany's invasion of Poland on September 1, 1939. With the notable exception of its failure to subdue England by air power, the German war machine had things its own way until it experienced reversals at El Alamein and Stalingrad in 1942. By the end of that year, 4 million Jews had already been murdered.

As Hitler's forces had advanced on all fronts, huge numbers of Jews, far exceeding the 600,000 who lived in Germany when Hitler took control, came under Nazi domination. For a year after the war began, Nazi planning had still aimed to enforce massive Jewish resettlement, but there were no satisfactory ways to fulfill that intention. Other tactics had to be found. The Holocaust did not result from a detailed master plan that timed and controlled every move in advance. When one step reached an impasse, however, the next was always more drastic, because the Nazis did not deviate from their basic commitment: Somehow the Jews had to be eliminated.

In the spring of 1941, as plans were laid for the invasion of the Soviet Union, Hitler decided that special mobile killing units—*Einsatzgruppen*—would follow the German army, round up Jews, and kill them. In the fateful months that followed, a second prong of attack in Germany's war against the Jews

became operational as well. Instead of moving killers toward their victims, it would bring victims to their killers.

Utilizing a former Austrian military barracks near the Polish town of Oświęcim, the Germans made their concentration camp of Auschwitz operational in June, 1940, when 728 Polish prisoners were transferred there. By the summer of 1941, the original camp (Auschwitz I) had been supplemented by a much larger camp at nearby Birkenau (Auschwitz II). Within the next year—along with five other sites in occupied Poland (Chelmno, Belzec, Sobibor, Treblinka, and Majdanek)—Auschwitz-Birkenau became a full-fledged killing center. Auschwitz “improved” killing by employing fast-working hydrogen cyanide gas, which suppliers offered in the form of a deodorized pesticide known as Zyklon B. Efficiency at Auschwitz-Birkenau was further improved in 1943 when new crematoria became available for corpse disposal. Optimum “production” in this death factory meant that thousands of Jews could be killed per day. When *Schutzstaffel* (SS) leader Heinrich Himmler ordered an end to the systematic killing at Auschwitz in late 1944, his reasoning was not based entirely on the fact that Soviet troops were nearby. For all practical purposes, he could argue, the “final solution” had eliminated Europe’s “Jewish problem.”

With Hitler’s suicide on April 30, 1945, and the subsequent surrender of Germany on May 7, a chapter ended, but the history and the legacy of the “final solution” continue. Everyone who lives after Auschwitz is affected by the Holocaust. Everyone, moreover, ought to be affected particularly by the ethical problems and moral challenges left in its wake.

### **ETHICAL PROBLEMS AND MORAL CHALLENGES**

Ethics clarifies what people should and should not do. It explores differences between what is right, just, and good and what is wrong, unjust, and evil. What Nazi Germany did to the European Jews clearly belongs in the latter categories. Thus, the most crucial moral problem posed by the Holocaust is that no moral, social, religious, or political constraints were sufficient to stop Nazi Germany from unleashing the “final solution.” Only when military force crushed the Third Reich did the genocide end.

David Rousset, a French writer who endured German concentration camps, understated the case, but he was surely correct when he said simply, “The exist-

tence of the camps is a warning.” Two aspects of that warning are especially challenging.

First, the Holocaust warns about the depth of racism’s evil. It shows that racism’s destructive “logic” ultimately entails genocide. If one takes seriously the idea that one race endangers the well-being of another, the only way to remove that menace completely is to do away, once and for all, with everyone and everything that embodies it. If most forms of racism shy away from such extreme measures, Nazi Germany’s anti-Semitism did not. The Nazis saw what they took to be a practical problem: the need to eliminate “racially inferior” people. Then they moved to solve it.

Consequently, the Holocaust did not result from unplanned, random violence. It was instead a state-sponsored program of population elimination made possible by modern technology and political organization. As Nazi Germany became a genocidal state, its anti-Semitic racism required a destruction process that needed and got the cooperation of every sector of German society. The killers and those who aided and abetted them directly—or indirectly as bystanders—were civilized people from a society that was scientifically advanced, technologically competent, culturally sophisticated, and efficiently organized. These people were, as Holocaust scholar Michael Berenbaum has noted, “both ordinary and extraordinary, a cross section of the men and women of Germany, its allies, and their collaborators as well as the best and the brightest.”

Teachers and writers helped to till the soil in which Hitler’s virulent anti-Semitism took root; their students and readers reaped the wasteful harvest. Lawyers drafted and judges enforced the laws that isolated Jews and set them up for the kill. Government and church personnel provided birth records to document who was Jewish and who was not. Other workers entered such information into state-of-the-art data processing machines. University administrators curtailed admissions for Jewish students and dismissed Jewish faculty members. Bureaucrats in the Finance Ministry confiscated Jewish wealth and property. Postal officials delivered mail about definition, expropriation, denaturalization, and deportation.

Driven by their biomedical visions, physicians were among the first to experiment with the gassing of *lebensunwertes Leben* (lives unworthy of life).



Scientists performed research and tested their racial theories on those branded subhuman or nonhuman by German science. Business executives found that Nazi concentration camps could provide cheap labor; they worked people to death, turning the Nazi motto, *Arbeit macht frei* (work makes one free), into a mocking truth. Stockholders made profits from firms that supplied Zyklon B to gas people and from companies that built crematoria to burn the corpses. Radio performers were joined by artists such as the gifted film director Leni Riefenstahl to broadcast and screen the polished propaganda that made Hitler's policies persuasive to so many. Engineers drove the trains that transported Jews to death, while other officials took charge of the billing arrangements for this service. Factory workers modified trucks so that they became deadly gas vans; city policemen became members of squadrons that made the murder of Jews their specialty. As the list went on and on, so did the racially motivated destruction of the European Jews.

#### HANS MAIER

Short of Germany's military defeat by the Allies, no other constraints—moral, social, religious, or political—were sufficient to stop the “final solution.” Accordingly, a second Holocaust warning is the challenge that no one should take human rights for granted. To make that warning more personal, consider Hans Maier. Born on October 31, 1912, the only child of a Catholic mother and Jewish father, he considered himself an Austrian, not least because his father's family had lived in Austria since the seventeenth century. Hans Maier, however, lived in the twentieth century, and so it was that in the autumn of 1935 he studied a newspaper in a Viennese coffeehouse. The Nuremberg Laws had just been passed in Nazi Germany. Maier's reading made him see that, even if he did not think of himself as Jewish, the Nazis' definitions meant that in their view he was Jewish. By identifying him as a Jew, Maier would write later on, Nazi power made him “a dead man on leave, someone to be murdered, who only by chance was not yet where he properly belonged.”

When Nazi Germany occupied Austria in March, 1938, Maier drew his conclusions. He fled his native land for Belgium and joined the Resistance after Belgium was swept into the Third Reich in 1940. Arrested by Nazi police in 1943, Maier was sent to

Auschwitz and then to Bergen-Belsen, where he was liberated in 1945. Eventually taking the name Jean Améry, by which he is remembered, this philosopher waited twenty years before breaking his silence about the Holocaust. When Améry did decide to write, the result was a series of remarkable essays about his experience. In English, they appear in a volume entitled *At the Mind's Limits: Contemplations by a Survivor on Auschwitz and Its Realities*. “Every morning when I get up,” he tells his reader, “I can read the Auschwitz number on my forearm. . . . Every day anew I lose my trust in the world. . . . Declarations of human rights, democratic constitutions, the free world and the free press, nothing,” he went on to say, “can lull me into the slumber of security from which I awoke in 1935.”

In *The Cunning of History: The Holocaust and the American Future* (1987), Richard L. Rubenstein echoes Améry's understanding. “Does not the Holocaust demonstrate,” he suggests, “that there are absolutely no limits to the degradation and assault the managers and technicians of violence can inflict upon men and women who lack the power of effective resistance?” Rubenstein's outlook may be debatable, but he believes that “the dreadful history of Europe's Jews had demonstrated that *rights do not belong to men by nature*.” If Rubenstein is correct, then, practically speaking, people can expect to enjoy basic rights such as those proclaimed by the Declaration of Independence—life, liberty, and the pursuit of happiness—only within a political community that honors and defends those rights successfully.

John K. Roth

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SEE ALSO: Anti-Semitism; Choiceless choices; Concentration camps; Fascism; Genocide, Frustration-aggression theory of; Genocide and democide; Hitler, Adolf; Lemkin, Raphael; Nazism; Schindler, Oskar; War.

## Holy war

DEFINITION: Presence, in a situation of war, of a "sanctifying" principle that transfers religious righteousness to the acts of participants in violence

DATE: Concept developed during the medieval era

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Going beyond the broader secular ethical question of justifying "morally just" wars fought to defeat evil and injustice, the concept of holy war relies on God as the highest authority justifying war against a religious enemy.

Wars involving intense religious animosities have been fought in almost every period of recorded history. However, when it comes to the ethical implications of the concept of "holy war," important distinc-

tions must be made. Political wars involving enemies of different religions do not necessarily involve levels of institutionalization of individual “holy warriors” committed to religiously motivated warfare.

Although examples of holy war have occurred in other civilizations, the most commonly cited phenomena come from the experiences of Islam and Christianity. In both cases, one can find, according to the specific junctures of otherwise political warring actions, forms of religiously institutionalized “sanctification” bestowed on holy warriors. The ethical content of such institutionalization, however, varies between the two dominant prototypes.

**MEDIEVAL CHRISTIANITY AND THE CRUSADES**

Saint Augustine and other fathers of the early Christian church held that God stood behind certain wars, if their cause could be considered morally just and aimed at destroying evil. Defense of what can be seen as morally “right,” however, did not necessarily mean service to a higher religious cause. These earliest searches for a possible “ethical” justification for some wars, therefore, fell short in a number of ways of the technical phenomenon of holy war. They did not, for example, imply an acceptance of warring in the name of religious principles.

The Christian concept of “sanctification” of warfare in the name of religion dates from the eleventh century, when Pope Gregory VII, adding to the less specific suggestions of the ninth century pope Leo IV (in 853) and the eleventh century pope Leo IX (in 1053), assured Christians that death in war against a religious enemy freed the holy warrior from the consequences of his past sins. From the beginning in 1095 of the Christian Crusades to regain the Holy Land of Palestine from Islam, there was a linkage between the existing institution of knighthood and formal military orders whose fighting members were devoted to the Crusades as a spiritual calling. Historically, various orders—such as the Knights Templar and Knights Hospitaliers—would continue even after the formal period of Crusades to the Holy Land.

**Holy Wars in History**

**POLITICAL-RELIGIOUS WARS APPROVED BY RELIGIOUS AUTHORITIES**

- 1618-1648 Thirty Years’ War in Europe
- 1690 William II, Protestant king of Orange, defeats England’s Roman Catholic king James in Ireland
- 1880-1900 Mahdist Uprising in the Sudan
- 1947-1948 Muslim-Hindu strife in the wake of Indian and Pakistani independence

**HOLY WARS SANCTIFIED BY RELIGIOUS AUTHORITIES**

- 800-1000 Frankish Knights’ war to convert pagans east of former Roman imperial borders
- 1095-1099 First Crusade to the Holy Lands
- 1147-1149 Second Crusade
- 1189-1192 Third Crusade, following Saladin’s recapture of Jerusalem
- 1202-1204 Fourth Crusade
- 1208 Albigensian Crusade by Pope Innocent II against Christian heretics
- 1212 Children’s Crusade
- 1217-1221 Fifth Crusade (in Egypt)
- 1228-1229 Sixth Crusade (a truce makes possible partial Christian control in Jerusalem)
- 1248-1254 Seventh Crusade (Saint Louis—King Louis IX—travels to Egypt)
- 1270 Eighth Crusade (Saint Louis dies in Tunisia)
- 1271-1272 Ninth Crusade
- 1291 Fall of Acre, last Christian stronghold in the Holy Lands

Another aspect of Church “sanctification” of violence in the name of religion that did not disappear with the passing of a particular historical era was the holy war against Christian heretics proclaimed by the Third Lateran Council in the year 1179. Fighters in what was to be known as the Albigensian Crusade, launched by Pope Innocent III in 1208, would receive

the same papal indulgences that were granted to those who had served in the Crusades against the Muslims of the Near East.

### HOLY WAR IN ISLAMIC LAW

The Islamic religion, in its “classical” theological origins, identifies two domains: the Dar al Islam (domain of Islam) and the Dar al Harb (domain of war). This is a concept that has often been interpreted as a necessarily continuous state of war between Islam and any representative of non-Islamic belief. Along with this general concept of the hostile separation of the world between Islamic believers and nonbelievers, a more specific term emerged that would be rife with presumptions of ethical obligations falling on individual Muslim believers: jihad. Jihad is not one of the five formal Pillars of the Faith, but an individual conscience-binding obligation on believers (*fard*).

Although it is not uncommon to see jihad translated as “holy war,” one comes closer to the ethical core of this concept through examination of Islamic legal discussions of the term. The first striking observation is that—in contrast to Christian equivalents to holy war—jihad is taken to be a society-wide ethical obligation. Its legal meaning—although clearly extending into the realm of physical struggle to extend the “borders” of the Dar al Islam—includes a sense of effort, in a variety of forms, to strengthen the bases of the Islamic faith. Indeed, the broadest possible legal and ethical sense of individual effort—*ijtihad*, deductive effort to reach balanced decisions—suggests not religious war per se but “individual application” to protect the essential principles of the faith.

This observation notwithstanding, there is considerable evidence suggesting that, at almost every stage of military conflict associated with Islamic expansionism, believers were exhorted to consider their physical struggle to be service in holy war. Although an oft-quoted speech attributed to the first caliph, Abū Bakr, during the early seventh century probably refers to the spirit of later ages, this meaning predominates: “If any people holds back from fighting the holy war for God, God strikes them with degradation.”

On the Islamic as well as the Christian side, it was during the period of the Crusades that an individual ethical dedication to holy war took on its most nota-

ble attributes. Much more modern, and even late-twentieth and early twenty-first century phenomena in both cultures, however, contain elements of dedication to holy war in varying degrees.

### MODERN BLENDS OF POLITICAL AND RELIGIOUS ETHICS

The twentieth century saw many cases in which individual dedication to what is essentially a political cause brought about levels of religious ethical devotion that were close to what has been defined as holy war. Among Asian religions, for example, the concept of *kamikaze* (divine wind) pushed Japanese military pilots to undertake suicidal missions to serve the emperor-god in World War II.

Other manifestations of the “mixed” application of religious fervor and essentially political violence approach, but do not fully correspond to, holy war in the ethical sense of the term. Irish Roman Catholic underground forces opposing Protestant domination of Northern Ireland include—as do Protestant “fighting brotherhoods”—a form of spiritual bonding in their secret Irish Republican Army (IRA). Like members of Islamic radical organizations declaring “war” against the state of Israel or, increasingly, against the effects of what they consider to be corrupt secular governments in several Islamic countries, the Irish Catholics have aimed more at the establishment of alternative political regimes. Nevertheless, in some cases, the religious “sanctification” of such struggles (including Muslim-Hindu strife in parts of India beginning during the 1990’s) brings them close to the category of holy wars.

### ESCALATING ISLAMIC INTERPRETATIONS OF HOLY WAR

Various circumstances emerged in the late twentieth century that gave rise to vigorous reinterpretations of the Islamic concept of Holy War. Deterioration of political and economic conditions in several Islamic countries spawned a variety of movements that began to use jihad as a rallying point against perceived enemies of Islam. Some of these movements aim at deposing what they see as corrupt secular governments in their own modern nation states. Others claim to defend the whole of the Islamic world against a general enemy represented by the presumed infidel Western world. Although the Islamic reform movement that overthrew the shah of Iran in 1979 in-

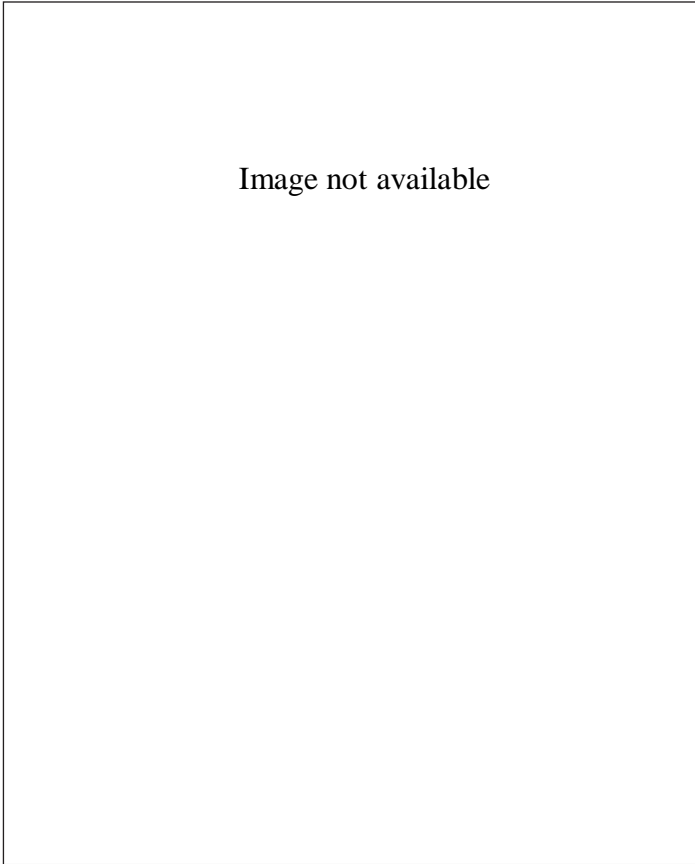
volved more than jihad as a motivating force, it did contain both of these (internal and external) elements.

When “normal” political channels for representing religiously based movements fail, rising militancy in reaction can lead to the adoption by Islamic warriors known as mujahiddeen of violent methods presumably justified by religion. This happened in Algeria in 1991, when elections that should have allowed an Islamic party to join the government were effectively canceled. Algeria’s subsequent experience of more than a decade of continuous violence—mainly in the form of terrorist attacks against both political targets and anonymous victims—tended to cloud distinctions between fanatical opposition politics and calls for holy war.

Another example of what one could call internally directed holy war grew out of political and economic grievances in Egypt during the 1970’s. When Egypt’s secular regime arrested thousands of demonstrators, organized militants under a number of names, including Islamic jihad, carried out the 1981 assassination of President Anwar Sadat. Both violent underground and overt activities involving religious discontent continued to mount over the ensuing decades. Some groups refer to continuation of the status quo in Egypt and elsewhere as reverting to the pre-Islamic “Age of Ignorance” and call for “flight” (*hijra*) within Islamic territory to escape and regroup for a concerted religious struggle.

In this case, which refers to the model provided by traditional accounts of the Prophet Muḥammad’s flight to Medina to confront his enemies in Mecca, many holy war polemicists draw on writings by famous spiritual leaders, such as Sayyid Qutb, who was martyred in Egypt during the 1960’s. Whether Qutb’s intention was to incite actual methods of holy war to achieve the assumed pristine goals of Islam, many of his revolutionary ideas were appropriated by underground movements, not only in Egypt, but beyond its borders. Both the Islamic jihad movement and Hamas (meaning “zeal,” or “ardour”) in Israeli-occupied areas of Palestine, for example, have used Qutb’s ideas to justify terrorist attacks against Israel, even though Qutb made few, if any, references to the specific circumstances affecting the plight of Palestinians. Like Algerian and Egyptian exponents of violence within particular national settings in the name of religion, the Hamas and Islamic jihad movements claim that only a religiously based mass movement can succeed in overcoming perceived injustices that have not been adequately addressed by their secular political leaders.

Other religiously motivated movements have also used the concept of holy war to support forceful actions against presumed threats, both political and moral, coming from outside the Is-



*The al-Qaeda terrorists who flew hijacked airliners into the World Trade Center and the Pentagon are believed to have seen themselves as heroes in a holy war against the United States. (AP/Wide World Photos)*



lamic world. Until several terrorist attacks against U.S. interests at home and abroad culminated in the September 11, 2001, disasters attributed to Osama bin Laden's al-Qaeda organization, the most outstanding model of mujahiddeen operations against a foreign enemy of Islam appeared in the 1980's in Afghanistan. There religious militants bore arms against the "infidel" Soviet presence in their lands. Ironically, the non-Muslim West, especially the United States, supported what they perceived to be the anti-Soviet focus of Afghanistan's mujahiddeen forces. Only later, when the extremist Islamic Taliban movement took over in Afghanistan and not only harbored, but encouraged, al-Qaeda in its operations against what it considered as the "illegitimate" Saudi government as well as the "infidel" West, did the threat of cross-border holy war become alarming.

Whether in real practical, or mainly theoretical, terms, early twenty-first century linkages involving Islamic religio-political causes in countries as far apart as Indonesia (where the Jamaa Islamiyyah, or Islamic Society, supported antigovernment and anti-Western campaigns of violence), Palestine, and Western-occupied Afghanistan and Iraq have given new global meaning to the phenomenon of holy war.

*Byron D. Cannon*

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SEE ALSO: Abū Bakr; Islamic ethics; Jihad; Just war theory; Religion; Religion and violence; War.

## Homeland defense

**DEFINITION:** Government preparations for the defense of a nation against foreign enemies during peacetime

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** The September 11, 2001, attacks on the United States underscored the vulnerability of the nation's territory to terrorism and lifted homeland defense from an abstract concept to a subject of public consciousness, while raising questions about some of the methods used to implement homeland defense.

During the twentieth century, the United States relied primarily on its Navy and Air Force to defend its territory against possible enemy attack during peacetime. During the two World Wars, when the bulk of American military troops served overseas, the country relied on a combination of state militia, civilian law enforcement agencies, and some federal military troops to defend the homeland from enemy raiders and saboteurs.

The terrorist attacks of September 11, 2001, vividly demonstrated a threat against which traditional military forces were ill-prepared. Instead of the kinds of conventional military forces that were considered threats, the most dangerous threats to the United States came from a combination of terrorist and criminal forces. Potential targets included civilian populations, segments of the economic infrastructure, computer networks, and other vulnerable areas not considered traditional military targets. After the September 11 attacks were made using hijacked commercial airliners, possible future weapons appeared to include everything from toxic germs and computer viruses to nuclear bombs. To counter such threats, President George W. Bush created a new cabinet-level Department of Homeland Security that would combine federal, state, and local resources to protect the United States from future terrorist attacks.

The concept of Homeland Defense raised few new ethical questions. Defense of the homeland is one of the primary purposes of government, and no nation is expected to ignore homeland defense. However, the methods employed to implement homeland defense can and do raise ethical problems, most of which stem from preventive methods of battling terrorism. For example, the racial profiling of possible

Image not available

*Members of the U.S. Marine Corps' Chemical-Biological Incident Response Force demonstrate anthrax cleanup techniques in Washington, D.C., a few weeks after the September 11, 2001, terrorist attacks on the United States. (AP Wide World Photos)*

terrorists and the detaining of suspects have raised questions over racism, individuality, and the concept that a person is innocent until proven guilty in a court of law. After 2001, fear of terrorist attacks led to increased use of government surveillance and intrusion of privacy. Civil libertarians have raised concerns over the erosion of what they see as fundamental rights of privacy, whereas security specialists worry about terrorists using the very openness and freedom of the nation as a tool to attack it.

*Barry M. Stentiford*

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SEE ALSO: Accused, rights of; Biochemical weapons; Chemical warfare; Electronic surveillance; Limited war; Military ethics; National security and sovereignty; North Atlantic Treaty Organization; Terrorism.

## **Homeless care**

**DEFINITION:** Public responsibility for the welfare and care of homeless persons

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** The question of the responsibility that society takes for its homeless members is an important part of the larger ethical debate about society's responsibilities to the disadvantaged.

One of the most enduring and controversial issues from Franklin D. Roosevelt's New Deal policies of the 1930's and 1940's to George W. Bush's so-called Compassionate Conservatism of the early twenty-first century has been about what should be the level of government assistance to homeless people. The issue has been rancorous because of a fundamental dichotomy in American society. On one hand, the judicial system has historically favored property rights over human rights, and both laissez-faire economics and Calvinist religious traditions have emphasized individualism and self-reliance. On the other hand, Americans have always considered themselves generous and unselfish, with a record of government aid to the poor dating back to the early nineteenth century.

Social Darwinists have claimed that poverty is a historical constant, and that therefore any government assistance to the poor is a futile waste of resources. Most modern Americans, however, ac-

knowledge that society bears some responsibility for those without homes.

### THE ETHICAL ISSUES

Does government have an ethical obligation to provide for the needs of all its citizens from cradle to grave? Is there a danger that massive federal expenditures, such as free housing, will destroy the work ethic? Will the higher taxes likely to be needed for such spending increases aggravate the class animosity between those who pay for benefits and those who receive them? These are just some of the questions connected to the issue of government responsibility for the homeless, and each question leads to more. Like most ethical concerns, there are a few consensual answers or absolute truths so the debate will continue.

On one point there is nearly universal agreement: The homeless lead a miserable existence. They are likely to be found in dangerous and unsavory neighborhoods, largely because the affluent refuse to allow them to come near them. People without homes are easily victimized. Many suffer physical, mental, and emotional problems, which make it even more difficult for them to protect themselves. They enjoy no safety, shelter, or security on an ongoing basis, and many are reluctant to seek assistance from police. Government statistics on hate crime indicate that eighteen homeless people were murdered in the United States in 2001. Some attackers killed homeless people because they saw themselves as vigilantes ridding the world of undesirable people, while others committed the crimes for thrills.

Many would argue that the federal government does have an ethical obligation to provide adequate housing to all the nation's citizens. The framers of both the Declaration of Independence and the U.S. Constitution believed in the concept of natural rights. As espoused by Enlightenment era philosophers John Locke and Jean Jacques Rousseau, and echoed by Thomas Jefferson and James Madison, natural rights theory held that God gave people certain rights, such as the right to life. Therefore, government has a moral requirement to provide, when necessary, the basic means of life. The ethics embraced by the Judeo-Christian religious tradition stressed charity and generosity toward others. Socialist and communist political ideology also embraced the idea of government-provided housing.

However, other people equally concerned with ethics have held that there is no such government responsibility.

Adam Smith and others supported laissez-faire economics, which stressed minimalist government and rugged individualism. Thomas Malthus and other Social Darwinists taught that there would always be poor and homeless people and any form of government assistance was both futile and counterproductive. The United States has always held sacred the concept of self-made and self-reliant persons, and such persons would never dream of asking the government for housing or any other form of assistance. Also, the judiciary has historically held in high esteem the property rights of all owners. Until the 1930's, the judiciary was critical of federal welfare programs. Many social commentators, such as former president Herbert Hoover, believed that federally provided housing would help not only to destroy the work ethic but would be an unconstitutional intrusion of big government.

### OTHER ISSUES

If there were a universal consensus that homelessness is a problem not to be tolerated, other issues of an ethical nature would arise. Once it is conceded that is government's job to house the poor, then the question would arise of whether government is also responsible for providing food, medicine, utilities, and transportation. How ethical would it be to heavily tax hardworking and productive citizens to provide benefits for idle, nonproductive citizens? Is the core belief of the welfare state that by nature people are incompetent to provide for their own needs? Are people poor and homeless because of their own failures and inadequacies. or are they victimized by capitalism and the wealthy? All these and many other ethical concerns would remain to be addressed.

Homelessness remains a paradoxical issue. Despite vast sums spent by various government entities and substantial assistance from the private sector, the numbers and problems of the homeless remained staggering in the early twenty-first century. Government aid has clearly alleviated the problem and assisted millions who would otherwise be homeless. However, it appeared that no amount of money would totally redress the situation.

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SEE ALSO: Charity; Communitarianism; Distributive justice; Entitlements; Institutionalization of patients; Poverty; Service to others; Welfare programs; Welfare rights.

## Homicide

DEFINITION: Killing of one human being by another

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: Legal systems generally treat homicide as a particularly heinous crime, requiring the most severe punishment, but they also allow for justifications and mitigating factors such as self-defense, lack of intent, or insanity.

All modern societies regard the premeditated murder of another human as a crime; the research of various ethologists working amongst a large number of species suggests, however, that it is not uncommon for an animal to play an active role in taking the life of another member of its own species. For example, black widow spiders are named for killing their mates, and chimpanzees have been reported to kill members of their own troops. Such observations may suggest that members of the species *Homo sapiens* have from time to time killed one another for as long as humans have existed. Furthermore, no matter how antisocial or repulsive such behavior may seem, it would be inappropriate to label such action as crimi-

nal or homicidal, since such labels introduce the notion of legality.

Additionally, while the origin of such actions may prompt ethical and moral concerns, various social and natural scientists have discussed the evolutionary advantage of such behavior while addressing kin selection and the origin of altruism. A review of anthropological literature suggests that various human societies have sanctioned the killing of humans in certain specific situations, including suicide, infanticide, war, and euthanasia. Although both activities are legally acceptable, some in the United States have called abortion murder, while others have said the same thing about capital punishment.

**HISTORICAL BACKGROUND**

Regarding human behavior and the origin and evolution of society, an action did not become criminal until it was covered by a law prohibiting it that prescribed a punishment for it. Crime is generally considered to be an assault against the state or government because it disrupts public order and disturbs social tranquillity. According to fragments of a clay tablet recovered from what was Sumer, the earliest legal prohibitions were prepared by approximately 2000 B.C.E.

The Code of Lipit-Ishtar was established during the eighteenth century B.C.E. and represents the first documented attempt to codify the laws governing human behavior. Specifically, the code outlined the rights and privileges of all members of Sumerian society. Similar codified laws representing a Babylonian dynasty of 1200-1700 B.C.E. are referred to as Hammurabi's code, and like those that preceded them, they outline the legal and social contract between members of society and society. These codes established courts, fines, and penalties, as well as the rights and obligations of each member of society. As is true of present laws, the early laws reflected the values of their time, and therefore, they incorporated the notion of an "eye for an eye." For example, a portion of Hammurabi's code states, "If a man destroys the eye of another man, he shall have his destroyed." Elsewhere it states, "If a man breaks the bone of another man, he shall have his like bone broken." Certainly a notable homicide for some was that of Abel by his brother Cain, which is discussed in the book of Genesis in the Bible.

Throughout the Western world, criminal viola-

tions are classified as those perpetrated against a person (such as kidnapping and rape), those against property (such as robbery), and those against the state (such as treason). Furthermore, they are classified as felonies and misdemeanors based upon society's perception of the severity of each crime and thus the penalty associated with it. In the United States, felonies carry a sentence of at least one year in prison, while misdemeanors are punishable by jail terms of less than a year or by a fine, or both. In the West, traditionally, the three major felonies are murder, arson, and sexual assault, although other crimes such as kidnapping and bank robbery have been added in some countries.

### HOMICIDE IN THE UNITED STATES

In the United States, murder is practically the only capital felony, or one that authorizes the death penalty for its perpetration. Under special circumstances, however, a homicide may not be considered a crime. Specifically, in cases involving self-defense, or when a homicide is carried out to prevent the commission of a further serious felony, the perpetrator may not be prosecuted. Homicides are classified as those that are premeditated, those involving manslaughter, and those caused by negligence.

The most serious type of homicide is that which is planned in advance or is premeditated. The least serious homicide is one caused by carelessness or resulting from a negligent act. Manslaughter is defined as a homicide resulting from recklessness or a violent emotional outburst. By convention, homicide rates are reported as the number per 100,000 population, although not all countries distinguish among murder, manslaughter, and negligent homicide.

The homicide rate for various countries from 1940 to 1970 are shown in the accompanying table in five-year increments. Because of the effect of population size, the number of such deaths is also reported. For example, for Australia, the rate jumps from 0.46 to 0.90 between 1940 and 1955, while the increase in the number of deaths is only 50. This is because of the relatively small population of Australia. This should be kept in mind while noting the smallest five-year difference in the number of deaths in the United States (147 between 1950 and 1955), which is nearly three times the difference in number for Australia between 1940 and 1955.

It is clearly demonstrated by the table that the

homicide rate for each country has remained relatively stable (Australia's shows the greatest rate of change—from 0.46 in 1940 to 2.38 in 1970), while there is a notable difference between countries (the lowest thirty-year average is that of England, at 0.70, while the highest is that of the United States, at 5.79). Such intercountry differences may be attributed to cultural differences and a society's attitudes toward the value of human life, the availability of weapons, and accepted techniques for resolving interpersonal conflict.

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SEE ALSO: Abortion; Assassination; Capital punishment; Death and dying; Euthanasia; Genocide and democide; Infanticide; Life and death; Lynching; Suicide assistance.

## Homophobia

DEFINITION: Fear and hatred of nonheterosexual people

TYPE OF ETHICS: Civil rights

SIGNIFICANCE: Homophobia may be seen as immoral in itself, and it also causes people to commit immoral acts, from discrimination to hateful speech to acts of violence including murder. Those who subscribe to a moral system that labels homosexuality as wrong would object to the very term homophobia on the ground that it pathologizes their beliefs.



Derived from the Greek *homos*, meaning “same,” and *phobikos*, meaning “having a fear of and/or aversion for,” the term “homophobia” was popularized by George Weinberg in 1972 in his book *Society and the Healthy Homosexual*. Other terms that have been used include: “homophilephobia,” “homoerotophobia,” “homosexphobia,” “homosexophobia,” “homosexism,” “homonegativism,” “lesbian-” and “gay-hatred” or “-hating,” and “sexual orientationalism” (giving a parallel structure with “racism,” “sexism,” and “classism”). “Biphobia” is the fear and hatred of those who love and sexually desire both males and females, and it can include prejudice and acts of discrimination against bisexual people.

“Heterosexism” (a close ally to homophobia) is the system of advantages bestowed on heterosexuals. It is the institutional response to homophobia that assumes that all people are or should be heterosexual and therefore excludes the needs, concerns, and life experiences of lesbians, gay males, and bisexuals. At times subtle, heterosexism is a form of oppression by neglect, omission, and/or distortion, whereas its more active ally—homophobia—is oppression by intent and design.

Heterosexism forces lesbians, gay males, and bisexuals to struggle constantly against their own invisibility and makes it much more difficult for them to integrate a positive identity. This is not unlike the situation of a Jew or a Muslim in a predominantly Christian country, a wheelchair user in a town with only stepped entrances to buildings, or a Spanish-speaking visitor in a country in which Spanish is not spoken.

Homophobia and heterosexism (like all forms of oppression) operate on four distinct but interrelated levels: the personal, the interpersonal, the institutional, and the societal (or cultural).

The personal level refers to an individual’s belief system (bias or prejudice). Forms of personal homophobia include the beliefs that sexual minorities (gay males, lesbians, and bisexuals) either deserve to be pitied as unfortunate beings who are powerless to control their desires or should be hated; that they are psychologically disturbed or genetically defective; that their existence contradicts the “laws” of nature; that they are spiritually immoral, infected pariahs who are disgusting—in short, that they are generally inferior to heterosexuals.

Personal heterosexism, the belief that everyone is

or should be heterosexual, is in operation, for example, when parents automatically assume that their children are heterosexual and will eventually marry a person of the other sex.

The interpersonal level is manifested when a personal bias affects relations among individuals, transforming prejudice into its active component—discrimination.

Interpersonal homophobia includes name calling or joke telling intended to demean or defame sexual minorities; verbal and physical harassment and intimidation as well as more extreme forms of violence; the withholding of support; rejection; abandonment by friends and other peers, coworkers, and family members; and the refusal of landlords to rent apartments, shop owners to provide services, insurance companies to extend coverage, and employers to hire on the basis of actual or perceived sexual identity.

Interpersonal heterosexism occurs, for example, when teachers assume that all their students are heterosexual and teach only the contributions of heterosexuals. This leaves sexual minorities without a legacy and sense of history.

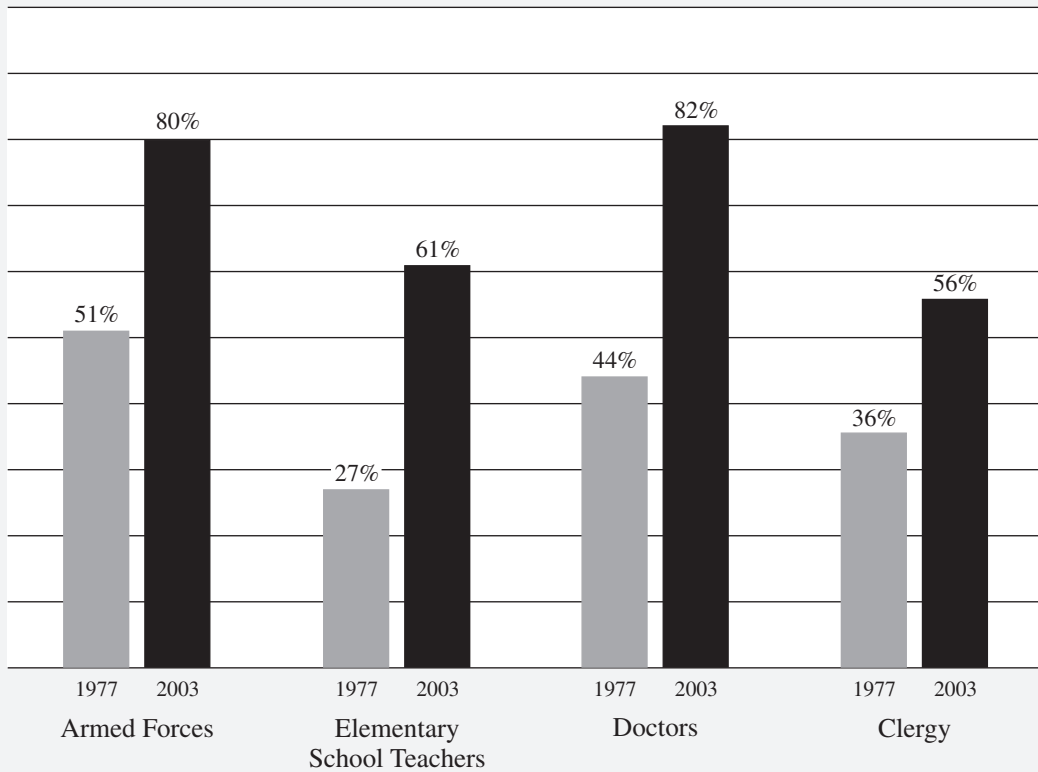
### INSTITUTIONAL HOMOPHOBIA

The institutional level refers to the ways in which governmental agencies, businesses, and educational, religious, and professional organizations systematically discriminate on the basis of sexual orientation. Sometimes laws, codes, or policies actually enforce such discrimination.

Institutional homophobia includes “sodomy laws” that remain on the books in many states to punish people engaging in same-sex sexual activity; “anti-gay rights laws,” such as the prototype Colorado Constitution Ballot Amendment 2 (approved by 53 percent of the voters on November 3, 1992) prohibiting equal protection under the law on the basis of sexual orientation; state and municipal policies restricting gay, lesbian, and bisexual people from serving as foster and adoptive parents and making it more difficult for them to win custody of their own children in the courts; military policy excluding gays, lesbians, and bisexuals; the doctrines of some religious denominations that oppose homosexuality; the classification of homosexuality as a “disordered condition” according to the American Psychiatric Association until 1973 and the American Psychological Association

### Growth in Public Acceptance of Gays in the Professions, 1977 to 2003

Percentages of Americans responding favorably to the question of whether homosexuals should be hired in these professions.



Source: *Los Angeles Times*, March 30, 2004. Summary of responses of polls undertaken by the Gallup Organization in June, 1977, and May, 2003.

tion until 1975; and school policies clearly stipulating that same-sex couples may not attend proms and other social functions.

Institutional heterosexism includes religious and governmental sanction of the marriages of only heterosexual couples; companies providing employee benefits only to “legally” married spouses and children; the heterosexual bias on government, business, and community groups’ printed forms when listing only the categories “single,” “married,” and “divorced” in reference to relationship status; municipal, state, and national governments giving special tax benefits to heterosexually married couples; medical policy permitting only “blood relatives” or spouses certain hospital visitation rights; and school

dances designed specifically to encourage the socialization of males with females, and vice versa.

The societal (or cultural) level refers to the social norms or codes of behavior that, although not expressly written into law or policy, nevertheless work within a society to legitimize oppression. Societal homophobia includes the stereotypes of sexual minorities that are taught in the culture, ranging from their alleged predatory appetites, to their physical appearance, to the possible “causes” of their desires. It also includes active attempts to falsify historical accounts of same-sex love—through censorship, deletion, half-truths, and the altering of pronouns signifying gender—making accurate reconstruction extremely difficult.

An example of societal heterosexism is evident whenever the only positive and satisfying relationships portrayed in the media are heterosexual. This is not unlike media portrayals of white people, especially in the United States during the 1950's and 1960's, which excluded positive images of people of color.

Gay, lesbian, and bisexual people are not immune to the destructive effects of homophobia, biphobia, and heterosexism. Internalized homophobia and biphobia occur when gay, lesbian, and bisexual people incorporate or "internalize" society's negative notions of homosexuality or bisexuality and of gay, lesbian, and bisexual people, thus inhibiting their ability to establish a positive self-identity or to form close and intimate relationships. This internalization may result in the denial of one's sexual and emotional attractions on the conscious or unconscious level to oneself and others; overachievement as a bid for acceptance; contempt for the more open and "obvious" members of the lesbian, gay, or bisexual community; attempts to alter or change one's sexual orientation; projection of prejudice onto another minority group (reinforced by society's already existing prejudices); delayed or retarded emotional or cognitive development; attempts to "pass" as heterosexual, sometimes marrying someone of the other sex to gain social approval; increased fear and withdrawal from friends and relatives; conflicts with the law; unsafe sexual practices and other destructive risk-taking behaviors, including substance abuse; and suicidal ideation, attempts, and completion.

Warren J. Blumenfeld

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SEE ALSO: Gay rights; Hate crime and hate speech; Homosexuality; Oppression; Sexism; Sexual stereotypes; Stonewall Inn riots.

## Homosexuality

**DEFINITION:** Disposition to feel romantic love for, and to have sexual relations with, persons of one's own sex

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** In modern Western societies, homosexuality is often seen as both a set of practices and a fundamental category of identity. As a result, both individual acts or behaviors and the character of the person as a whole are made the subject of moral judgments. The appropriate content of such judgments is a matter of ongoing controversies that increasingly bring traditional religious values into conflict both with reformist religious movements and with secular egalitarian governmental and social values.

The human body, like the bodies of many animal species, cannot perpetuate itself by itself. Human reproduction requires the union of sperm and egg cells. When this union is initiated within the body of the female of the species, the involvement of the nervous system, especially the brain, results in an awareness of sensory pleasure. Social behavior is enhanced as a result of sexual sensory input into the central nervous system, especially if there is emotional input of care, gentleness, esteem, trust, and increased well-being associated with the outward physical actions. Some

people perform heterosexual activities with their own sex; this is the case with homosexuals. Various disciplines such as psychology, psychiatry, theology, philosophy, sociology, anthropology, and the biological and medical sciences have attempted to gather information in order to understand homosexuality better.

## HISTORY

The early legal codes of Mesopotamia do not mention homosexual acts, except for the provision in the code of Hammurabi (1726 B.C.E.) that concerns sons adopted by palace eunuchs. David Greenberg, in *The Construction of Homosexuality* (1988), comments that while some scholars have claimed that the second millennium B.C.E. Hittite law provided for male homosexual marriages, this concept is now found only in the writings of the nonspecialist. At about the same time in Babylon, there was an *Almanac of Incantations*, which contains prayers that bless the love of a man for a man as well as that of a man for a woman and a woman for a man. It is not easy to be sure about homosexuality in very ancient papyri from Egypt. Greenberg was unable to find any basis for a claim that new pharaohs were masturbated and sodomized by priests. It was believed, however, that homosexual intercourse with a god would be a great blessing.

Two fragmented manuscripts from the Sixth Dynasty, about 2272-2178 B.C.E., describe a conspiracy to obstruct a court hearing involving a homosexual relationship between a top royal administrator and his military general. In the Eighteenth Dynasty, a set of religious and mortuary spells called the *Book of the Dead* has the deceased proclaiming the absence of homosexual activity in his life, and a copy of the book prepared for women indicates the existence of lesbianism. The Hebrews address homosexuality, but there is much controversy over dating and interpretation. Homosexuality within Sodom and Gomorrah seems to be implied, and the suggestion of inhospitality as the chief sin of Sodom and Gomorrah could easily include homosexual rape.

Overt homosexuality seems to have been a part of life among the Greeks by the early part of the sixth century B.C.E. Kenneth James Dover, in *Greek Homosexuality* (1989), refers to homosexual expressions that were included in graffiti on the rocks of a Spartan colony, Thera; these graffiti may even be from the

seventh century B.C.E. There seem to be no elements of homosexuality in the poetry from the seventh century B.C.E., even though there are explicit heterosexual references. By the sixth century B.C.E., lesbian poetry from Sparta did exist, as did many indications of male homosexuality. Images on many vases depict every level of intimacy between males, including the touching of genitals.

The period between 570 and 470 B.C.E. seems to be the great age of erotic vase painting. Plays that date from 425 to 388 B.C.E. used homosexuality as material for humor, but this use seemed to decline after the mid-fourth century B.C.E. in Greece. Plato's philosophical writings extol homosexuality. There exists, however, a copy of a trial that dates to 346 B.C.E. in which a citizen of Athens, a politician, was prosecuted for prostituting himself to another man.

## THE MIDDLE AGES AND LATER

During the Middle Ages, King Charles V promulgated the *Constitutio Criminalis Carolina* (1532) which punished homosexuality with death by fire. Jonathan Katz, in *Gay American History* (1976), reports that approximately one percent of the erotic Peruvian pottery that dates from 100-1200 C.E. depicts lesbianism. The writings of a Franciscan friar in 1565 refer to sodomy and lesbianism in Mexico. In writing between 1742 and 1750, missionaries of the Moravian church, a German Protestant denomination, describe the Native Americans of Pennsylvania, New York, and North Carolina as decent in public, yet committing unnatural sins in private. The term "berdache" was used for the homosexual male in some Native American tribes.

As early as 1924, prohomosexual organizations existed in the United States. The Chicago Society for Human Rights received its charter as a nonprofit organization on December 10 of that year. This group published two issues of "Friendship and Freedom" and, later, the monthly homosexual emancipation magazine *One*. Various novels and plays appeared that depicted homosexuals as a misjudged and misunderstood minority. In England, Radclyffe Hall wrote *The Well of Loneliness* (1928), which was published in New York after it was banned in England.

In California in 1948, Henry Hay founded the Mattachine Society, a homosexual emancipation organization for males. Two years after attending a meeting of the one-year-old lesbian organization

the Daughters of Bilitis in San Francisco in 1956, Barbara Gittings founded the first East Coast chapter. She was the first editor of its periodical, *The Ladder*, which began publication in 1963. In 1961, Illinois led the way for a number of states to decriminalize homosexual activity in private between two consenting adults. In the summer of 1969, customers at the Stonewall Inn, a homosexual bar on Christopher Street in New York, rebelled against a police raid. This event is considered to mark the beginning of group rebellion, the beginning of the "Gay Rights" movement.

### ETHICAL PRINCIPLES AND ISSUES

It is basic that every person be free to make decisions regarding sexual activity within the realm of others' rights. To make a free decision requires that the person has attained maturity and an appropriate level of knowledge. The acquisition of pertinent facts regarding homosexual behavior and reasoned reflection on its outcomes should precede one's decision at all levels of sexual intimacy. One's actions should also, at all times, respect the dignity of life.

Ethical issues in the area of homosexuality fall into one of two categories. They are either microcosmic, related to the concerns and care of the individual or a small unit of society, or they are macrocosmic, related to society on a large scale.

Allowing a person the freedom to make personal choices is one of the highest forms of respect. Some say that this microcosmic approach is the only sensible one. Each person may have programmed limits of freedom that are the result of genes, early family relationships, and cultural relationships. The uniqueness of the human nervous system makes possible an unusual awareness that seems to transcend the physical.

At the macrocosmic level, a society's treatment of minority or marginalized segments of its population is often a significant yardstick for measuring the justice or enlightenment of that society as a whole. Homosexuals, often the object of extremely strong opinions and feelings on the part of a heterosexual majority, are at risk of persecution unless a society takes explicit measures to prevent such treatment.

### HEALTH CARE ALLOCATION

In Europe and the United States, late-nineteenth century physicians began to say that homosexuality

was a problem for them to treat rather than something for judges, lawyers, and legislators to address. Karl Heinrich Ulrichs, impressed with the discovery that the early human embryo contained both male and female organs, then lost one set as development continued in the uterus, began using the term "third sex." Psychiatry, especially, began treating people who wanted to be helped. Some states in the United States adopted compulsory sterilization for homosexuals. Some homosexuals during the early twentieth century sought castration to stem unwanted homosexual desires.

The rise of the acquired immunodeficiency syndrome (AIDS) during the 1980's put the homosexual issue firmly into the health care realm. The medical world had not only the problem of dealing with the human immunodeficiency virus (HIV) but also that of treating the many health problems related to a suppressed immune system in the human: pneumonia, AIDS-related cancers such as Kaposi's sarcoma, and various types of brain involvement. Homosexual men are at particularly great risk of contracting AIDS.

### RESEARCH

Psychological studies show that environmental influences, especially parental relationships before age two, may irreversibly determine a person's sexual identity. Sigmund Freud suggested that people who react negatively to homosexuals are exhibiting "reaction formation"; there is a desire but the super-ego forbids its expression. The transmission of this prohibition happened at an early age, but this does not explain the origin of the primary prohibition. Even though research into homosexuality continues, in 1975 the American Psychological Association deleted the word "homosexuality" from its *Diagnostic and Statistical Manual of Mental Disorders*.

Many religions attest the perversity of homosexual activities. To Jews, moral law and natural law are products of the one God, and nature clearly seems to intend that human males and females should engage in sexual relations only with each other. Not only Judaism and Christianity but also Islam and Zoroastrianism condemn homosexual actions. In the Hindu civilization, the Laws of Manu impose only a mild penance for homosexual conduct.

Sociological inquiry into homosexuality has attempted to find out how the homosexual stigma has produced dramatic consequences for these individu-



als. A landmark paper by Mary McIntosh, "The Homosexual Role," which was published in *Social Problems* in 1968, states that only when the homosexual person sees himself or herself in terms of a social category does that person start to act in terms of that role. The homosexual role is not universal, even though homosexual experiences are. In 1978, Barry Adam presented the results of his study in *The Survival of Domination: Inferiorization and Daily Life*. He shows that gays have restricted opportunities, their lives are dominated by unacceptance, and their mental lives are devalued. Not all sociologists, however, consider homosexuality an issue of social concern that is worth their research time and effort.

Anthropological studies on homosexuality are sparse and do not give a clear picture. In most societies, however, sexual activity takes place in private. In 1976, Gwen Broude and Sarah Greene, in their article "Cross-Cultural Codes on Twenty Sexual Attitudes and Practices," published in *Ethnology*, suggested that little homosexuality is reported because it is not customary to do so. Information on the frequency of homosexuality is given for only 70 of 186 societies in the Human Relations Area File's Standard Sample, and there are only 42 reports on attitudes toward homosexuality. Native reluctance to share such information with Western, white anthropologists has been reported. Many anthropologists have been men, so questions on lesbian activities have been prevented by norms of propriety. If sex is a part of religious ritual, that can be a further reason for secrecy.

Scientific research has shown that hormones, chemicals circulating in the blood, have a profound effect upon sexuality, but human sexual activity is not totally controlled by hormones and cycles, as it is in many animals. In 1982, Christine de LaCoste-Utamsing and Ralph Holloway reported, in *Science*, the presence of sexual dimorphism in the part of the brain called the corpus callosum.

In 1985, a sexually dimorphic nucleus, or area that consists of a collection of nerve cell bodies (gray matter) surrounded by the white matter of the brain, was reported in the hypothalamus, a primitive part of the

brain that functions in eating as well as in reproductive activities. In 1991, Simon LeVay published in *Science* the results of his study of forty-one human brains. Six were from heterosexual women, sixteen were from heterosexual men, one was from a bisexual man, and eighteen were from homosexual men. Four nuclei in the anterior part of the hypothalamus (interstitial nuclei 1, 2, 3, and 4) were studied. Differences were found only in the interstitial nuclei 3 in these postmortem brains. Nucleus 3 was twice the size in the homosexual men compared to its size in the heterosexual men. The size of this nucleus in the homosexual men was about equal to that found in the heterosexual women. The sample size used in this study was small. Also, it is not known whether nucleus 3 was larger at birth, became larger in early childhood, or became larger as the result of homosexual activity. The last possibility is important to consider, because the projections, or dendrites, from

### Homosexuality in Broadway Dramas

Although often obliquely presented, homosexuality surfaced on the American stage as early as the 1920's. Gay elements pervaded such plays as Lillian Hellman's *The Children's Hour* (1934) and plays by Tennessee Williams, including *The Glass Menagerie* (1944), *A Streetcar Named Desire* (1947), *Cat on a Hot Tin Roof* (1955), and *Suddenly Last Summer* (1958). However, it was not until the late 1960's that gay themes became more overt in dramatic productions. In 1967, New York State officially lifted its edict banning homosexuality from the stage. That edict had long violated the First Amendment rights of both authors who wished to write about life's realities and audiences who wished to see such plays.

In 1968, one year after the New York ban was lifted, Mart Crowley's overtly homosexual play, *Boys in the Band*, opened on Broadway. A quarter century later, Jonathan Tolins's *The Twilight of the Gods* (1993) presented audiences with the ethical dilemma of a homophobic family whose daughter's unborn fetus tests positive for the "gay gene," raising thorny questions about whether to abort the fetus. The play asked the question of whether being gay is so horrible that it justifies killing an unborn infant. Meanwhile, other thoughtful dramatic presentations on screen as well as on stage have posed complex ethical questions and helped to cast homosexuality in a context related to issues many families with homosexual members confront.

pyramidal cells in the cortex of young mammals increase with sensory input.

Some studies of the sexual preferences of twins have shown a high correlation between them. In one study, 52 percent of identical twins were homosexual, compared with 22 percent of fraternal twins and 11 percent of adopted brothers. Again, the sample size is small (only 161 sets of twins).

### NATURE OF HOMOSEXUALITY

Science has not shed definitive light on the physical basis of homosexuality, although biologists tend to look to genetics for an answer. History seems to indicate that homosexuality was a part of ancient civilizations, but it was especially banned by the Hebrew religious code, which separated homosexuals from others who were called pagans. The Hebrew evaluation of homosexuality was adopted by the Christian community, and especially, by the Roman Catholic Church, which holds that each person can be respected even though the actions of the homosexual person are difficult to judge and are not approved. There have always been those who have been both heterosexual and homosexual in their activities. The members of the “gay movement” want homosexuality to be a way of life that is accepted and considered equal to heterosexuality in every way.

### ETHICAL DECISION MAKING

This activity involves both content and process. For the individual, there needs to be a clear understanding of the preference to seek sexual pleasure with the same sex and the performance of the action at whatever level of intimacy it may be. One needs to reflect upon the effect of sexual sensory input into the central nervous system, and especially the human brain, with its ability to remember, imagine, and affect the entire person. The process might also include answering some of the following questions. How do my actions relate to the dignity of my personhood? Do my actions show responsible stewardship of the human species? Does this pleasure ensure my future health and well-being? Do my actions promote the common good?

### PUBLIC POLICY

Greenberg relates governmental laws regarding homosexual activity to the rise of capitalism. The development of the political power of the working class

resulted in the state’s assuming a greater role in civil society. As the industrial revolution continued, educational requirements for jobs increased. The public education of both male and female children caused children to be considered asexual. By 1885, the law put English children into a category that was out of the sexual reach of adults. In the United States, statutory penalties for homosexual activity were enacted. For example, the 1881 *Revised Statutes for the State of Indiana*, section 100 of chapter 32, states,

Whoever commits the abominable and detestable crime against nature, by having carnal knowledge of a man or a beast, or who, being male, carnally knows any man or any woman through the anus, and whoever entices, allures, instigates or aids any person under the age of twenty-one years to commit masturbation or self-pollution, is guilty of sodomy, and, upon conviction thereof, shall be imprisoned in the State prison not more than fourteen years nor less than two years.

Between 1880 and 1890 the number of people in prison in the United States for homosexual activity increased 350 percent compared to a 25 percent increase in population.

During the 1970’s, attempts were made to change public policies on this matter in the United States. On June 7, 1977, in Dade County, Florida, a referendum to ban discrimination regarding housing, employment, and public accommodations based on a person’s public statements regarding affectual or sexual preference failed to pass. A similar bill in New York City had been defeated in the city council by a vote of twenty-two to nineteen on May 23, 1974. Many laws that favor professed homosexuals did pass, however, especially in Washington, D.C., and San Francisco, California. In many situations, no questions are asked regarding one’s sexual preference, and during the early years of the twenty-first century, San Francisco and other major cities were even openly condoning gay marriages.

*Rose Ann Bast  
Updated by the editors*

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SEE ALSO: Acquired immunodeficiency syndrome (AIDS); *Dronenburg v. Zech*; Gay rights; Hammurabi's code; Homophobia; National Gay and Lesbian Task Force; Stonewall Inn riots.

## Honesty

DEFINITION: Fair and truthful conduct, free from deception or fraud

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Honesty is the one virtue most commonly subjected to situational ethics. While dishonest acts that cause harm are generally treated as clear ethical violations, dishonest acts that protect the happiness of others may be condoned or even recommended, and honesty itself is often deemed embarrassing or even morally questionable depending on its context.

As a virtue, honesty belongs to the ethical *genus* of justice. Other concepts relative to honesty are dignity, uprightness, fidelity to the truth, and chastity in words and actions. Because they harm other people, the opposites of honesty are generally condemned; among those opposites are lying, dishonesty, sham, covetousness, unscrupulousness, inaccuracy, treachery, and infidelity in words and actions.

### DISHONESTY, SOCIETY, AND INDIVIDUALS

All groups, including the family, the clan, and the larger society as a whole, must practice honesty, for to do otherwise would undermine the group by destroying mutual confidence. Subsequently, the group would disintegrate. Treachery of any kind can flourish between hostile groups but never within a group, for it scatters people and breaks down groups.

Dishonesty is a type of war in disguise. Unless honesty and truth are observed and practiced by people, no one can trust anyone else and no one can know what to expect from others. Society would then fragment and—as Thomas Hobbes mentioned long ago—revert to a "state of nature," a war of one against all and all against all. Life, Hobbes said, would become "solitary, poor, nasty, brutish, and short." Another philosopher held that falsehood was the worst of "evils" because its negative consequences—including the end of society—would be so great.

Many types of dishonesty exist. One type involves lying in an attempt to deceive, and prevarication is probably the most effective form of lying. Prevarication is the attempt to leave a false impression by using words that in some other sense might be true. The best example of prevarication is the case of the two diplomats who promise that their two countries will remain at peace so long as they stand upon “this earth.” Immediately after such agreement, both diplomats go to a private place to remove their shoes and pour the sand out of them. Thus can a lie be told with words that are technically “true” but are false in context.

A lie can be told without words—by means of gestures or silence. A forger lies with the pen, a medical quack with fraudulent prescriptions, a smuggler by “expert” packing, and the pickpocket with his hands. Robbers and thieves are also, in a sense, liars, for they are dishonest when they take money or goods that rightfully belong to someone else. Such lies and dishonesty in effect break the implied promise that civilized people make to one another to be truthful and to cause no harm.

In addition to harming others, the dishonest one also hurts himself or herself. The liar’s attacks on society wear it down, and as society “loses,” so, too, do its individuals. Furthermore, dishonesty tears away at the character of the offender. Once the dishonest one is caught in a crime or even a simple lie, society damns him, and no one will ever believe him again, not even when he speaks the truth. Additionally, many dishonest people eventually start to believe their own lies or justify their crimes, whatever those crimes may be. Someone, for example, might steal goods and “justify” it by saying, “The rich owe me this much” or “Society owes me at least this much.” When such thinking occurs, internal honesty is replaced by internal dishonesty and self-deceit. Since inner truthfulness is a key to moral growth and personal vigor, the dishonest person throws away his or her chances to achieve that growth and vigor.

### DEVELOPING A PHILOSOPHY OF HONESTY

First, the question of relativism must be resolved, and one type of relativism involves recognition that different cultures have differing customs and mores. Different cultures may also have different moral values. One need look no further than Eskimo society. The men not only practice polygamy but also share

their wives with male guests, for such behavior is considered the proper sign of hospitality. Furthermore, a dominant male might also have access to all other men’s wives. Eskimos also practice infanticide, with female newborns being most likely to be killed. Eskimo society also approves of leaving old people, who have ceased to be productive, out in the snow to die. While American laypersons might be shocked by such practices, relativists are not. They argue that there is no standard “right” and “wrong” and that moral rules vary from society to society. In other words, cultural relativists challenge the view that there are universal moral truths.

Despite the arguments described above, many thinkers remain critical of relativism. First, critics contend that relativists confuse what people simply believe or want with objective truth. For example, if nations make war to enslave other people, is that war justified simply because the aggressive nation believes that it is? During the World War II era, Nazi Germans had elaborate reasons to justify the murder of millions of Jews. Were such exterminations justified simply because the Nazis thought that they were? Similarly, in some societies of the past, people believed that the world was flat, but does that mean that there is no objective truth in geography? No. Similarly, there are objective truths in moral philosophy, and honesty is one of them.

Cultural relativism’s “big brother” is relativism in general. Some thinkers hold that there should be no fixed principles to guide human words and actions. According to them, everything is relative and ethical decisions must be rendered on a case-by-case basis. The idea that all is relative is, however, a fixed principle. Everything is not relative, and certain ethics *should* be obeyed by all. An ethical philosophy of honesty, for example, allows but few examples wherein it is “right” to be dishonest or to lie.

The case of the “inquiring murderer,” however, does bedevil a thinker: Jane Doe sees a man running down the street on a dark, rainy night. As the man turns a corner and disappears, a second man rushes up. Jane notices that the second man is carrying a gun at just the moment when he asks Jane, “Which way did he go?” Should Jane tell the truth? That course might lead to the murder of another human being. Here, one must conclude that no, in this case Jane should lie because saving a human life outweighs Jane’s responsibility to tell the truth to an armed man.

Said another way, one duty that Jane owes humanity is greater than another. Thus, there are times when honesty and dishonesty are relative, but those cases are few and far between. Only a person's strongest powers of reason can discern the rare occasions when it is correct to be dishonest.

### PHILOSOPHY OF IMMANUEL KANT

Exceptions aside, honesty in most avenues of life is still the best policy. One really needs to look no further than the philosophy of Immanuel Kant to justify that policy. Kant held that there were certain absolute rules—called “categorical imperatives”—that were not relative and that did not change no matter what the circumstances. Basically, his imperatives called for people to think, speak, and act only in ways that would be acceptable if they were mandated as universal laws to be followed by all people everywhere; that is, people should ask, before they decide on an action, should my behavior become a universal law? Thus, is it permissible for one to steal the money or goods of another? No, because if everyone became a thief, civilized society would crumble. Is it permissible to lie (except in a life-threatening emergency such as that of the aforementioned Jane Doe)? No, because if lying became a universal law, the war of all against all would start. Kant's imperatives would also ban such acts as armed robbery, murder, adultery, incest, and so on. Except for certain moral dilemmas, Kant's system seems to work well as a general guide for determining honesty: Tell the truth, do not rob or steal, do not kill others, do not physically or mentally assault others, and so on.

Kant's lines of reasoning are as follows: You should take only those actions that conform to rules that you are willing to adopt as universal laws. If you are dishonest, you are announcing that universal dishonesty is permissible. The last point is absurd, however, because it is a self-defeating proposition. If all people were liars, cheats, and thieves, people would stop trying to believe one another, and it would do no good to be a dishonest liar, because one would not be believed. Therefore, it is best not to lie, cheat, or steal.

Kant's categorical imperatives seem even more correct if one considers other philosophical doctrines. For example, some thinkers still hold that religion is the key to truthfulness, honesty, and right action: Simply do what God commands. Such a view

does little, however, to guide atheists or agnostics. Kant's imperatives do.

The utilitarian philosophy is also unacceptable as a replacement for Kant's imperatives. The three founders of utilitarian thought—David Hume, Jeremy Bentham, and John Stuart Mill—and their followers held that people should be guided by the principle of happiness and the greatest good for the greatest number. To make people happy was the greatest good, and questions about honesty and dishonesty would become the servants of the greatest good; that is, dishonesty could be practiced if it made people happier. To give Hume, Bentham, and Mill their due, all three were reformers who were trying to make English law and society more just, but their philosophy falters on the issue of dishonesty. For example, consider the person who breaks into a home and steals most of the family's treasures, including jewelry, televisions, personal computers, microwave oven, and money. The thief next distributes the goods to his many friends. If one were a strict, no-exceptions-allowed utilitarian, one would have to conclude that the theft was acceptable because the thief made more people happy than unhappy.

Utilitarianism in its extreme form is hedonism, a philosophy that justifies behavior based on how people “feel.” If what one “feels” is the criterion for action, then all is allowed—even dishonesty. Additionally, other virtues might well disappear if they conflict with hedonism, virtues including, but not limited to, justice, the rights of other human beings, and truthfulness.

### HONESTY AND DISHONESTY IN MODERN AMERICAN SOCIETY

Although many millions of Americans are most likely honest in all their endeavors, if one looks at public life, one must conclude that it is a rare public official who tells the truth. Scandal has been the order of the day for decades. In the Cold War era, for example, some individuals in the state department, the military, and the Central Intelligence Agency (CIA) were dishonest with the American people in striving to make them terrified of the Soviet Union, which was only a regional power at best. During the Vietnam War, the same agencies were regularly dishonest in what they told the people. Then, when the Gulf War was being fought during the 1990's, generals “managed” the news about the war, leaving an im-



pression that the American victory was greater than it really was. It was only later that investigators discovered, for example, that “friendly fire” killed many soldiers and that American missiles had not been as accurate as the generals had said. As the turn of a new century neared, many Americans became so jaded that they took it for granted that the government would be dishonest and would lie about most military matters.

Dishonesty is also rampant in American internal affairs and has been for decades. By 1952, despite his own best efforts, President Harry Truman’s administration became hopelessly corrupt; that fact helped the Republicans retake the Oval Office, but the Dwight D. Eisenhower administration had its scandals, too. President John F. Kennedy contributed to the trend of dishonesty among public figures. He received the Pulitzer Prize for *Profiles in Courage* (1955). The problem? He did not write it. His staff, headed by Theodore Sorensen, did. Next, President Lyndon B. Johnson did his best with the internal War on Poverty, but he lied about the shooting war in Vietnam. One need say little about the Richard M. Nixon administration except one word—Watergate. On and on the trend goes. During the 1992 political cam-

paign, president-to-be Bill Clinton was less than candid about certain matters in his private life. His immediate predecessors, Ronald Reagan and George Bush, were no better; both became mired in the “Irangate” arms-for-hostages scandal.

Dishonesty also flourished in Congress, especially during the 1980’s, as one scandal after another occurred. For example, in their bank, members of Congress regularly engaged in the practice of check “kiting.” In their post office, other irregularities occurred. In their restaurant, members of Congress charged but refused to pay their bills—this while voting themselves such massive pay raises that they could disengage themselves altogether from the concerns of the lower and middle classes. Even though some dishonest members of Congress were “retired” after the scandals, many of the guilty returned to Washington to continue their corrupt careers. Sex scandals, racism, gender discrimination—all these ills can also be laid at the feet of Congress, and all such ills have an aspect of dishonesty about them.

In the modern United States, it is not only politicians who are dishonest. Before he left office in 1961, President Eisenhower warned about the development of the “military-industrial” complex. Indeed, the alliance between the military and big business grew by leaps and bounds, and dishonesty flourished as many defense contractors defrauded the government. Worse, many businesspeople seemed to lose whatever honesty they might have had. During the 1980’s and 1990’s, for example, Americans had to watch the spectacle of the savings and loans scandals. For decades, taxpayers will pay billions of dollars and therefore be punished for the criminal acts of a handful of dishonest bankers.

Religionists are also numerous among the dishonest. In front of a television audience that numbered millions of people, Protestant fundamentalist Jimmy Swaggert thundered against sin and actually laughed heartily about all the awful tortures that sinners would receive when they all went to Hell. He said that shortly before he was caught more than once be-

Image not available

*U.S. marshals escort former televangelism superstar Jimmy Bakker away from his attorney’s office after he was arrested for fraud in 1989. (AP/Wide World Photos)*

ing unfaithful to his wife by frequenting prostitutes. Jim Bakker was a “man of God” who built a ministry of millions of both people and dollars, only to be convicted later of fraud and sent to prison. Yet Protestants were not the only guilty religionists. Newspapers reported one case after another of Roman Catholic priests who molested children or adults, while Jewish rabbis heading schools that received federal and state money enrolled imaginary students to receive more money.

In almost any field that one surveys, dishonesty exists, and society is in danger of decline as trust is increasingly lost. Worse, when the young see the dishonest behavior of preachers, lawyers, physicians, politicians, and so on, they come to believe that dishonesty is acceptable. When those children grow into young adults, they may become corrupted by tempting situations wherein they must choose between honesty and dishonesty.

### CONCLUSIONS

All people who wish to live ethically must understand the consequences of dishonesty. First, it threatens all of society. If dishonesty becomes widespread enough, civilization itself will decline. Second, dishonesty also threatens the dishonest person by slowly working to destroy that person’s character, integrity, and honor. It may well be time to reembrace Kant and to declare that of his categorical imperatives, the imperative that demands honesty is one with the greatest reason on its side. Dishonesty can never become universal or “natural” law, because it is self-defeating in the end.

*James Smallwood*

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SEE ALSO: Cheating; Corporate scandal; Corruption; Lying; Orwell, George; Perjury; Relativism; Situational ethics; Truth; Utilitarianism; Watergate scandal.

## Honor

**DEFINITION:** Consciousness of self-worth and corresponding code of behavior thought particularly appropriate to individuals whose self-esteem is grounded in their ancestry and breeding

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** A worldly and exclusive ethic, honor was particularly compatible with traditional, hierarchical societies in which allegiance was directed to individuals rather than to an impersonal state governed by abstract law.

Honor is an elusive term whose meaning has undergone considerable change from antiquity to the present. It refers to a personal sense of worth and dignity as well as to a corresponding code of behavior or standard of conduct expected by one's peers. Honors are marks of approbation or recognition bestowed by virtue of one's actions in accordance with such codes and standards.

Some social scientists contend that honor is universal, found in virtually all societies. Some scholars refer to "primal honor," as evident in pagan and Indo-European societies, signifying a code of behavior that emphasized valor, the reputation of family and group with which the individual identified, male virility and ferocity, and loyalty. Primal honor, as the term suggests, was archetypal and universal, the moral property of the whole community and consequently neither class-based nor elite-based. Above all, it valued the opinion of others as a gauge of self-esteem and worth. It was, however, an exclusively masculine property. Presumably, the more traditional the society, the more visible would be the qualities of primal honor.

Literary scholars and historians are more inclined to confine honor to Western civilization, as an ethic first evident in antiquity, altered in the Middle Ages, and subsequently transformed during the Renaissance and later. Honor's primal qualities were transmuted by the medieval Roman Catholic Church in the cult of chivalry that elevated the lady. When applied to the lady, honor referred to purity or chastity. Nevertheless, if a lady's honor was impugned, it remained a man's responsibility to defend it. Renaissance humanists joined learning, manners, and civility to the earlier code and produced, especially in the Anglo-Saxon tradition, a more reified code of

honor. With its emphasis upon inner worth along with external expressions of respect and esteem, this more elevated variety of honor was exclusive, as opposed to primal honor's alleged universality. The historian Jacob Burckhardt referred to the Renaissance concept of honor as "an enigmatic mixture of conscience and egoism."

In medieval England, an honor was originally a large estate granted by the crown. It was a physical property that was the outward sign of a man's dignity and was heritable. While honor's meaning was subsequently translated from land to character, its heritability was retained, as was its elitist associations. Honor was a quality associated with the hereditary ruling elite and was to be emulated. Thomas Hobbes referred to honor as "the opinion of power." Edmund Burke considered honor a quality "to be found in the men the best born, and the best bred, and in those possessed of rank which raises them in their own esteem, and in the esteem of others, and possessed of hereditary settlement in the same place, which secures with a hereditary wealth, a hereditary inspection." Honor, then, was a peculiarly aristocratic quality.

While some critics of the Scottish Enlightenment professed that honor was universal, the examples they provided of its operation were invariably drawn from the world of privilege. Even such critics of honor as William Paley, who saw it as an instrument of social control, defined honor as an aristocratic code that "regulates the duties *betwixt equals*."

### THE "MAN OF HONOR"

Insofar as a man of honor sought the rewards of approbation, honor was a worldly ethic that was often at odds with the ascetic or other-worldly aspirations sometimes associated with a higher morality. The man of honor subscribed to a code distinct from and sometimes in conflict with the laws of God or the laws of his country. A sensitivity to personal reputation was foremost, and, especially in early modern European history, the "point of honor" became the duel, despite condemnation of the practice by both Church and state law.

Many theorists from the Renaissance to the Enlightenment sought to reconcile honor with public virtue, particularly in the form of benevolence. For such theorists as Adam Smith, Baron de Montesquieu, and David Hume, aristocratic honor was necessary for the preservation and transmission of lib-

erty. Nevertheless, the association of honor with traditional societies that valued privilege and patronage resulted in its attenuation and further transformation once those traditional societies were replaced by the modern industrial state.

The French Revolution's assault upon the old regime's world of privilege implied a rejection of the code of aristocratic honor that had been linked with monarchy, the king having been the "fount of honor." The quality that had once been personal, however, having been associated with serving the monarch, came to be associated with serving the impersonal nation. Hence, in the nineteenth and twentieth centuries, the concept of national honor became prominent. It was not an altogether new concept, since varieties of collective honor persisted when men of rank identified with their families or clans. Moreover, while honor as a personal ethic characteristic of elites was being weakened, the collective honor associated with those elites was strengthened.

When aristocracies controlled their nations, national honor was a projection of their personal honor. In the nineteenth and twentieth centuries, the concept of national honor acquired mass appeal, as the nation displaced the individual as the object of loyalty. Numerous statesmen appealed to national honor in the diplomacy of the countries they represented, and the phrase "peace with honor" was frequently used to justify a particular policy or arrangement. It has been invoked by such disparate figures as British prime ministers Benjamin Disraeli, after the Congress of Berlin in 1879, and Neville Chamberlain, when he returned from his meeting with Adolf Hitler at Munich in 1938. In seeking to conclude the Vietnam War, President Richard Nixon and Secretary of State Henry Kissinger claimed to bring peace with honor.

*Abraham D. Kriegel*

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SEE ALSO: Bushido; Chivalry; Choiceless choices; Dignity; Elitism; Integrity; Self-love; Self-respect.

## Honor systems and codes

**DEFINITION:** Obligations that members of groups—such as students—accept by taking oaths binding them to follow group rules without external compulsion

**DATE:** First student honor code adopted at the University of Virginia in 1842

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Honor codes establish principles of behavior within certain social contexts, but such principles may conflict with universal theories of ethics based upon deontological or utilitarian concepts of morality.

By pledging to follow a code of honor, members of a group expect to be trusted on the basis of their oaths to carry out certain obligations under any circumstances. For instance, the medieval code of chivalry and the Bushido, the code of Samurai warriors, both maintained that vassals should remain loyal to their lords. Failure to live up to such fealty was considered the highest form of disgrace. Similarly, the young men of many North American Indian societies took oaths never to retreat in the face of danger, and the *mafioso* (men of honor) are sworn to a code of silence about the criminal activities of their brethren.

Students sworn to college and university honor codes accept responsibility for the academic integrity of their classrooms. They pledge to uphold the

### Academic Honor Codes on the Web

The Web site of the Center for Academic Integrity ([www.academicintegrity.org](http://www.academicintegrity.org)) offers links to Web sites of more than one hundred member colleges and universities that have honor systems. Most of these sites offer the complete texts of the institutions' honor codes and explanations of their enforcement policies. Among the types of information found on these pages are detailed definitions of cheating, plagiarism, collusion, and other offenses, as well as descriptions of the positive behaviors that students are expected to exhibit.

codes by conducting themselves honestly in all grading activities and by reporting any violations of fellow students (under nontolerance clauses). Faculty members recognize student honor codes by not proctoring exams and allowing students to adjudicate by themselves any charges of cheating. Under some university honor codes, students found guilty of academic dishonesty, no matter what the violation, are punished by expulsion. Single sanctions for all degrees of cheating rest upon the idea that what is being punished is not merely a particular violation of classroom rules, but the breaking of one's pledge to the code itself.

Nontolerance clauses and single-sanction punishments are two ethically controversial features of academic honor codes. Turning in classmates for violations may appear to be a kind of betrayal, while single-sanctions punish both trivial and serious violations with the same severity. Around the turn of the twenty-first century, extensive cheating scandals at honor code schools and at the U.S. military academies raised questions about the effectiveness of strict honor codes. In response, many universities have adopted "modified" honor systems, which do not necessarily require reporting violations and that offer a variety of punishments.

*Bland Addison*

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SEE ALSO: Applied ethics; Character; Cheating; Chivalry; College applications; Ethical codes of organizations; Honesty; Honor; Loyalty oaths; Perjury; Professional ethics; Promises.

## Huineng

IDENTIFICATION: Chinese Buddhist monk

BORN: 638, Southwest Guangdong, China

DIED: 713, Guangdong, China

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The sixth patriarch of Chinese Chan (Japanese, Zen) Buddhism, Huineng taught that liberation consisted not in overcoming desire but in not producing it in the first place.

Both the life and thought of Huineng are recounted in records that are legendary and polemical, so certainty about either is impossible. It is likely, however, that Huineng came from an impoverished family and went to the East Mountain in 674 to study Chan with Hongren, quickly gaining enlightenment. Huineng succeeded his master at Hongren's death, becoming the sixth patriarch. He emphasized that enlightenment came all at once. Subsequent to enlightenment, one engaged in various exercises to develop what had been born or discovered. Huineng was monistic but did not care to elaborate that monism. Consequently, he believed that good and evil, while contradictory, are only temporal realities. Behind that dualism lay a unity out of which the enlightened person acted. The implication of this idea is that acts are not so much right or wrong as measured by some standard as they are in harmony or out of harmony with the unity of things. Differently put, since there is no difference between oneself and others, one harms oneself if one harms others. If one realizes that there is no self, one will produce no desire.

*Paul L. Redditt*

SEE ALSO: Bodhidharma; Buddhist ethics; Dōgen; Zen.



## Human Genome Project

**IDENTIFICATION:** International project launched by the U.S. National Institutes of Health and Department of Energy whose goal was to build a complete sequence map of the entire human genome, locating all the genes on their respective chromosomes

**DATE:** Begun in 1990

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** While the potential for good held out by the project is vast, it is recognized that firm legal, ethical guidelines for the use of human genetic information must be established and enforced.

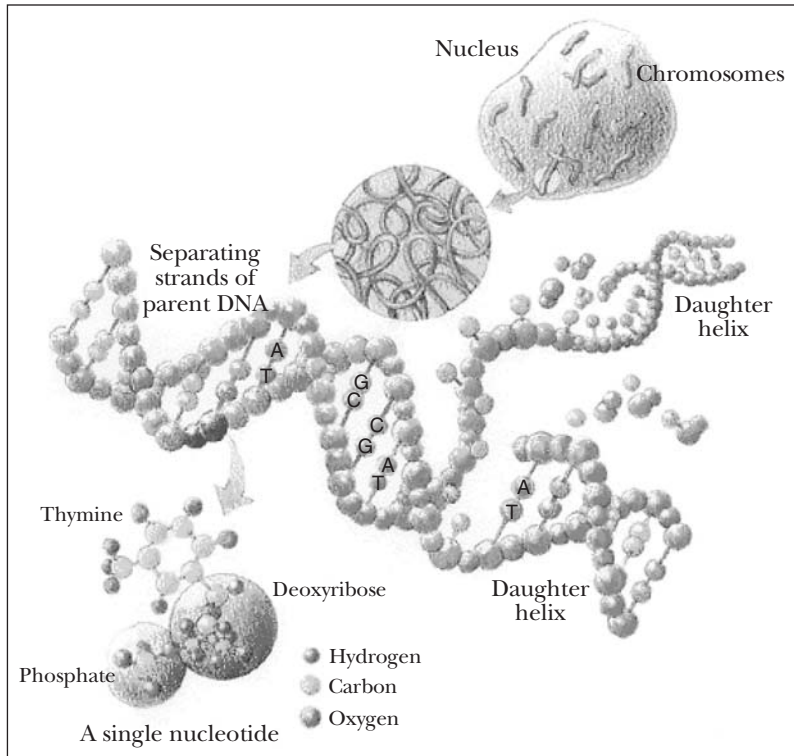
The Human Genome Project began in 1990 with the goal of better understanding the human genetic makeup and providing a free database to be used for

the common good of everyone. The project released its first draft of the human genome sequence in February, 2001. The chemical structure of each gene sequence provides scientists with the necessary information to identify which genes are associated with specific human traits and with diseases such as cancer, diabetes, cardiovascular, arthritis, Alzheimer's, deafness, and blindness. Through ethical use of the human genome information, the hope is that serious diseases will be treated more effectively and eventually eliminated through the development of new drugs and gene therapy.

Although the results of the Human Genome Project are based on the principles of science and technology, the project itself is permeated with complex ramifications related to politics, public opinion, public relations, economics, and ethics. Issues of genetic privacy, genetic discrimination, and genetic determinism arise. One fundamental question that has

Image not available

*André Rosenthal of Germany's Human Genome Project explains genome sequencing at a press conference in June, 2000. (AP/Wide World Photos)*



This illustration from the Human Genome Program of the Department of Energy shows the basic context of DNA replication from the cellular nucleus, which contains the chromosomes, to the separation of DNA strands and their replication at the molecular and atomic levels into daughter helices. (U.S. Department of Energy Human Genome Program, <http://www.ornl.gov/hgmis>.)

arisen is who should be genetically tested to determine his or her risk for contracting a debilitating disease and what should be done to prevent the misuse of such information. People undergoing genetic testing might face significant risks by jeopardizing their employment or insurance status. Since the process involves genetic information, such risks could also be easily extended to other family members. Confidentiality and privacy of an individual's genetic formation must be protected.

Other ethical concerns raised by the project include human cloning and the possible manipulation of genes to produce superior traits. Animal cloning has proven to be inefficient and often produces animals with debilitating conditions. Many scientists and physicians strongly believe that it would be unethical to attempt human cloning.

Genetic information derived from the Human Genome Project is expected to help future researchers gain a better understanding of the human system, including particular organs, tissues, and the complete chemistry of life. As this progress continues, scientists and ethicists have pointed out that legal and ethical guidelines must be established, updated, and enforced to prevent the misuse of human genetics from leading to the abuse of human beings. The U.S. Department of Energy and the National Institutes of Health have devoted about 5 percent of their annual Human Genome Project funding toward studying and dealing with the ethical, legal, and social issues associated with the availability of human genetic information. Positive benefits of Human Genome research must be maximized, while social, economic, and psychological harm must be minimized.

*Alvin K. Benson*

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SEE ALSO: Bioethics; Biotechnology; Cloning; Exploitation; Genetic engineering; Genetic testing; Medical research; Science; Technology; UNESCO Declaration on the Human Genome and Human Rights.

## Human nature

**DEFINITION:** General inherent character or innate disposition of humankind

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** All ethical theories take a stance, whether explicit or implicit, on human nature. Some are based in a model of humanity's inherent virtues, which must be cultivated. Some are based in a model of humanity's inherent vices or sinfulness, which must be overcome or redeemed. Some hold that there is no human nature, and any attempt to assert one does violence to those whose characters do not conform to the model of humanity being put forward.

The question of "human nature" figures prominently in ethical theory. There is a broad consensus that, for all practical purposes, ethics must take into account the basic facts of human nature. Otherwise, it will be inefficient and ineffective. Although moral philosophers agree on the centrality of human nature to ethics, they do not agree on its meaning.

### DEFINITIONS

Some definitions of human nature seek to identify the essential qualities and universal characteristics that all people have in common. Here it is necessary to distinguish between human nature and animal nature. While all people, by nature, have physical needs such as air, food, sleep, and an imperative to survive, these exigencies are by no means uniquely human. In addition, some distinctly human attributes or features, such as art, culture, creativity, cruelty, and historical consciousness, are by no means universal. Plenty of people lack a disposition toward creativity, a personality capable of torture, or a historical sense of themselves in relation to their ancestors and progeny.

Further complicating the problem of definition is the fact that human nature is a subject of study in numerous academic disciplines, each of which has a different approach. Philosophers must consider the views of psychologists, anthropologists, economists, criminologists, theologians, and sociobiologists, and reconcile the ways in which they understand and use the term "human nature." Another problem is the challenge posed by skeptics, such as Hannah Arendt, Jean-Paul Sartre, and Richard Rorty, who deny, on

various grounds, that there is such a thing as human nature. Skeptical claims rest on defining the term in a way that emphasizes its universal aspects (for which exceptions provide falsification) or emphasizing the importance of environmental influences (which serves to downplay the innate dimension of human personality). The varieties of usage and the many existing definitions create a problem of ambiguity. A useful working definition of human nature is "the general inherent character or innate disposition of humankind."

### PERENNIAL QUESTIONS

Since ancient times, debates about human nature have revolved around the most basic questions of philosophy. Are humans essentially spiritual beings or primarily physical and rational beings? Are people basically good? Are human actions determined or does free will exist? To what extent are humans influenced by heredity and environment? Does human nature change? Are women significantly different from men? Although often posed as false dilemmas, these questions help define the parameters of the debate. Responses to these complex questions result in varying approaches to ethics.

Most controversial, perhaps, is the tension that exists between spiritualism and secularism. For those who regard humans as essentially spiritual creatures, it follows that ethics should help bring out humans' divine nature or promote their religious/spiritual welfare. Those who hold such a view believe that it is appropriate for ethical teachings to present people with the highest ideals. Religions call upon their adherents to master their natures. Moral responsibility implies that through knowledge, self-discipline, and will, people can control their desires, passions, and moods. Unfortunately, the variety of religious beliefs gives rise to conflicting prescriptions of right action. For those who embrace a secular view, religious ethical ideals lead to frustration and failure because they seem more appropriate for angels than for humans. Emphasizing spiritual values is illusory, often distracting people from the urgent problems of this world. For those who believe that humans embody souls, however, emphasizing the ephemeral, materialistic aspects of life neglects that which is truly important.

A belief in the basic goodness of people generates a moral outlook that is optimistic and trusts people to

behave ethically. David Hume observed that humans are distinguished by their capacity for benevolence. People have sympathetic feelings that stem from the consciousness that others experience pleasure and pain. Social theorists Jean-Jacques Rousseau and Karl Marx and humanistic psychologists Carl Rogers and Abraham Maslow all believed that humans are basically good, and they attributed human evil entirely to societal influences.

Rousseau and Marx regarded people as communitarian, and they sought to re-create society in a way that would bring out moral goodness. The humanist psychologists held that to be human is to have virtually unlimited potential for growth, and they called for freedom to promote self-actualization. Thomas Hobbes and Jonathan Edwards, however, denied the inherent goodness of people. Hobbes regarded people as fundamentally selfish, and Edwards saw people as morally depraved—deserving of hellfire and damnation. To control evil human impulses, both thinkers called for restraint to prevent human negativity from manifesting immoral behavior.

The vast majority of ethicists believe in free will. If actions are determined, people cannot be held morally responsible. Nevertheless, many metaphysicians, theologians, psychologists, and scientists argue for determinism in ways that would have dramatic ramifications for ethics as well as for education, law, and criminal justice. Arguments for determinism come in many forms: divine foreknowledge or fate, Sigmund Freud's claim that early childhood experience determines the basis of adult personality, B. F. Skinner's claim that human behavior is explainable in terms of operant conditioning, and scientific claims that "biology is destiny" and that "genes hold culture on a leash." If one accepts any of these theories, then one must reexamine the ethical principles of human accountability, autonomy, and choice. Moreover, these determinist theories also have various implications for the ongoing nature/nurture controversy.

Gender also raises interesting questions. Influenced by Stoic philosophy, some early Christian theologians, such as Tertullian, Saint Augustine, and John Chrysostom, based a belief in women's moral inferiority on Eve's sin of tasting the forbidden fruit in the Garden of Eden. Many feminists, such as Betty Friedan, argue that aside from the obvious physiological distinctions, the differences between men and

women are caused by cultural factors and that conceptions of femininity are essentially social constructs. Motivated by an activist agenda for political and social change, the feminist movement emphasizes the environmental factors in shaping sex roles. Attributing gender differences to human nature makes permanent change less likely, since it is far easier to change society than it is to alter nature.

Carol Gilligan, showing that Lawrence Kohlberg's model of moral development has been misapplied to females, argues that the sexes conceptualize moral problems differently. Gilligan explains that the male-dominated culture idealizes the moral values of autonomy, independence, and impartial justice. Women, who tend to stress such communitarian values as caring, relationships, and responsibilities to others, are unfairly held to a male standard. Hence, they are judged to be less developed morally rather than appreciated for communicating "in a different voice." A parallel view in traditional Judaism carries this idea further in claiming that women are, by nature, more gentle, caring, and refined than men, and that therefore they require fewer laws to regulate their behavior.

### LEADING THEORIES

Perceptions of human nature lie at the heart of several important ethical theories. Ethical egoism asserts that only self-interest is intrinsically good and that a person ought to do that which is in his or her self-interest. This follows directly from psychological egoism, which claims that human beings are so constituted that they act only in ways that promote their (perceived) interest. The operative principle here is that "ought implies can." If one accepts this descriptive claim, then a practical moral system must appeal to a person's self-interest. An ethics based on altruism would be contrary to human nature and would therefore fail. Many cite the collapse of the Soviet Union to illustrate this point.

The egoist view is shared by Thomas Hobbes and Ayn Rand and is supported by capitalist economic theory. Sophisticated versions of ethical egoism attempt to create a moral order by channeling the natural motivative force toward self-interest in a way that is beneficial for society as a whole. Those with an "enlightened self-interest" recognize their personal interest in the welfare of society. It is noteworthy that although religions preach altruism, they all appeal to

self-interest by promising rewards and threatening punishments.

Hedonism is another moral theory that makes a normative claim based on a descriptive claim. Ethical hedonism asserts that happiness (that is, the presence of pleasure and the absence of pain) is the sole intrinsic good, and thus one always ought to do that which will promote the greatest happiness. This follows from the claim of psychological hedonism that humans are constituted in such a way that they always pursue pleasure and avoid pain. The fundamental tenet of Epicurus's moral teaching is that pleasure is the standard by which every good and every right action is evaluated.

Similarly, the British utilitarians Jeremy Bentham and John Stuart Mill considered hedonism to be the primary law of human nature, and their ethical writings stress the need to maximize pleasure and minimize pain. In their theory, hedonism is distinguished from egoism by its commitment to the universalist value of taking everyone's happiness into account. Simply pursuing one's own happiness is selfish and unethical. Defending hedonism, Mill's version of utilitarianism emphasized the distinctly human capacity to develop and refine one's tastes and preferences, and he underlined the importance of pursuing the "higher pleasures."

Ethical theories that regard humans as basically rational creatures make appeals to reason to motivate people to right action. Some major theories, such as those of Aristotelian and Kantian ethics, objectivism, and natural law, rely on humans' power of reason to lead them to universal moral truth. Theories such as subjectivism and relativism, however, discount the power of reason. They are also based on the belief that humans are characterized by individuality and diversity. This belief leads to a denial of absolute, objective, and universal values and points instead to the importance of personal feelings, tolerance, and cultural influences. Many proponents of these beliefs deny that there is such a thing as universal human nature.

Hume, an outspoken subjectivist, believed that human reason is limited. He was a skeptic who recognized the unlikelihood of uncovering the ultimate qualities of human nature, yet he also thought that careful observation of human behavior could lead to some knowledge about human nature. His empirical approach led him to emphasize passions or feelings

as the source of voluntary actions. In *A Treatise of Human Nature* (1739) he wrote: "Reason is and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them." Hume argued that feelings of benevolence and sympathy are universal tendencies of human nature. People have a natural concern for the welfare of others, just as they care about themselves. He recognized self-love as a powerful principle of human nature, but he rejected Hobbes's sweeping claims for psychological egoism.

Hume also incorporated hedonism into his theory. He identified good with pleasure and evil with pain, establishing happiness as the moral standard for judging behavior. Moreover, he gave a central role to utility (defined as "usefulness" or the "tendency to ulterior good") in assessing right and wrong. By combining a number of motivating factors into his theory, Hume avoided the trappings of reducing human nature to a single, dominant drive.

Another nonreductionist theory was developed by the American philosopher John Dewey, who sought to base morality on a scientific understanding of the human being. For Dewey, morality involves the relationship between human nature and the social environment. He describes human nature as an unorganized mass of reflexes and impulses that are shaped by the social forces of habit, custom, and institutions. Because human nature is a part of nature, morality is linked with the natural sciences. Likewise, because people interact with others in social settings, morality is linked with the social sciences. Dewey held that people live in a social world characterized by change and that people have the ability to restructure their social environment and change human nature. Ethics entails making choices, and Dewey advocated conscious, reflective conduct that would lead to growth and improve the world. Through education, it is possible to encourage those habits that foster creative problem solving and intelligence.

An important, ambitious theory of human nature that presents a challenge to moral philosophy is E. O. Wilson's sociobiology, which he defines as "the systematic study of the biological basis of all forms of social behavior in all kinds of organisms, including man." Drawing upon genetics, population biology, ethology, and entomology and interpreting them all in terms of Darwinian evolutionary theory, Wilson sees genetic survival as the overriding aim of life.



Morality is subordinated to this goal, because the cultural development of higher ethical values will not overcome the power of genetic evolution.

Wilson incorporates such phenomena as love, altruism, aggression, and religion into his theory and insists that a practical system of ethics must conform to that theory. For example, he considers altruism to be “disguised genetic selfishness.” Sociobiology remains highly controversial. It rocks the premises of both religious and secular ethics by questioning the view that humans are the only rational animal as well as the claim that humans have a morally distinct status. Moreover, sociobiology can be construed to justify the status quo or to offer a rationale for Social Darwinism. Wilson’s own interpretation argues for tolerance, cooperation, diversity, peace, and environmentalism, but these lofty (and vogueish) values do not necessarily follow from his descriptive claims.

### CONCLUSION

The many theories touched upon here have something to teach. While most of them identify some aspect or truth about human nature, sweeping reductionist claims to validity generate exceptions or contradictions that are not easily resolved. For example, a stubborn proponent of egoism or sociobiology must really stretch to redefine all acts of altruism as ultimately selfish. The many competing theories and the different approaches to ethics that follow from them underscore the difficulty of reducing human nature to a single factor or tracing it to some given set of causes. This is because reality does not easily conform to theory or handy categorizations. People are not uniform, and their priorities, interests, and values are legitimately diverse. The numerous perceptions in circulation lend credence to the conclusion that there may be a variety of human natures, just as there are a variety of personality types.

While it may contradict the claims of hedonism, not everyone pursues a life of happiness. Some people shun physical comfort or emotional and intellectual pleasures and instead choose to endure suffering and hardship. A soldier, artist, or religious devotee may rationally pursue a lifestyle characterized by sacrifice and pain, without any desire or hope for happiness. Similarly, while many people live according to the principles of sociobiology, many do not. It is hardly unusual to encounter people who have no interest in having children; or who are kinder to

strangers than they are to their own relatives; or who consider cats, whales, or jewelry more important than people.

The existence of diverse human natures is not only evident among people or groups of people on a macro level, it is also observable on a micro level. Individuals, over time, demonstrate a combination of drives that support several theories in a limited way rather than inclusively. For example, a man may be motivated by self-interest as a consumer; by aggression, self-sacrifice, and selfless devotion to strangers as a soldier; by altruism and generosity as a father; by piety when performing religious rituals; and by some combination of these characteristics in his professional career. Moreover, the same man may act with reckless disregard for his health, family, religious beliefs, and career while intoxicated or angry.

Human diversity and intricacy on both the individual level and the group level make the task of articulating universal generalizations about human nature extremely problematic. Thus far, the complexity of the human experience lends itself neither to a clear and convincing theory of human nature nor to a moral philosophy upon which most people agree. The questions surrounding human nature remain unresolved. For this reason, the study of human nature continues to be a fascinating and open field for speculation and research.

*Don A. Habibi*

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An informative survey of how the concept of human nature shapes political theory and how all moral and social doctrines make claims about human nature.

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Examines human nature as it pertains to epistemology. Carruthers defends empiricism in conjunction with innate knowledge and realism by examining the historical roots of contemporary debates on the nature of knowledge.

Derrida, Jacques. “The Ends of Man.” In *Margins of Philosophy*. Translated by Alan Bass. Chicago: University of Chicago Press, 1982. Derrida’s most important critique of the concepts of humanism and human nature; begins and ends with the

question of who gets to define the human, and who gets excluded when such definitions are created.

Dewey, John. *Human Nature and Conduct*. Vol. 14 in *The Collected Works: The Middle Works*, edited by Jo Ann Boydston Carbondale: Southern Illinois University Press, 1985. Analyzing the interaction between psychology and ethics, Dewey focuses on the social power of habit. Individual human nature is an unorganized mass of impulses that comes to be shaped by the social environment. By reconstructing society, people can change human nature. Social institutions such as education can promote habits that constitute intelligence and growth.

Hobbes, Thomas. *Leviathan*. Edited by Richard Tuck. Rev. student ed. New York: Cambridge University Press, 1996. Hobbes bases his political and moral philosophy on the presupposition that all humans are equal in the sense that they are all vulnerable to being murdered while they sleep. Reduces “human nature” to this vulnerability and implicitly rejects any more substantive definitions or claims.

Hume, David. *A Treatise of Human Nature*. London: Everyman, 2003. Hume’s masterpiece follows his conception of philosophy as the inductive science of human nature. His observations of human thinking and behavior lead him to a nonreductionist ethical theory that combines benevolence, sympathy, self-love, hedonism, custom, and justice.

Mandler, George. *Human Nature Explored*. New York: Oxford University Press, 1997. A comprehensive analysis of the concept of human nature, incorporating evolutionary and genetic theory, psychology, social and political philosophy, and philosophy of mind.

Wilson, Edward O. *On Human Nature*. Cambridge, Mass.: Harvard University Press, 1978. A readable and thought-provoking synthesis based on Wilson’s theory of sociobiology. His consideration of evidence is somewhat uneven, since he gleans information from academic studies ranging from anthropology to zoology.

SEE ALSO: Altruism; Anthropological ethics; Communitarianism; Edwards, Jonathan; Egoism; Epicurus; Hedonism; *Human Nature and Conduct*; Social Darwinism.

## *Human Nature and Conduct*

IDENTIFICATION: Book by John Dewey (1859-1952)

DATE: Published in 1922

TYPE OF ETHICS: Modern history

SIGNIFICANCE: *Human Nature and Conduct* fostered a positive, liberal view of human nature, proposed that philosophy should provide practical service to humanity, and reemphasized the role of creative intelligence in controlling events.

The American philosopher John Dewey bared many of his seminal ideas in *Human Nature and Conduct*. Drawing on themes found in Charles Darwin’s *On the Origin of Species* (1859), one of the modern world’s most influential studies, Dewey defined human beings as creatures within the natural order who, like members of other species, were obliged to adapt continually to one another and to their environments in order to survive. In this context, Dewey argued that past philosophies had been too abstract and too concerned with constructing intellectual systems to serve humanity’s practical needs.

Much like his fellow American philosopher William James, Dewey also believed that truth was what happened to an idea and therefore, that truth changed over a period of time. For Dewey, life began and ended in human experience; in other words, humans who used appropriate methods could successfully negotiate life’s confusing, obscure, and indeterminate situations. The key to coping with such problems, Dewey insisted, was using insight to define problems, establishing a set of possible solutions, determining the likely consequences of each possibility, and then evaluating the best possibility through observation and experiment.

These flexible steps, which produced what Dewey called “warranted assertibilities,” were, he believed, as relevant to social reform as they were to laboratory science. The purpose of warranted assertibilities and the inquiries of which they were a part was changing specific situations. Ideas, in short, were instruments. Humankind, like other species, had no fixed natural end; therefore, events could be shaped by open-ended, democratized inquiry and the freeing of human intelligence. The greater the number of human alternatives, the freer humans could become.

In *Human Nature and Conduct*, Dewey championed both naturalism and instrumentalism, upon

which he elaborated later in his many writings. As a reformer, he earned international esteem for the fresh directions that he advocated in education and in the democratization of social and political institutions—a democratization that he regarded as essential to human adaptability and the problem-solving play of the human intellect.

*Clifton K. Yearley*

SEE ALSO: Bradley, F. H.; Darwin, Charles; Human nature; James, William; Peirce, Charles Sanders; Pragmatism; Relativism.

## Human rights

**DEFINITION:** Body of rights believed to belong fundamentally to all persons

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Advocates of human rights believe that those rights exist independently of their recognition by any legal or political authority. Indeed, the purpose of the concept of human rights is to provide an apolitical moral principle that will form the basis for efforts to protect those people who are not protected, or who are harmed, by their own sovereign governments.

The idea of human rights as a field of study and as a body of legal rights and obligations is a relatively recent phenomenon that has grown out of ancient roots and faces two timeless problems. The fundamental problems facing the enterprise are, first, what to recognize as a human right, and, second, and even more troublesome, how to guarantee the protection of such rights once they have been recognized. These problems have been part of the political and social life of human beings for all time. How does one protect people from the unjust and sometimes brutal treatment of their fellows? Many governments throughout the ages have devised legal systems to reduce, mitigate, and relieve injustices committed by citizens or subjects against one another, but how does one protect the citizens or subjects of a country from their own government? These timeless and fundamental problems continue to face governments in both their domestic and their foreign affairs.

From the standpoint of ethics, human rights serve

as a statement of the aspirations of peoples and governments toward ideals that are not always attained in practice and that at times lead to contradiction and conflict. Human rights represent an effort by governments, international agencies, and nongovernmental (NGO) advocacy groups to overcome the harsher aspects of political life within and between countries.

Although considerable progress was made in recognizing human rights during the twentieth century, the fact that they are referred to as human rights rather than legal rights reminds one how far modern practices are from stated ideals and aspirations. Moreover, the pursuit of human rights objectives involves hard choices about whether members of the international community may, how they should, and even whether they can punish the most egregious offenders of human rights, which are often governments that can claim and defend traditional rights of sovereignty against external scrutiny and encroachment.

### HISTORY

The notion of human rights is a relatively recent innovation in the history of political thought, tracing its roots to the social contract thinkers, such as Thomas Hobbes and John Locke, who insisted during the seventeenth and eighteenth centuries that individuals possess certain natural rights that serve as the very foundation of political order and that may not be legitimately revoked by governments. This revolutionary concept served as the foundation upon which the great statements of individual rights and liberties—the American Declaration of Independence and the French Declaration on the Rights of Man—were based.

If the concept of natural rights is relatively new, the notions that individuals deserved dignity and respect and that particular citizens of particular cities were invested with certain rights were ancient. The ancient Greek polis, for example, recognized that its citizens had certain rights and privileges that were denied to aliens, while also recognizing that the polis and its individual members might have obligations to aliens, but whatever rights or privileges a citizen or subject enjoyed by custom, tradition, or statute were potentially subject to revision. The rights, in other words, were conventional in nature. They could be granted or taken away. They did not inhere in individual persons. Indeed, whatever rights citizens or even

aliens might have been ultimately overshadowed by their duties to the state and to their fellow citizens or subjects. So it was later in Rome. A Roman citizen might have a right to suffrage and a means of political participation through the tribunes in republican Rome, but the empire's constitutional shift to monarchy saw these rights substantially altered. Rights came and went with the vagaries of politics and constitutions.

In the ancient world, the emergence of the Stoic and the Christian conceptions of human equality and dignity foreshadowed a more universal and abiding conception of rights. Both the Stoics and the Christians believed in the divine origin of creation. Both believed that human beings were endowed by that creator with a basic equality and that virtue rather than vice, mercy rather than severity, and charity rather than cruelty were the standards of upright living, whether for the ruler or the ruled. Yet still the concept of rights rested on convention and was rooted in the tumultuous, changing, and unreliable world of politics, where brutality was often respected as greatly as clemency was admired.

In Europe, after the eclipse of Roman domination, Christianity gradually gained ascendancy. The rulers as well as the ruled operated within a system of duties and responsibilities defined by Christianity itself. Customary and canonical restraints helped to prevent outrages against humanity, but the rough and tumble of political competition was never really fully tamed, and centuries of contention over the proper roles of the church and state in moral and temporal affairs culminated in the brutal wars of religion during the sixteenth and seventeenth centuries, following the Protestant Reformation. Roman Catholic and Protestant monarchs and princes gradually recognized that a new order resting on the sovereignty of states would be necessary to quell the sectarian violence. States would create their own rules and regulations without outside interference. They would treat their citizens as they pleased, without regard to any "higher law" that a church might assert. They would be the ultimate sovereigns.

It was at this time, then, that Hobbes and Locke asserted the conception of natural rights, offering to ground the newfound virility of the independent and sovereign state on a principle that would recognize the rights of its people. Their notion did not find wide support among the monarchs of their own time, who

were just then enjoying the unlimited powers associated with the rule of an absolute sovereign, but in time the conception of natural rights took root. Modern experiments with democratic regimes founded on the principle emerged, and with them came regimes that were committed to a universal conception of human rights.

### RIGHTS AND CONSTITUTIONALISM

Realization of this broader conception of human rights was hampered, however, by the very international system that made it possible for certain governments to develop constitutions that were rooted in conceptions of natural and human rights. Democratic regimes resting on such principles found themselves in contention with authoritarian regimes that either did not recognize such principles or only paid them lip service. Even the democratic regimes often failed to live up to their own standards. Nevertheless, democratic states during the late nineteenth and early twentieth centuries made the first international efforts to protect human rights by pursuing the gradual abolition of slavery and beginning to enforce anti-slave-trading measures. Similarly, during the early part of the twentieth century, governments in Europe took interest in protecting minority populations and promoting the development of humanitarian law, especially to protect vulnerable groups in time of war.

Human rights today, as in the past, can only be effectively guaranteed by individual governments that agree to respect them. The international system is still composed, even in the twenty-first century, of sovereign states that have exclusive legal control over their own territories and citizens. There is no world government or authority higher than the governments of states that can impose human rights obligations, although some regional systems for protection of human rights have developed, particularly in Europe. Rather, governments, at their sole discretion, may agree voluntarily to develop domestic legislation guaranteeing human rights or to sign international agreements promising to respect them.

Nevertheless, the twentieth century witnessed a veritable explosion of human rights activity, much of which was given impetus by the horrible atrocities witnessed during two global wars. First, after World War I, the League of Nations, gingerly and without great success, and then, after World War II, the United Nations (U.N.), with greater effectiveness,

addressed the problems of collective insecurity, war, and abuse of human rights. Governments determined the pace of progress in these endeavors, since the League of Nations and the United Nations lacked sovereignty and possessed only those authorities and mandates that had been granted to them by their member states. Nevertheless, especially since World War II, the world has witnessed a proliferation of U.N.-related human rights agreements by which governments sought to recognize, promote, and guarantee the development of human rights. Most of the guarantees, however, are very fragile, and continue to call upon governments as the principal mechanisms through which human rights are protected.

#### UNITED NATIONS ACTIVITY IN HUMAN RIGHTS

Article 1(3) of the U.N. Charter stipulates that one of the purposes of the United Nations is “to achieve international cooperation . . . in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.” Numerous additional references to human rights are made in the Charter. The Charter also stipulates in Article 2(1), however, that “the Organization is based on the principle of the sovereign equality of all its Members,” and in Article 2(&) that “Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state.”

Protection of human rights may be a fundamental purpose of the United Nations, but state sovereignty serves as a fundamental organizing principle. States, not the United Nations, would do the determining about how human rights would be encouraged and protected, although they agreed to pursue these ends jointly and separately. To this end, U.N. member states created a Human Rights Commission that would report to the Economic and Social Council (ECOSOC). In short, the U.N. Charter reflected the still rather ambiguous status of human rights. They became a priority for governmental attention, but governments preferred to protect their sovereign prerogatives. Hence, governments paradoxically remained, as they had for centuries, the chief guarantors, as well as the chief violators, of human rights.

Despite setbacks, much progress in recognizing, if not in fully protecting, human rights has been made. The U.N. General Assembly, on the recom-

mendation of the Human Rights Commission, adopted the Universal Declaration of Human Rights in 1948. This declaration, though not legally binding, did articulate the full range of human rights that states proclaimed should be respected, including the rights to life, liberty, security of person, nationality, and equal protection under and nondiscrimination before the law, and freedom from slavery and torture, freedom of religion, of political preference, and of movement, to name only a few of the most important provisions. Subsequent human rights treaties sought to provide legally binding protections, while many governments incorporated the declaration in whole or in part into their constitutions.

Not all governments that have taken these steps are known for their scrupulous adherence to human rights principles, while many others have not signed the most important conventions—the Covenant on Civil and Political Rights and the Covenant on Economic and Social Rights—which were adopted by the U.N. General Assembly in 1966 and entered into force for the signatories in 1976. Numerous treaties dealing with more specific issues have also been promulgated, including international agreements on refugees, stateless persons, elimination of racial discrimination, the political rights of women, the rights of children, and the rights of migrant workers. Added to this are numerous regional treaties, the most important and effective of which is the European Convention on Human Rights.

Like all past efforts at protecting individual rights and liberties, U.N. activity has faced the question of how to enforce human rights standards given the prevailing standard of state sovereignty. In general, formal international enforcement mechanisms remain rather weak, with states taking the leading role through their domestic systems in protecting human rights standards through domestic legal institutions. Informal pressure through private diplomatic channels, NGO advocacy groups, and the public media does, however, often lead to better state compliance with human rights standards.

#### ETHICAL CONSIDERATIONS

To a large extent, human rights standards remain guidelines for how governments *should* behave, rather than legal descriptions about how they actually *do* behave. Moreover, human rights often posit potentially contradictory standards. Human rights obli-



gations may require states to ensure that their people receive adequate nutrition, security of person, and a rudimentary education while at the same time calling for popular political participation, free elections, and freedom of speech. In a very poor country plagued by civil war, however, achieving stability may be incompatible with modern democratic norms. Governments are concerned primarily with survival and only secondarily with reform.

Human rights are most regularly and routinely violated in countries where meeting the most basic needs of people is most difficult. These governments may well subscribe to international human rights treaties, but if domestic political circumstances are not favorable, compliance with them is doubtful. Some human rights treaties bow to this reality, granting states the right to derogate from certain human rights obligations once due notice and explanations are provided. The U.N. Covenant on Civil and Political Rights, for example, allows governments, during times of national emergency, to revoke or curtail rights to privacy, liberty, security of person, peaceable assembly, and political activities. Other rights, however, such as freedoms of religion, thought, and conscience, as well as prohibitions against slavery and torture, remain obligatory at all times.

What should be done with those governments that routinely shock the conscience of humanity by brutalizing their own citizens? An ethical dilemma is created here, since the principle of sovereignty imposes a duty of nonintervention in the affairs of states. A state may have a legal right to intervene to protect its own citizens from human rights abuses at the hands of other governments, but what right does it have to do this on behalf of another state's citizens? Under current international mechanisms, such an intervention would have to be conducted under U.N. auspices and justified, not by recourse to human rights, as such, but as a matter constituting a threat to international peace and security.

These questions have been faced in several modern civil war situations, including Iraq's treatment of Kurds and Shi'ites, Serbian treatment of Muslims in Bosnia, and in Somalia. In cases in which a country's population is facing genocide or disaster threatens large numbers of people, strong and quick action is required to save life. In all such situations, the problem that emerges is whether and how force should be used to achieve human rights objectives.

One consideration that must be taken into account is the circumstances surrounding the threat to life. Does the threat exist because of the deliberate policy of the government or because of the government's inability to cope with disaster? In Somalia, the situation involved anarchy produced by the lack of any effective government. Humanitarian intervention in that case was relatively easy to justify and to accomplish. The issue is considerably more complicated and dangerous when governments undertake deliberate genocidal or persecutory policies. How much killing should the international community resort to in order to prevent killing? What severity of economic pressure should be imposed to prevent persecution or ensure nondiscrimination? What degree of force will be effective? Is any degree of potential force or pressure likely to succeed?

Enforcement of international law and human rights in conflict situations sometimes presents very painful ethical and prudential choices. This explains in part the international indecision about how to deal with ethnic cleansing in Bosnia, where the use of force to achieve human rights objectives raises a series of thorny questions. In the case of Iraq, a more determined U.N. response to Iraqi government persecution of its own people was made possible by its clearly illegal invasion of neighboring sovereign, Kuwait, and by the cease-fire obligations it agreed to in the aftermath of its expulsion from Kuwait by coalition forces.

There are relatively few cases in which the courses of action open to governments, international agencies, and private groups are so stark. In most instances, the ethical questions for international human rights policy turn on how to apply the right amounts of persuasion, diplomacy, and publicity to realize humanitarian objectives. The humane treatment of prisoners, for example, is constantly monitored by the International Committee for the Red Cross and Amnesty International. By pursuing quiet modes of diplomacy or by publicizing human rights violations, such groups can bring pressure to bear on governments to comply with more acceptable human rights practices. These informal efforts, together with ongoing attempts to convince governments to ratify and comply with international human rights agreements, hold out hope that human rights will in fact one day become legal rights widely protected by governments.

*Robert F. Gorman*

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SEE ALSO: Amnesty International; Bill of Rights, U.S.; Dignity; Human Rights Watch; International justice; International law; Natural rights; Rights and obligations; Universal Declaration of Human Rights.

## Human Rights Watch

**IDENTIFICATION:** Independent, nonprofit human rights advocacy organization

**DATE:** Founded in 1978

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Human Rights Watch is one of the largest and most influential advocacy organizations that documents abuses of political, social, and economic rights around the world.

Human Rights Watch is an organization predicated on the idea that human rights are universal, applying equally to all individuals. The organization is concerned with traditional political rights, as well as

broader social and economic rights. The mission of the organization is to document and publicize rights violations, whether they are committed by state or nonstate actors, in order to shame and hold the rights violators publicly accountable.

Human Rights Watch was established in 1978 as Helsinki Watch, an organization that focused narrowly on tracking Soviet and Eastern European compliance with human rights commitments made by those regions' governments in the 1975 Helsinki Accords. Over its first decade, the organization and its mission steadily expanded. During the 1980's, a series of regional "watch committees," such as America's Watch, arose. In 1988, these watch committees were brought together and the overall organization was renamed Human Rights Watch.

By the first years of the twenty-first century, Human Rights Watch was the largest human rights organization based in the United States, with nearly two hundred full-time staff members and an annual budget of approximately twenty million dollars. It accepted no public money and raised all its funds from private donations. Headquartered in New York City, Human Rights Watch also maintained permanent offices in Washington, D.C., San Francisco, Los Angeles, London, Moscow, Brussels, and Hong Kong.

#### ACTIVITIES

Human Rights Watch is often compared to Amnesty International; however it deals with a broader set of issues than the latter organization and carries out its advocacy by different means. While Amnesty International focuses mainly on physical abuses—such as political imprisonment, torture, and killings—Human Rights Watch addresses a much broader set of rights. Human Rights Watch concerns itself with such issues as press freedom, discrimination, the conduct of war, the use of land mines, fair labor practices, and social and cultural rights.

Human Rights Watch also pursues a different methodology than that of Amnesty International. While the latter organization mobilizes its membership to lobby directly on behalf of individual human rights victims, Human Rights Watch seeks to document and publicize patterns of abuses. The intent is to shine a bright light on abuses, to shame and embarrass abusers, and, by extension, to deter potential future abusers. In pursuit of this strategy, Human Rights Watch conducts fact-finding missions, pub-

lishes extensive reports, and then works with governments and international organizations to build pressure for change.

Beyond its publications and topical reports, Human Rights Watch has provided expert testimony in international war crimes trials, played a lead role in a coalition of organizations drafting a treaty to ban the use of child soldiers, and, along with other organizations in the International Campaign to Ban Landmines, won the 1997 Nobel Peace Prize.

*David Carleton*

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SEE ALSO: Amnesty International; Human rights; Natural rights; Rights and obligations; SALT treaties; Universal Declaration of Human Rights.

## Humane Society of the United States

IDENTIFICATION: Advocacy group devoted to the alleviation of animal suffering

DATE: Founded in 1954

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: The Humane Society of the United States was founded to counteract the conservatism its founders believed was then inhibiting the effectiveness of other animal welfare societies, such as the American Humane Association and the Society for the Prevention of Cruelty to Animals.

During the 1940's, legislation was passed requiring the provision of animals for research laboratories by federally supported humane societies. Initially, the

### The Humane Society and Elephant Ethics

By the turn of the twenty-first century, animal rights organizations were focusing increasing attention on zoos. Of particular concern was the welfare of captive elephants, which require great amounts of space and costly and difficult care. Many public zoos acknowledged their inability to provide adequate space and conditions to keep their elephants physically and mentally healthy and were giving animals with health problems to other zoos with better facilities. In May, 2004, however, the directors of the Detroit Zoo decided to give away its elephants for another reason. One of largest public zoos in the United States, the Detroit Zoo already provided a spacious facility for its two Indian elephants. However, its directors concluded that Detroit's cold climate was not good for elephants and that the elephants would do better in a more spacious animal sanctuary. Wayne Pacelle, the chief executive officer of the Humane Society of the United States, applauded the Detroit Zoo's decision. He pointed out that the zoo was the first with spacious grounds and adequate care to give up its elephants for ethical reasons and expressed the hope that other zoos would follow Detroit's example.

American Humane Association (AHA), led by president Robert Sellar, vigorously opposed these "pound seizure laws." With Sellar's death, however, a new conservative leadership was elected to the AHA. Frustrated by the ineffectiveness of their organization, three key AHA personnel, all appointees of Sellar, formed a new association, the Humane Society of the United States (HSUS). Dedicated to the alleviation of suffering in domestic and wild animals, the HSUS polices animal research centers, zoos, and the entertainment industry. Furthermore, the HSUS opposes all hunting sports and calls for a drastic reduction in the use of animals in biomedical experiments.

The society also lobbies for the strengthening and extension of legislation protecting animals. Public education related to the inherent rights of animals and human responsibility in securing those rights is

furthered through a division within the society, the National Association for the Advancement of Humane Education.

*Mary E. Virginia*

SEE ALSO: Animal research; Animal rights; Cruelty to animals; Moral status of animals; Society for the Prevention of Cruelty to Animals.

## Humanism

DEFINITION: Philosophy based on the freedom, responsibility, and rationality of human beings, and the centrality of human values

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Humanism is embraced by those who believe in human nature and who seek a secular, nonsupernatural value system, or a universalist, nonsectarian religion. It is attacked by those who reject the idea that all humans have a common nature or values and who are therefore suspicious of the supposedly universal values put forward in the name of Humanism. It is also rejected by sectarian religious movements.

Although it has classical and Renaissance roots, modern Humanism is a child of the European Enlightenment. Elsewhere—for example, in India, Japan, and China—it appears in some forms of Buddhism (Theravāda Buddhism, Zen) and Confucianism. Among Humanism's modern antecedents were "natural religion," Deism, "free thought" and "the religion of humanity" (proposed by the nineteenth century French sociologist Auguste Comte).

The development of natural science, of liberal democracy, and of secular society marked the institutional context of Humanism. Nineteenth century social reform in the United States and democratic socialism in England and Europe reinforced the move toward a human-centered philosophy. Critical studies—for example, the "higher criticism" of scripture, archeology, and comparative religious scholarship—encouraged a skeptical view of transcendent and supernatural bases for ethics and politics. With the advent of Darwinism and the development of modern biology, sociology, and psychology, the stage was set. Thus, during the early decades of the twentieth

century, modern Humanism appeared as both a secular philosophy of living and a religious movement.

The term “Humanism” was not always used. For example, American pragmatism and instrumentalism were both naturalistic and humanistic. Explicit use of the term in its modern form appeared with the emergence of a “religion without god” in the thought of three twentieth century Unitarian ministers: John H. Dietrich, Curtis Reese, and Charles Francis Potter. While they and a few of their colleagues in Unitarianism and the Ethical Culture Societies were moving toward a “religious” Humanism, a secular expression of the same notion was appearing in the work of naturalistic philosophers such as Roy Wood Sellars and John Dewey. Both threads came together with the publication of *The Humanist Manifesto* (1933).

A second *Manifesto* (1973) and *A Secular Humanist Declaration* (1981) expanded but did not alter the meaning of the 1933 document. Signed by some thirty-five philosophers and religious leaders, *The Humanist Manifesto* marked the entry of an independent explicit Humanism into the Western world. Before that, Humanism had been attached to existing movements, such as Christian Humanism and Socialist Humanism, or had other names, such as Ethical Culture and Free Religion. With the founding of The American Humanist Association (1941) and The North American Committee for Humanism (1982), Humanism as a philosophy of living was formally established. After World War II, similar developments in Great Britain, Netherlands, Belgium, France, Germany, and India led, in 1952, to the organization of the International Humanist and Ethical Union, which had its headquarters in Utrecht, Netherlands.

### PHILOSOPHICAL BASES

Humanism rests, philosophically, on two classical notions: the sophist Protagoras’s belief that “man is the measure of all things” and the poet Lucretius’s naturalistic interpretation of life and world. In these two root ideas, the career of modern Humanism was foreshadowed. The human-centered feature of Humanism appears in its commitment to human responsibility and freedom. Denying the mistaken view that Humanism is merely the arrogant replacement of God by the human person, freedom and responsibility require human beings to acknowledge their obligation to judge, choose, and act and their opportunity to make a difference to themselves and the world around them.

Human beings, thus, are autonomous moral agents (for example, see the ethics of Immanuel Kant).

From this view flows the commitment to democracy as the social and political expression of agency, to education as the method of developing competence as an agent, and to science as the outcome of organized intelligence. From this view, too, flows Humanism’s skepticism about God and the gods, a skepticism rooted in a rejection of authoritarianism at least as much as in a theological argument about the existence or nonexistence of an all-powerful and all-knowing Being.

From classical Humanism comes modern Humanism’s acknowledgment of the interdependence of all beings as well as an appreciation of the beauties and harmonies of the world. At the same time, a tragic note is heard, since Humanists are sensitive to the fact that the world is as precarious as it is dependable and that experience is as surprising (for good or ill) as it is predictable. Thus, Humanist agency is admittedly finite as human insight, and human existence itself is finite. A stoic quality, therefore, attaches to Humanism, a sense of acceptance of the givenness of the world and of the uncontrollable in nature and the individual. Admittedly, the Enlightenment notion of “progress” interpreted the direction of history as ultimately positive, and early twentieth century Humanism interpreted “evolution” as confirming that direction. Post-World War II Humanist thought, particularly because of its Existentialist inspiration, is likely to acknowledge the darker sides of both the individual and the world.

Finally, agency and creativity evolve on the basis of human rationality—the ability to make and understand distinctions, to grasp connections and consequences, and to draw sensible conclusions. Institutionally, this appears as Humanism’s commitment to science. It also appears in the celebration of human powers, which it owes to Renaissance Humanism, the move from naturalistic appreciation to Humanist aesthetic sensibility. Overall, then, Humanism is a philosophy of living that views the human person as a rational agent living in a world that both supports and limits him or her. Instead of bemoaning fate or escaping to another and more secure world—a supernatural or transnatural world—the Humanist accepts, enjoys, and works within the constraints that he or she acknowledges as given with the givenness of being.

*Howard B. Radest*



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SEE ALSO: Atheism; Comte, Auguste; Dewey, John; Enlightenment ethics; Existentialism; Kantian ethics; Marx, Karl; Pragmatism; Progressivism; Sartre, Jean-Paul.

## Hume, David

IDENTIFICATION: English philosopher  
 BORN: May 7, 1711, Edinburgh, Scotland  
 DIED: August 25, 1776, Edinburgh, Scotland  
 TYPE OF ETHICS: Enlightenment history  
 SIGNIFICANCE: The most famous and influential proponent of skepticism in the modern era, Hume worked to free ethics from a metaphysical basis rooted either in religion or in natural law. His most important works include *A Treatise of Hu-*

*man Nature* (1739-1740), *An Enquiry Concerning Human Understanding* (1748), and *An Enquiry Concerning the Principles of Morals* (1751).

In his philosophy and in his theory of ethics—or morals, the term he preferred—David Hume was the complete empiricist. That is, he denied the validity of any knowledge that existed outside the realm of sensory experience. His ideas and writings were diametrically opposed to the teachings of the established church, which maintained that a vast body of metaphysical knowledge existed that could be revealed to humankind only by the grace of God. This was the basis for the formulation of Christian ethics, which were considered eternal.

The philosophers of the Enlightenment had in many ways created a similar metaphysical world of science or nature and had charged humankind with the task of discovering its secrets. For Hume, no knowledge for which there was no antecedent sense impression could claim any validity.

### A TREATISE OF HUMAN NATURE

This seminal work has had a profound effect on the development of Western philosophy in many areas: on the evolution of human institutions, on the limitations of knowledge, and on changing moral values. The book is, in a sense, Hume's only work, since all of his subsequent writings were either related to or were reworkings of parts of the original work. Divided into three parts, "Of the Understanding," "Of the Passions," and "Of Morals," the book consists essentially of two parts: one examining how knowledge comes into being and another focusing on the relationship of knowledge to the development of ethics or morals.

### AN ENQUIRY CONCERNING HUMAN UNDERSTANDING

The basic theme of the *Enquiry*, a reworking of the first part of *A Treatise of Human Nature*, is that all opinions, all theories, and all knowledge, in order to be validated, must be submitted to the test of experience. The idea of unknowable substance has no empirical justification in either the spiritual or the material sense. Hume posited the validity of causality. A given cause has always been followed by a given effect. Only custom, repeated experience, and familiar-

ity, however, make it possible to ascertain the development of the effect. Were the knowledge or theory not in the mind, it would not exist. Hume anticipates the relativity of the nineteenth century when he asserts that the opposite of every fact remains possible and that no amount of deductive reasoning from first principles can determine in advance what course nature actually will follow.

### AN ENQUIRY CONCERNING THE PRINCIPLES OF MORALS

To free ethics or morals of their religious bases, Hume first had to attack the religious establishment, which he did in a subtle but devastating manner. So fearful were his supporters of the reaction to his work that *An Enquiry Concerning the Principles of Morals* was published posthumously. In his *Essay on Miracles*, published in 1748, Hume stated that a miracle in the sense of a supernatural event as a sign of the divinity cannot possibly be established. Rather than constituting evidence of moral and spiritual value, such events are characteristic of sorcery or wizardry.

Once he had stripped away the religious connection, Hume developed his theory of ethics or morals on the basis of pleasure, pain, and utility. It was useless to reason that virtue was “natural” and vice was “unnatural,” since both were “natural.” Reason is equally useless. Perfectly inert, it can never be the source of so active a principle as conscience or a sense of morality. The solution devolves on the individual. Inherent in all humans are basic feelings or instincts toward family, neighbors, and society. Turning inward, one tends to project oneself into another’s situation and to imagine how one would feel under certain circumstances. Happiness in others creates joy, while misery generates sorrow. In other words, conduct is good in proportion to its capacity for producing happiness; conversely, conduct is evil in proportion to its capacity to produce pain. The result of the first is virtue; the result of the second is vice. The greater the pleasure or joy, the greater its utility. It is left to the cognitive and reasoning facilities of humankind to create from these myriad pleasure-pain-utility experiences a coherent ethical code.

Limiting the hedonistic application of this system of ethics and morals based on pain and pleasure was Hume’s concept of justice. This was not arrived at by nature but by human conventions. Of all the animals, humans alone suffer a great disparity between their



David Hume. (Library of Congress)

wants and their means of satisfying them. Stability of possession, transference by consent, and the performance of promise are the three fundamental laws of nature. Society is necessary for human existence, and society in the name of justice doles out the rewards that may seem capricious but upon which the peace and security of human society depend.

### IMPLICATIONS FOR ETHICAL CONDUCT

The implications of Hume’s thought are threefold. First, Hume broke the individual’s tie with God and transferred it to society. Punishment and rewards were immediate, not confined to the hereafter. Second, Hume invited human society to create its own system of ethics. Third, rather than being static, based on values created by other societies in other times, ethics and morality are organic and ever-changing. Since ethics are subjective, it is society that determines their applicability.

*Nis Petersen*

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SEE ALSO: Christian ethics; Enlightenment ethics; Hobbes, Thomas; Skepticism; Smith, Adam; State of nature; Utilitarianism; Voltaire.

## Humility

**DEFINITION:** Self-deprecation, modesty, or submission; lack of egoism or arrogance

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Humility may be based in a belief in one's inferiority or simply in one's lack of superiority rooted in the equality of all. Its ethical status is very different in different value systems: Individualist and nonegalitarian systems despise humility, while those for whom pride is a sin esteem humility as one of the greatest goods.

Humility is a disposition of character that is usually acquired through training. It consists of an inner attitude of low self-esteem that motivates an outward pattern of deferential behavior. Humble persons are not self-assertive, since they do not pridefully suppose that they possess much merit of their own. Their sense of inferiority leads them to defer respectfully to the wishes of those whom they regard as superior.

To be sure, the term "humility" sometimes is used in other ways. For example, the feminist Sara

Ruddick (in her *Maternal Thinking*), after saying that humility is an important virtue for mothers to have, then reveals that she thinks it consists in recognizing that one cannot control everything. Her usage is potentially misleading because she is equating humility with the mere absence of something contrary to it.

Every society regards at least some degree of humility as desirable in at least some of its members. Parents often want their children to be humble toward them, and many customers prefer to be served by humble salespersons. Societies differ greatly, however, in the degree to which they think this trait of character ought to pervade life. Some prize humility highly and advocate it for everyone; others think that inferior members of the community should be humble but that superior ones should recognize their own merits proudly.

In the Judeo-Christian tradition, humility is assigned a prominent place among the qualities that all human beings ought to cultivate in themselves. Although Christianity does not classify humility as one of the cardinal virtues, it nevertheless continually commends humility, and Saint Thomas Aquinas described humility as the foundation of all other human virtues.

This stress on humility comes about because one of the most distinctive features of the Judeo-Christian tradition is the vast moral difference it sees between God and human beings. God is described not only as all-powerful and all-knowing but also as supremely good. He is the one faultless being. Moreover, he is quick to become angry at those who fail to show him respect. To heighten the contrast between the human and the divine, human beings are regarded as utterly contemptible in their sinful weakness and moral corruption. They are seen as deserving no credit for any good qualities that they may possess, since these come entirely as gifts from God. Pride is considered to be the fundamental vice, because it involves a declaration of self-worth apart from God. Thus, the Judeo-Christian view is that human beings should recognize their lack of any independent worth and should seek to walk humbly before God, desiring that in all things his will, not theirs, be done.

### ANCIENT GREEK PHILOSOPHERS

The ancient Greek outlook is substantially different. Although believing that their gods were power-

ful and that it was dangerous to fail to show them respect, the Greeks did not consider their gods to be morally superior. Indeed, according to the Greek myths, every type of misbehavior of which mortals are capable was engaged in by the gods. Far from regarding all human beings as corrupt and contemptible, the Greeks thought that only some of them (especially the non-Greeks) were so. They believed that humans of the better type sometimes can manage on their own to be temperate, courageous, and wise, and are entitled to be proud of such great deeds as they occasionally succeed in performing.

In his *Nicomachean Ethics*, Aristotle lists many moral virtues, each of which he interprets as an intermediate (or “golden mean”) between two vices, one of excess and the other of deficiency. With regard to self-appraisal, he sees one extreme as overweening pride, or boastfulness (the vice of having an excessively favorable opinion of oneself), and at the other extreme, he places humility (the vice of being deficient in favorable opinion of oneself). For him, the balanced, correct attitude is proper pride. Thus, he sees constant groveling before the gods as a sign of faulty character; people show excellence, he thinks, who have merits of their own and do not hide this from themselves or anyone else.

Aristotle seems to have supposed that the habit of appraising one’s own merits accurately should always be cultivated. Some Judeo-Christian thinkers might agree with this recommendation, but they embrace a view of human nature that is different from Aristotle’s, and so they think that accuracy dictates an abysmally low appraisal of all merely human qualities. Yet surely accuracy is not quite what one should be seeking here.

Consider someone whose humility is admirable; someone, for example, who displays extraordinary courage in a good cause or unusually energetic devotion to helping the unfortunate, and who then brushes aside praise, sincerely denying that what has been done was in any way remarkable. In such a person, this self-deprecation is inaccurate, since what was done really was outstanding. Yet here this self-deprecation makes the individual’s character more admirable, for courage or devotion combined with such humility is even better than courage or devotion without it. An element of self-deception is thus to be welcomed; it is admirable to have trained oneself to underrate one’s own merits to some extent.

Why is it deemed to be admirable that people should cultivate an inaccurate humility, rather than strict accuracy in self-appraisal? Surely it is because inflated self-estimates are so widespread and troublesome that society needs to fight against them very forcefully. To set up accuracy in self-appraisal as one’s goal would not be sufficiently forceful. Stronger than that as a defense against the pressing dangers of overweening pride is the requirement that one should underrate oneself. Inaccurate humility, because of its social utility, thus rightly comes to be valued above accurate self-appraisal.

*Stephen F. Barker*

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SEE ALSO: Aristotelian ethics; Christian ethics; Jewish ethics; *Nicomachean Ethics*; Pride.

## Hunger

DEFINITION: Desire or need for food

TYPE OF ETHICS: Human rights

SIGNIFICANCE: Hunger is one of the fundamental physical needs of all people. On an individual level, it can motivate crime and self-destructive bouts of consumption. On a social or global level, hunger stands for some as both symbol and consequence of the unequal distribution of wealth and resources and as a grounds for the moral condemnation of social and economic systems.

Hunger is as old as history. More than 15 percent of the world's people are malnourished in even the best of years, and this situation has existed throughout recorded history. In bad years, up to 67 percent of the world's people may suffer from malnutrition. Hunger is an ordinary part of life for many people, even in developed nations such as the United States. Millions of people do not get either enough food or enough nourishing food, and the results are disease and death. Globally, 50 percent of malnourished children in poor countries die before reaching the age of five. Countless others become physically or mentally handicapped for life because of malnutrition.

Hunger is deadly during famines. Throughout history, famines have afflicted one area or another every few years. The principal causes of famine are drought, floods, plant disease, and war. Of these causes, drought is the most frequent.

### **DROUGHTS AND FLOODS**

In 3500 B.C.E., the Egyptians documented the first famine to be recorded, which was caused by drought and a plague of locusts. The death rate was extremely high, but no accurate estimates of the number of lives lost are available. The Romans documented the second known drought in 436 B.C.E. Thousands of Roman citizens threw themselves into the Tiber River so that they would not have to face starvation. Many early civilizations believed that famines were punishments sent by God.

Mohandas K. Gandhi once said, "If God should appear to an Indian villager it would be as a loaf of bread." Five of the ten deadliest known famines have occurred in India. Most were caused by the failure of the monsoon rains, which caused drought and crop failure. One of the worst famines in Indian history occurred in 1865, when the monsoons failed to arrive.

Image not available

*Severely malnourished Rwandan orphans waiting to be fed in a refugee camp in Zaire in early 1997. Already an endemic problem throughout tropical Africa, hunger takes a particularly heavy toll on the continent's millions of refugees. (AP/Wide World Photos)*



India was a British colony at the time, but Great Britain decided to export the extra food that was produced in India rather than send it to the areas that were affected by the famine. The reason that the British gave was that the people in the affected areas could not pay for the food, whereas hungry people in other countries could. Ten million people ultimately died. The monsoon rains failed again between 1876 and 1878, killing 5 million people. A three-year drought that occurred in China between 1876 and 1879 killed more than 13 million people. Tragedy struck again in the Calcutta region of India in 1943 and 1944, killing 1.5 million people.

During the early 1970's and again in 1984, drought plagued many African nations. The Sahel nations lost more than a million people during the 1970's, and eastern and Southern Africa lost more than 1.5 million people throughout the 1980's because of drought.

Archaeologists believe that droughts have caused the collapse of whole civilizations. About 4,500 years ago, a great civilization arose in the Indus River valley. Drought caused this civilization, whose major cities were Harappa and Mohenjo-daro, to vanish by 1700 B.C.E. In the southwestern United States, the civilization of the Cliff Dwellers may have ended as a result of drought in approximately 1300.

Although the lack of rainfall is the major cause of famine, too much rain can also be disastrous. China has suffered hundreds of famines because of floods of the Yellow River. These disasters are so common that the Chinese have nicknamed the river "China's Sorrow." In 1889, as many as 2 million people died in floods, and between 1929 and 1930, the river claimed another 2 million lives. People died in such large numbers that they were buried in mass graves called "ten-thousand-man holes." Women and children were sold to obtain food, and cannibalism spread rapidly. Hurricanes also cause floods that cause famines in many nations.

### **PLANT DISEASES**

Plants suffer from diseases just as humans do. Plant diseases can wipe out crops, causing famine and starvation. Perhaps the most famous example of such a famine occurred in Ireland during the 1840's, when a fungus wiped out most of the crop of potatoes, which were the staple food of the Irish. The resulting famine claimed more than a million lives.

Ireland was a British colony at the time, but the British expended little effort to help Ireland. In fact, Irish peasants who could not pay their rent were thrown out into the cold and left to starve in ditches. Many perished, and others tried to escape by migrating. The emigrants were so weak when they boarded ships leaving the country that these ships became known as "coffin ships" because so many people died on board of sickness and starvation before reaching America, England, or Australia. More than a million Irish emigrated because of the "Great Hunger."

### **WAR**

Drought, flood, and plant diseases have caused tremendous suffering, but the hunger and famine caused by war are even more horrifying because they are avoidable.

The people of Russia, the largest country in the world, have suffered often because of famines caused by humankind. One of the worst such famines occurred between 1921 and 1922. World War I was the cause of this tragedy. When many Russians went off to war, beginning in 1914, agricultural production dropped sharply, and by 1920, food was scarce. A drought hit the Volga River valley in 1920. By 1921, much farmland looked like desert land, and 30 million Russians went hungry. People made bread out of tree leaves, dirt, and water, and they ate cooked grass. Civil war made it difficult to send donated food to the affected areas, and ultimately 5 million people died from hunger. More Russians were killed by the famine than were killed in World War I.

During the Biafra civil war in Nigeria between 1967 and 1970, more than a million people, mostly women and children, died of starvation when federal forces withheld food from rebels to force them to stop trying to secede from Nigeria. It is not uncommon for governments to use famine as a weapon of war. The Ethiopian government used such tactics in its war against Eritrea, and they have also been used in Mozambique and Angola. The results were that thousands of people died.

### **EFFECTS OF HUNGER**

People who lack food lose weight and grow weak. Many become so weak that they die of diarrhea or other simple ailments. This weakened condition is called marasmus. Children who have some food but not enough suffer from kwashiorkor, or malnutrition.

One symptom of kwashiorkor is edema, which manifests as a swollen stomach, puffy face, and swollen arms and ankles. Hair and skin often take on an orange or white color. Those who survive kwashiorkor often suffer lifelong mental and physical handicaps. In addition, when the human body is weakened by hunger, it cannot fight off disease. During most famines, survivors crowd together into relief centers to wait for food, creating the potential for epidemics of influenza, measles, cholera, dysentery, typhus, pneumonia, and tuberculosis.

Worse yet are the effects of skyrocketing crimes during droughts, floods, wars, and famines. Desperate people loot, steal, and kill to secure goods that are not otherwise available to them. They may sell stolen goods to purchase food. Women may prostitute themselves for food or sell their children for a meal. Children may band together to obtain food by looting. Violence may break out near food distribution centers, creating panic and anarchy, as occurred in Somalia in 1992. Adaptation to hunger can lead to desperate responses such as cannibalistic murder, which would not be practiced under other circumstances.

Crops are not the only things to be destroyed; livestock often die in record numbers during prolonged famines. Those that do not die may be killed for food. In addition, seed reserved for planting may be eaten to avoid starvation. This lowers agricultural production levels and makes returning to a normal way of life extremely difficult.

### CONCLUSIONS

The English philosopher Thomas Hobbes noted that people are inherently selfish, mean, and aggressive. History demonstrates that, when they are hungry, parents will take food from the mouths of their own children. The Chinese have argued that if a child dies, it is easy to make another, but an older person who dies is more difficult to replace. During the Italian famine of 450, known as “Dufresnoy,” parents allegedly ate their children. Well-fed people are likely to be content; are less likely than hungry people to be angry, hostile, and aggressive; and are less inclined to engage in desperate behavior that may cause harm to others. Therefore, it is in the interest of humankind to reduce or eliminate hunger. A world without hunger would be a safer place for everyone.

*Dallas L. Browne*

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SEE ALSO: Charity; Duty; Famine; Generosity; Genetically modified foods; Morality; Vegetarianism.

## Husayn

IDENTIFICATION: Grandson of the Prophet Muḥammad

BORN: January, 626, Medina, Arabia (now in Saudi Arabia)

DIED: October 10, 680, Karbalā', Iraq

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The death of Ḥusayn was one of the formative events in Shī'a Islam, and its annual remembrance is the most important occasion in Shī'a communal life.

Ḥusayn and Ḥasan were the sons of ʿAlī ibn Abī Ṭālib, the cousin of Muḥammad, and Fāṭima, Muḥammad's daughter. Following Muḥammad's death, leadership of the Islamic community passed to, in order, Abū Bakr, ʿUmar, ʿUthmān, and ʿAlī. This succession was not without controversy: the “party of ʿAlī” (*shīʿat ʿAlī*; later, simply the Shīʿa) had

always held that ʿAlī should be *khalīf*, or leader, of the community. The assassination of ʿAlī in 661 led to a convulsive dispute.

ʿAlī was succeeded by Muʿāwiyya, of the Umayya family (whom many mistrusted as outwardly converting to Islam only for selfish gain). Although Ḥasan relinquished his claims to the khalifate (and died c. 670, some claim of poisoning), his younger brother Ḥusayn gathered the *shīʿat ʿAlī* to challenge Muʿāwiyya. Ḥusayn and most of his party were killed by Muʿāwiyya's troops at Karbala. Shīʿa Muslims recognize that as the martyrdom of Ḥusayn, and their annual public remembrance serves as a visceral reminder that human lives belong only to God and are to be surrendered to his service.

*Thomas Gaskill*

SEE ALSO: Abū Bakr; Fāṭima; Muḥammad; Shīʿa.

## Hussein, Saddam

IDENTIFICATION: Authoritarian president of Iraq from 1979 to 2003

BORN: April 28, 1937, Tikrit, Iraq

TYPE OF ETHICS: Human rights

SIGNIFICANCE: Hussein brutally suppressed internal opposition in his own country and led it into three devastating wars before international intervention ended his regime.

Saddam Hussein liked images that portrayed him with a sword in hand. A nominal Muslim, he apparently viewed the Islamic religion as a list of rules about external behaviors and demonstrated little concern for humanistic values such as altruism or human brotherhood. Indeed, he gave every indication of being proud of using violence to exact revenge and maintain power. He even spoke favorably about the methods of Adolf Hitler and Joseph Stalin.

Hussein experienced a harsh and deprived childhood. He was raised without a father in an inhospitable part of Iraq where members of rival ethnic, religious, and tribal groups constantly fought one another. After moving to the capital city, Baghdad, in 1955, he joined the radical Baath Party, which endorsed violent means to achieve socialism and Arab

nationalism. Rising rapidly within the party, he participated in a failed attempt to assassinate the military president of Iraq in 1959. After the Baath Party took over the government in a *coup d'état* in 1968, Hussein gained power by controlling Iraq's infamous security agencies. In 1979, he was installed as president.

### SUPREME LEADER

Hussein's first act as president was to purge the party of every person suspected of disloyalty to him. During the twenty-four years of his rule, all anti-government dissent—no matter how trivial—was punished as treasonous. The regime commonly used torture to exact confessions. Although a few elections were held for the national assembly, as president, Hussein had the power to override the assembly's decisions. For reasons such as this, social scientists classify his regime as totalitarian. Many Iraqi citizens, nevertheless, supported Hussein because of his progressive social policies designed to improve education and help the poor.

Hussein wanted to make Iraq the dominant military and economic power in the Persian Gulf. In 1980, he ordered the invasion of Iran with the purpose of annexing the oil-rich province of Khuzistan. Lasting eight years and resulting in the deaths of perhaps a million people, the war accomplished nothing. During the conflict, Hussein brutally suppressed an Iranian-backed Kurdish insurrection and gassed the village of Halubjah, killing about five thousand civilians. In 1990, Hussein ordered the invasion of Kuwait, giving him control over a fifth of the world's oil supplies. In 1991, a large international coalition, led by the United States, ousted Iraqi troops from Kuwait, but left Hussein in power.

Between 1991 and 2003, the United Nations passed several resolutions that prohibited Iraq from acquiring weapons of mass destruction (WMD). Hussein never fully complied with United Nations demands for inspection, although the evidence suggests that he probably stopped development of the WMDs. In 2003, the United States, in coalition with Great Britain and a few other countries, used his noncooperation as a basis for invading Iraq and overthrowing his regime. Scholars and philosophers disagreed about whether this preemptive action could be justified by just-war theory. In December, 2003, Hussein was finally captured, and plans were made to

Image not available

*Saddam Hussein shortly after his capture by U.S. troops in December, 2003. (AP/Wide World Photos)*

put him on trial for crimes against human rights. In April, 2004, it was announced that he would be tried by an Iraqi court.

*Thomas Tandy Lewis*

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SEE ALSO: Biochemical weapons; Dictatorship; Intervention; Iraq; Islamic ethics; Just war theory; Moral equivalence; Torture; Tyranny; Violence.

## **Hypnosis**

**DEFINITION:** State of consciousness, achieved through techniques of induction, in which a person is unusually open to suggestion

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** Because hypnosis gives the appearance of yielding control of one's behavior and mind and conforming to the wishes of the hypnotist, a potential for abuse is perceived.

Although the eighteenth century Viennese physician Franz Anton Mesmer no doubt hypnotized some of his patients ("mesmerism"), the concept of hypnosis was unknown before the work of the English physician James Braid. Braid invented the term "hypnosis" and conducted the first scientific studies of hypnotism. Braid devised numerous techniques for inducing the hypnotic state and extensively studied the psychological factors involved. Braid and the British physicians John Elliotson and James Esdaile made extensive use of hypnosis in their medical practices as an adjunct to surgery. Esdaile, for example, reported more than three hundred cases in which he performed major operations on unanesthetized but hypnotized patients who apparently experienced no pain.

The psychoanalyst Sigmund Freud found that hypnosis could be used to relieve symptoms of neurotic and abnormal behavior. Freud repudiated hypnosis as a therapeutic tool, however, because it could only relieve symptoms; it revealed nothing about the causes of the behavior.

Modern interest in hypnosis has passed from the physician and psychoanalyst to the experimental psychologist. Psychology's concern with hypnotism involves understanding its nature and mechanisms. Clark L. Hull's 1933 book *Hypnosis and Suggestibility* was the first systematic attempt to apply modern psychological methods to hypnosis, and Ernest R. Hilgard (b. 1904) and others added significantly to the understanding of this phenomenon.

#### **ETHICAL ISSUES OF HYPNOSIS**

The aforementioned characteristics of the hypnotic state raise the question of whether the hypnotized person becomes unduly dependent upon, controlled by, or influenced by the hypnotist. While in the hypnotic state, could the person be persuaded by an

### Characteristics of the Hypnotized State

1. Planfulness ceases. Hypnotized subjects do not wish to initiate activities; instead, they prefer to be given suggestions by the hypnotist.
2. Attention becomes more than usually selective. Subjects attend to what the hypnotists command and ignore other events.
3. Enriched fantasy is readily produced. Unreal events, not unlike dreams, can be experienced easily.
4. Reality testing is reduced and reality distortion is accepted. Altered perceptions of the real world can be produced and believed; for example, talking with an imagined person believed to be sitting in a chair.
5. Suggestibility is increased. Subjects willingly agree to cooperate with the induction technique in order to be hypnotized. Some increase in suggestibility—but less than is commonly assumed—also appears to follow.
6. Posthypnotic amnesia is often present. Some subjects, if instructed to do so, will forget most of what occurs during the hypnotic suggestion. When prearranged signals are given, memories are restored. Also, a signal introduced during hypnotic suggestion, when given posthypnotically, may cause the previously hypnotized person to carry out a prearranged action even though the person has no memory of having been given the instruction.
7. Responsiveness to hypnotic induction varies. About 5 to 10 percent of people cannot be hypnotized at all, a similar percentage are easily hypnotized, but most people fall in between the two extremes. What appears to be the best predictor of susceptibility to being hypnotized is the degree to which a person enjoys daydreaming, can produce vivid mental images, and has a rich imagination.

Source: Rita L. Atkinson et al. *Introduction to Psychology* (1993).

unethical hypnotist to engage in behaviors that he or she otherwise would not perform? Is it possible to induce, for example, irrational, antisocial, criminal, unethical, immoral, or self-destructive behaviors such as impulsively buying a new car, robbing a bank, committing murder, injuring oneself, committing suicide, or having sex with one's hypnotherapist?

The consensus firmly states that hypnosis cannot

induce or persuade a person to do anything that he or she would not otherwise do. The belief otherwise undoubtedly arises from the misconception that hypnosis is a condition induced in the person by the hypnotist.

In fact, the hypnotist acts simply as a facilitator, guiding and teaching the person how to think and what to do to produce a particular behavior within the person's capabilities. The person is responsible for and decides whether to perform that behavior. Before a behavior can occur, the person must be willing and able to produce it.

Therefore, the question of ethics is really a pseudoethical issue. The hypnotist is not doing anything to which the person does not consent and cannot compel a person to commit an act that is repugnant to that person or beyond his or her capabilities. As Roy Udolf cogently observed, antisocial and self-destructive behavior can and has been obtained in hypnotized persons, but the hypnotist cannot induce the hypnotized person to commit those acts. The person had decided to do so already. An unethical hypnotist could, however, facilitate the performance of that act. For example, a hypnotist could make a criminal less nervous and more self-assured during the commission of a crime.

Laurence Miller

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SEE ALSO: Behavior therapy; Biofeedback; Epistemological ethics; Freud, Sigmund; Pain; Psychology.

## Hypocrisy

**DEFINITION:** Feigning to be what one is not, assuming a false appearance of virtue or religion, “posturing”

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Acts of hypocrisy are generally thought of as immoral in themselves, but they are also taken to impugn the character of the hypocrite, such that all of his or her other actions are rendered suspect as well.

Hypocrisy—pretending to have more virtue than one actually possesses—is, in one manner of speaking, the exact opposite of a moral and ethical philosophy, for its practitioners are liars, deceivers, and manipulators. People living according to a just ethical standard must exercise care, for hypocrites can copy the attitudes and behaviors of “good” people and will try to control the good for their own self-centered gain.

### HYPOCRITICAL BEHAVIOR

The words “hypocrite” and “hypocrisy” connote the very dispositions and characters of people who are immoral or amoral but who hide their relative immorality with the appearance of morality. The hypocrite “undervalues” noble ideals and is ruled by inferior passions; he or she is inclined to do “bad” things rather than “good” things. He or she is totally corrupt and is a willful liar yet always presents the image of a virtuous person.

In their worship, religious people worldwide pray, lament, and make promises to their gods. Too often, they promptly forget those promises as they scurry to make money, showing little love, little mercy, little trust, little kindness, no brotherhood, and no forgiveness. Many people who call themselves Christians, Muslims, Jews, and so forth are curiously unmoved by the suffering of others.

To find religious hypocrites, one need not look be-

yond religious leaders. In the United States alone, the 1980’s and 1990’s witnessed many religious scandals. The Christian televangelist Jimmy Swaggert, a married parent, in preaching to his flock, often condemned sinners and showed much glee as he sadistically described their suffering in the “pits” of Hell for all eternity. Later, he was photographed patronizing a prostitute who later claimed that he was a “pervert.” The televangelist then tearfully repented on his television show. Later, Swaggert was again caught patronizing a prostitute, but he continued his television show, the main purpose of which seemed to be to beg for money; the same man had earlier ruined another preacher by making references to the other’s bad character.

Jimmy Bakker, another televangelist, famed for the development of a religious theme park, was eventually imprisoned because he misappropriated contributions from the faithful. Although several pentecostal leaders appeared to have attracted the largest news headlines, Roman Catholic priests have not been immune to criticism. In recent years, many priests have helped women commit adultery and have engaged in various sex crimes, including the molestation of children.

The world’s hypocrites come not only from the realm of religion but from all “walks” of life. During the 1970’s, as the United States faced the Watergate scandal, President Richard Nixon, in a nationwide television broadcast, righteously proclaimed that he was not a “crook”; this event occurred shortly before he resigned rather than face impeachment proceedings. Later, during the 1980’s and 1990’s, bankers all across the land lied to cover up their part in the savings and loan scandals, with many still lying just before authorities indicted, convicted, and sentenced them to very light terms in white collar prisons. Additionally, during the 1990’s, many members of Congress showed “self-righteous indignation” upon learning that their “bank” was under investigation; shortly thereafter, it was proved that many of them were overdrawn and in arrears (check “kiting” is a crime, and common folk most likely would have been prosecuted).

Even the world of sports has its own kind of hypocrisy. A former football star of the University of Oklahoma’s Sooners made television appearances on behalf of the “Just Say No” campaign against drugs. Additionally, he spoke on many occasions to

youth groups—all this shortly before he was found guilty and sent to prison for the illegal use of drugs.

### CONCLUSION

The dangers that the hypocrite poses are largely self-evident. The hypocritical politician “looks out for number one.” While bespeaking the public interest, he or she may “sell out” to special interest groups and, if found out, will likely scream about assaults on his or her good character. The hypocritical religious leader will use—for selfish purposes—the very foundations of religious faith. Even the action of the aforementioned hypocritical football star had the negative effect of affecting young people’s views of the adult world, in which leaders and “stars” too often are consummate liars—to the detriment of society.

*James Smallwood*

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SEE ALSO: Cheating; “Everyone does it”; Honesty; Lying; Self-righteousness; Televangelists.

# I

## *I and Thou*

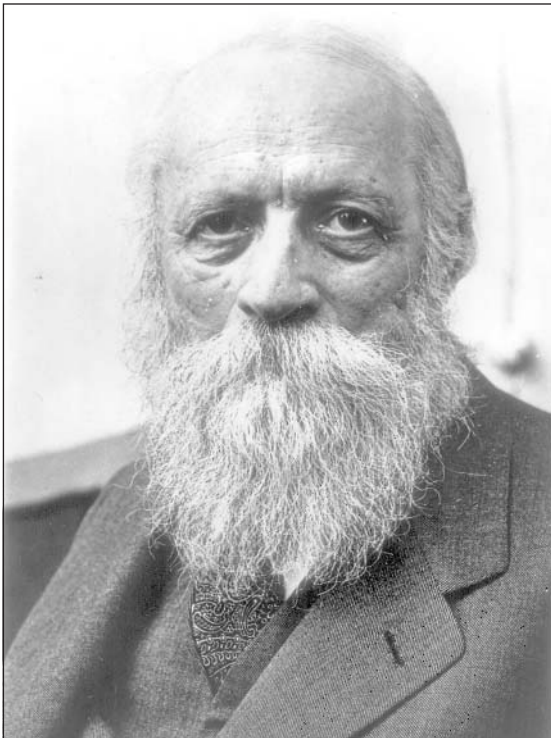
IDENTIFICATION: Book by Martin Buber (1878-1965)

DATE: *Ich und Du*, 1923 (*English translation*, 1937)

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Buber's work views reality as fundamentally social, consisting of interpersonal relationships. These relationships are defined in moral action and are expressed in the symbiotic kinship of humankind and nature.

Buber's central question of the meaning of humanness is expressed in his recurring word *Wesen* (es-



*Austrian philosopher Martin Buber, the author of I and Thou. (Library of Congress)*

sence, being, nature), as understood in terms of two primary word pairs: “I-You” and “I-It.” The I-You relationship is total involvement of self and other in intimacy, sharing, empathy, caring, openness, and trust. The I-It relationship consists of self viewing other in abstract terms, resulting in possession, exploitation, and distrust. The I-It pair permits the self to objectify the other, creating a state of manipulative dependency, and the I-You pair encourages an atmosphere of interdependence, permitting growth and respect. Only through genuine I-You encounters do people discover their humanity and, by mutually affirming and confirming one another, come face to face with the Eternal Thou.

Realistically, Buber recognized that every I-You can become an encounter, and in his poetic *Sprachdenken* (“thinking in terms of language”), he counseled that one’s essential humanity is lost if one treats every You (animate and inanimate) as an It (acts of hate, killing, vandalism). “Without It man cannot live; but he who lives with It alone, is not a man.” In the area of religion, Buber insisted that any religious form that is not in the category of I-You is illicit or at least nonreligious. Thus, he was critical of Jewish Halachah (religious orthopraxy) and Christian sacraments; he believed that the nature and essence of God are not restricted to doctrines and dogmas. Buber’s classic statement on essentials is essentially existential.

*Zev Garber*

SEE ALSO: Buber, Martin; Friendship; Hasidism; Personal relationships.

## **Ibn al-<sup>c</sup>Arabī**

IDENTIFICATION: Arab philosopher

BORN: July 28, 1165, Murcia, Valencia (now in Spain)

DIED: November 16, 1240, Damascus, Ayyūbid Empire (now in Syria)

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: In such works as *Meccan Revelations* (thirteenth century) and *Gems of Wisdom* (1229), Ibn al-ʿArabī put forward a systematic philosophical account of Sufism. Still widely influential in modern practice, his work is often seen as the creative zenith of Sufism.

Ibn al-ʿArabī's work captured the devotional spirit of earlier Sufism, gave it sophisticated and original philosophical expression, and, in so doing, both gave it new force and made it more acceptable to more conservative Muslims. His singular obsession was with *wahdat al-wujūd* (perhaps, "the unity of Being"). He argued that God is the only true reality (*al-ḥaqq*) and the inner nature of all things; the phenomenal world is a manifestation or mirror of that reality. God, considered as manifestation, is creation (*al-khalq*)—a claim that has led to controversies about whether Ibn al-ʿArabī was a pantheist. Annihilation or immersion of the soul (*fanāʾ*) in the real unity of Being is, he argued, the ultimate human good. Humans occupy a special position in the cosmos because they are able to know God both in his phenomenal nature through sense perception and in his inner nature by achieving *fanāʾ*. One who has perfected all the potentials of the soul is the Perfect Man, who, in Ibn al-ʿArabī's thought, is exemplified by Muḥammad.

Thomas Gaskill

SEE ALSO: Maimonides, Moses; Muḥammad; Sufism.

## Ibn Gabirol

IDENTIFICATION: Arab philosopher and poet

BORN: c. 1020, probably Málaga, Caliphate of Córdoba (now in Spain)

DIED: c. 1057, probably Valencia, Kingdom of Valencia (now in Spain)

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Considered one of the greatest poets of the "Golden Age" of Spanish Jewry (ninth century through twelfth century), Ibn Gabirol was also an important philosopher: He introduced

Neoplatonism into Europe and strongly influenced the Christian Scholasticism of the Middle Ages. He is author of *The Source of Life* (eleventh century).

Orphaned early in life and raised in Saragossa, Ibn Gabirol devoted much of his life to the pursuit of wisdom (philosophy), in which he found solace from his serious physical ailments and his squabbles with wealthy patrons and town elders, which caused him great mental anguish. His *The Source of Life* (*Fons vitae*) is more Neoplatonic than Aristotelian, more religious than theological. It holds that the purpose of human life is for the soul to commune with the upper world, and it emphasizes knowledge and contemplation rather than action. The subjects of *The Source of Life* are three: God, or pure spiritual substance; divine will, which is separate from the essence of God; and universal matter and universal form, which, in combination, produce universal reason. The universe is a gradual series of emanations of substances, and the farther a substance is from the source of all, the more material and corporeal it becomes.

The gradation of substances is unified by the divine will, which permeates the whole series of gradations. In this point, Ibn Gabirol departs from classical Neoplatonism, which teaches the system of emanations in a mechanical way that is totally alien to the Jewish idea of creation. The human soul, an emanation of the world-soul, is eternal, but, in uniting with the body in the corporeal world, it is lowered from its pristine purity. The soul retains its desire to return to its source, however, and this is accomplished in two ways: through knowledge of the divine will as it extends into matter and form, and apart from matter and form; and by reason, by means of which the soul unites with world reason and ultimately attaches to the "source of life." Ibn Gabirol's long philosophical poem *Keter Malkhut* (*The Kingly Crown*, 1911) is addressed to the human intellectual aspiration to discover God ("I flee from You, to You") and praises figuratively the attributes of God. This classic poem is included in the High Holiday services of Ashkenazic and Sephardic Jews.

Zev Garber

SEE ALSO: Jewish ethics; Kabbala.

## Ibn Khaldūn

IDENTIFICATION: Arab philosopher

BORN: May 27, 1332, Tunis, Tunisia

DIED: March 17, 1406, Cairo, Egypt

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Ibn Khaldūn was the first and one of the greatest practitioners of the philosophy of history. His mammoth work *The Muqaddimah* (1375-1379) lays out a philosophical analysis of, and foundation for, the methodology of historical research and writing, and it constitutes the earliest known work in the theory of social and cultural history. Ibn Khaldūn also developed a system of political ethics that he hoped would benefit society and aid in the development of civilizations.

Born into a family of scholars and government officials, Ibn Khaldūn lost his family in 1349 to the bubonic plague. After the completion of his formal studies, he became a roving ambassador, serving a series of rulers in North Africa and Moorish Spain. At the same time, he began collecting material for his *Kitāb al-ʿibar*, or universal history, which he completed in 1382. The most important part of this work was its “Prolegomena,” or introduction, which made an attempt to establish a purpose for history.

Disturbed by the decline of the Muslim states and Muslim civilization, Ibn Khaldūn sought to find reasons for it, after which he set forth a series of ethical principles that he believed must be followed to reverse the decline. Although he was a good Muslim, Ibn Khaldūn introduced the concept of natural causality. He believed that society was the creation and the responsibility of human beings. Ibn Khaldūn believed that social organization, and especially the state, was the key to improved individual welfare and the refinement of civilization. He held that rulers should develop ethical political principles such as placing the welfare of society before individual aggrandizement, ameliorating taxes, infusing the state with a sense of purpose, and avoiding unnecessary wars. Ibn Khaldūn spent the final years of his life in Cairo, where he was a Muslim judge and a professor.

*Nis Petersen*

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SEE ALSO: Islamic ethics; Politics.

## Ideal observer

DEFINITION: Person or being who has an ideal degree of nonmoral knowledge and the ability rationally to comprehend and analyze that knowledge

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: The model of the ideal observer is used by some rationalist ethical systems to think about or define the nature of the good. It is anathema to systems based on emotion or moral sentiment rather than reason, as well as to those epistemological models that hold prejudice or perspective to be constitutive of knowledge.

The idea of an ideal observer emerged in the eighteenth century in the work of British moralists such as Francis Hutcheson, David Hume, and Adam Smith. These writers emphasized the importance of full information and impartiality in moral judgment, and they considered the approval of an observer with such characteristics to define moral truth. For the British moralists, such approval depended on the existence of certain moral sentiments, such as benevolence and sympathy.

By the twentieth century, the ideal observer, which had come to be thought of as mainly self-interested, was used to provide naturalistic theories of moral judgment and moral truth. For example, Richard Brandt has defined a person's own good as what that person would want if he or she had full information and had reflected on it in the appropriate way. Some philosophers, such as John Rawls, have also defined moral rightness in terms of the idea of self-interested, impartial observers.

*Eric H. Gampel*

SEE ALSO: Good, the; Hume, David; Nussbaum, Martha; Smith, Adam.



## Idealist ethics

**DEFINITION:** Ethical system, such as Plato's, based on the proposition that perfect forms and values actually exist in the world, or an ethical system, such as those of the German Romantics, based on the proposition that the nature and structure of the self's experience constitutes the necessary beginning and central object of all philosophical inquiry

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Platonic idealism counts moral concepts among the universal, unchanging Forms studied by philosophers: Under this type of idealism, one is ethically obligated to determine the nature of those absolute and eternal values and then to act in conformity with them. Kantian and post-Kantian idealism are characterized by the so-called "Copernican turn" inward, in which the self is placed at the center of the philosophical system: Under this type of idealism, moral principles are deduced transcendently by examining the properties of human subjectivity and drawing conclusions based upon the nature of reason and the structure of phenomenological experience.

Most proponents of idealist ethics view values as unchanging, timeless realities. Values are real existents. The efficacy of values is situated in an ongoing, vital interrelationship between the uniqueness of a person's value experiences, on the one hand, and the harmonious totality of life, often termed the "Universal Self" or "Absolute," on the other hand. The ethics of human behavior are governed by immutable universal moral laws that are binding on all persons. These laws are known through the exercise of human reason.

### HISTORY

The early Greek originator of idealist ethics, Plato posited a world of absolutes consisting of eternal Ideas or Forms, on the basis of which to formulate ethical concepts. These Forms include "goodness," "justice," and "virtue," which Plato discussed respectively in *Protagoras*, *Republic*, and *Meno*. Plato's assumption that the ethical quality of human life is governed by the person's obligation to form a rational moral personality, succinctly stated in the maxim "All virtue is knowledge," is present in the views of

his disciples regarding ethical behavior. The Christian Platonist Saint Augustine viewed human behavior as governed by a priori absolutes (that is, absolutes that exist prior to experience and can therefore be discovered by reason alone): the right direction of love, for example.

During the Enlightenment, a new kind of idealism was developed by Immanuel Kant. Kant's German Idealism influenced other German Romantic thinkers, notably Georg Wilhelm Friedrich Hegel, as well as American Transcendentalists such as Ralph Waldo Emerson. Like Plato, Kant believed in an objective reality, which he referred to as the noumenal realm, and he differentiated it from the reality experienced by human beings, the phenomenal realm. Kant argued, however, that the only way to know anything about noumena was to examine the structure of one's experience of phenomena and to make rational deductions based upon that structure. He referred to this strategy as "transcendental deduction."

Kantian ethics, as with all of Kant's philosophical system, was ultimately concerned with determining the nature of human freedom, and Kant argued forcefully that acting in accordance with a universal moral law, a law that has noumenal and not mere phenomenal existence, is the only way to achieve freedom, because it is the only way to act neither randomly, based upon capricious internal desires, nor according to purely external impositions. Hegel also employed a strategy of transcendental philosophy, but instead of examining the structure of experience from the outside, he attempted to engage in a transcendental philosophy from a first-person point of view. Hegel's species of idealism embraced absolute ideals, but not immutable ideals, because he believed that philosophy, society, and all of reality, exist fundamentally as a process of historical evolution. So for Hegel values do change over time, and their universality is as much an aspect of those changes as it is contained within their final form.

More modern idealists, such as Josiah Royce and Alfred North Whitehead, continued the Platonic tradition of founding ethical considerations on absolute, presumed permanent ideals. Royce's student Herman Harrell Horne applied idealist ethics to education in his *This New Education* (1931), which was reminiscent of an earlier American idealist's work: that of William T. Harris, editor of *The Journal of Speculative Philosophy* and post-Civil War spokes-

person for the neo-Hegelians of the St. Louis, Missouri, Philosophical Society. Of Plato's impact on the subsequent development of Western philosophy, Whitehead wrote: "The safest general characterization of the European philosophical tradition is that it consists of a series of footnotes to Plato."

### PRINCIPLES OF IDEALIST ETHICS

Platonic idealist ethics originates in human comprehension of and adherence to the Platonic ideational forms of the "good": justice, knowledge, and virtue. Enunciated in the *Republic* by Plato's allegory of the metals, the just society is an idealized one in which rulers, guardians (those who enforce rulers' decisions), farmers, and crafts-people harmoniously coexist by internalizing the four cardinal virtues of wisdom, courage, temperance, and justice, the latter defined as a state of human affairs in which each contributes to society according to the predetermined limits of his function.

Kantian idealist ethics originates in a dedication to obeying a universal and universalizable law that has the form of law as such, regardless of its content. This is necessary both because only considerations of formal structure can yield a truly objective law—everyone will disagree about moral laws based on their content—and because only universal laws discovered and willed through pure practical reason are constitutive of human freedom rather than constituting a form of constraint. The universal law exists as much within the reasoned reflection of the self as it does in the external noumenal world. Therefore, for Kant, to act morally is to be free, and to be free is to act morally. Any other course of action makes one either a slave to one's desires or a slave to external impositions.

Nineteenth century philosophy was largely post-Kantian philosophy, in the sense that almost all major philosophers saw themselves as either refuting or completing Kant's system, and sometimes doing both at once. Hegel, in particular, took Kantian idealism and rendered it historical, teleological, and collective. In his *Phenomenology of Spirit* (*Die Phänomenologie des Geistes*, 1807), Hegel used dialectical logic to perform a transcendental deduction, much as Kant did. Hegel's deduction, however, very quickly broke with Kant, when it was discovered that remaining focused on the level of the single individual would make it impossible to achieve objective

knowledge. Only when a self-conscious mind interacts with another self-conscious mind, discovers and confronts desire in itself and its counterpart, and goes on to create social structures based on what it has learned through its confrontations, Hegel argued, can it discover an absolute moral law. If for Kant such a law was a pure formal construct deduced through individual detached reason, for Hegel absolute morality existed only through collective, intersubjective, historical practice in the world.

Idealist ethics accents the principle that human self-realization occurs within a societal context providing development and nurture; morality or ethical behavior is, however, often essentially ideational in nature. Hence, for many idealists the ethics through which human lives are lived results not from sensory experience but from cognitive deliberation. For others, though, the distinction between perception and cognition is at best a problem and at worst a misunderstanding of the nature of the mind.

### IDEALIST ETHICS: AN APPRAISAL

During the late nineteenth century and throughout the twentieth century, principles of idealist ethics were on the defensive. Realist Bertrand Russell saw in idealist ethics a failure to distinguish between a person's perceptual act and the separately existing content, or "sense datum," of that act, a weakness attributed to the British empiricist George Berkeley's statement *esse est percipi* ("to be is to be perceived"). In *Religion and Science* (1936), Russell viewed ethical values as totally subjective and hence unknowable: "What science cannot discover, mankind cannot know." Positivists and pragmatists have disagreed with the idealist accent on the pivotal place of the ideal or the spiritual in determining the criteria for ethical behavior. Linguistic philosophy finds ambiguities in the technical terms of idealist ethics; existentialists and phenomenologists take exception to the Platonist assumption that there exists in the universe a normative, prescriptive, intelligible or spiritual reality, independent of the sensory world, as the source of ethics.

While idealist ethics are on the wane in Western culture, support for the principles of idealist ethics—indeed, advocacy of those principles—has not diminished. Claiming Plato's *Republic* as "the book on education," Allan Bloom argues for a return to the "essential being" of idealist ethics through a "com-

mon concern for the good” in *The Closing of the American Mind* (1987). Moreover, Kantian philosophy still sets the agenda for much of the Western canon. Philosophers must either agree or disagree with elements of Kant’s system; ignoring it is all but impossible. It is difficult, then, to view idealist ethical concerns and their underlying rich tradition as absent in the modern world.

*Malcolm B. Campbell*  
*Updated by the editors*

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SEE ALSO: Emerson, Ralph Waldo; *Foundations of the Metaphysics of Morals*; Hegel, Georg Wilhelm Friedrich; Kant, Immanuel; Plato; Platonic ethics; *Republic*; Russell, Bertrand; Transcendentalism; Whitehead, Alfred North.

## Identity theft

**DEFINITION:** Appropriation of another person’s confidential information for the purpose of committing theft or fraud

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Identity theft is a crime that not only may rob victims of their possessions and access to their own private accounts but also may damage their reputations, credit ratings, and freedom by causing them to be accused of unethical or criminal behavior.

Identity theft is a major violation of ethical norms. It confronts its victims with the unenviable task of proving negative truths: that they themselves are not criminals and did not behave in an unethical manner. Passage of the Identity Theft Deterrence Act in 1998 made it a federal crime to use another person’s means of identification either to commit or to aid unlawful activity.

Impersonation for profit is an age-old crime. The book of Genesis in the Bible records how Jacob pretended to be his brother Esau and tricked their father into giving him his brother’s birthright. In sixteenth century France, an imposter claiming to be Martin Guerre persuaded Guerre’s wife to accept him. He was exposed only after the true Martin Guerre returned home after a long absence. The prizewinning 1990 play and 1993 film *Six Degrees of Separation* fictionalized the adventures of a young man who deceived wealthy New Yorkers into believing he was the son of a famous actor.

#### SOURCES OF PERSONAL DATA

With the advent of credit cards, computers, and the Internet in the late twentieth century, theft of personal information became easier to perpetrate than it had ever been in the past, and its consequences became more serious. Thieves seeking identification documents steal other people’s wallets and purses or intercept mail containing financial data. By searching through trash, a practice known as “dumpster diving,” criminals may even find discarded preapproved credit card applications. Some careless people throw away documents containing such information as their Social Security, bank account, and credit card numbers.

Another technique that identity thieves use for ob-

taining confidential information is pretext calls, a technique colloquially termed “phishing.” They call victims claiming that banks or credit card companies need to confirm personal information, such as critical account numbers. An ingenious variation on “phishing” uses e-mail, headed with the logo of an established company, to request that updated identification data be sent to the thieves’ Internet addresses.

By posing as prospective employers or landlords, thieves can acquire credit reports displaying vital identification numbers. Corrupt employees with access to credit records have been known to sell clients’ names and Social Security numbers for sums as low as twenty dollars. A surprising amount of personal material is available on the Internet, sometimes

placed there by the unsuspecting victims themselves. Information brokers advertise their willingness to provide confidential records for a fee; the service is legal and valuable for creditors seeking absconding debtors or wives tracking husbands who have abandoned them, but when identification data are sold to a criminal, the result may be disastrous for the target.

#### USES OF IDENTIFYING DATA

The impersonal nature of the Internet makes it particularly attractive to identity thieves. Only a card number and its expiration date are needed to order easily resalable merchandise. Armed with another person’s name and valid Social Security number, an impersonator can change addresses on existing accounts and ask credit companies to send new cards.

When addresses are thus changed, the victims may not discover the unauthorized charges being made on their accounts for months or years. If thieves alter the means of verifying account holders’ identities—such as by changing the maiden names of the account holders’ mothers—the victims will not even be able to access their own accounts to find out if fraud is occurring.

By using victims’ Social Security numbers, identity thieves can open new credit card accounts; take out loans; open new bank accounts to issue bad checks; and purchase automobiles, furniture, and jewelry, without ever paying for anything with their own money. People who always pay their bills on time, and thus have clear credit reports, are particularly desirable targets for identity theft. Older persons with mortgage-free homes are equally attractive to thieves, who may use personal data to obtain mortgages on the true owners’ homes and then abscond with the money advanced on the loans.

#### REACTIONS TO IDENTITY THEFT

Some identity theft victims first learn of their problems when their checks bounce, they are denied loans, or collection agencies call, demanding immediate repayment of debts they never incurred. First awareness of trouble for some may even occur with police officers arriving to

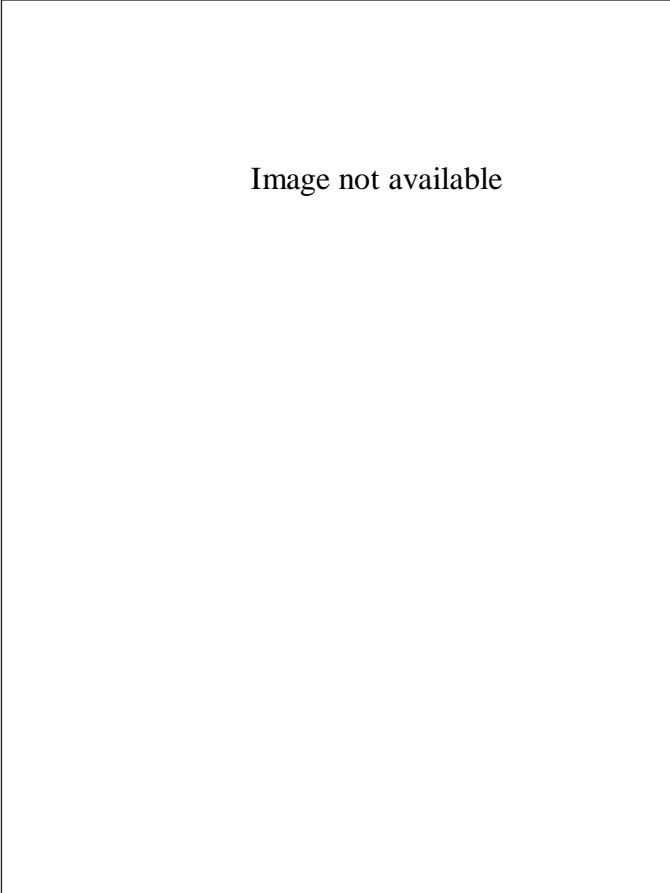


Image not available

*Poster unveiled in Portland, Oregon, in early 2004 to heighten public awareness of the dangers of identity theft. (AP/Wide World Photos)*

### eBay and E-mail “Phishes”

By the year 2004, the online auction site eBay had expanded to become one of the most popular and prosperous e-businesses on the World Wide Web. With literally millions of dollars changing hands through auction sales every day, the online site’s huge membership list presented a tempting target to identity theft specialists. A popular scam among such criminals was to send eBay members official-looking e-mail containing messages similar to this one:

During our regular update and verification of the accounts, we couldn’t verify your current information. Either your information has changed or it is incomplete. As a result, your access to bid or buy on eBay has been restricted. To start using your eBay account fully, please update and verify your information by clicking below.

Containing the familiar four-color eBay logo and coming from what appeared to be authentic eBay e-mail addresses, such messages could be very persuasive, making recipients who feared losing their eBay privileges very nervous. Recipients who followed instructions by clicking on the links provided were then taken to equally authentic-looking Web pages. Most recipients would not know how to tell that the ostensibly authentic eBay URL addresses to which they were directed actually hid the identity thieves’ real URL addresses. However, savvy eBay members—who knew that eBay itself pledged *never* to ask for confidential information—knew something was wrong when they were asked to reveal their user passwords, credit card numbers, and sometimes even their ATM PIN numbers.

serve arrest warrants for crimes committed through the false use of their names.

The discovery that a thief has misused one’s identity is always a major shock. Victims’ reactions may include anger, rage, disbelief, denial, and feelings of shame and embarrassment. Nearly 80 percent of people who report identity theft to the Federal Trade Commission (FTC) have no idea how the thieves acquired their personal information. Many such persons blame themselves for their misfortune.

Protestations of innocence are greeted with skepticism by banks and merchants, who may suspect that their customers are simply trying to evade paying their legitimate debts. As one sufferer complained,

victims of identity theft are assumed guilty until proven innocent, but criminals, when apprehended, are assumed innocent until proven guilty. Criminals are entitled to a public defender, while victims have to hire lawyers at their own expense. Proving one’s innocence to every creditor is an arduous and expensive process that can take years to accomplish.

Despite passage of the Identity Theft Deterrence Act in 1998, the problem continued to increase throughout in the United States. In 2002, the Federal Trade Commission’s hot line for fraud recorded 162,000 complaints of identity theft in 2002—an 88 percent increase over the previous year’s total of 86,000 complaints. In September, 2003, the FTC reported that more than 27 million people had suffered misuse of personal information over the previous five years. More than one-third of the victims, nearly ten million people, had experienced such misuse in the preceding year alone. The cost to banks and other businesses in that year exceeded \$47 billion. Individual victims reported spending thousands of dollars of their own money to clear their names. Despite the magnitude of financial losses caused by identity theft, victims have insisted that the worst aspects of the crime are the shock, emotional stress, time lost, damaged credit reputation, and feelings of having been personally violated.

Milton Berman

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SEE ALSO: Biometrics; Computer crime; Computer databases; Computer misuse; Confidentiality; Fraud; Information access; Resumés; Telemarketing; Victims' rights.

## Ideology

**DEFINITION:** Any set of beliefs and values or a set of false ideas used to conceal reality

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** If ideology is false consciousness, social critics believe there is an ethical imperative on the part of those who see clearly to reveal the truth to those caught within ideology. If all beliefs are ideological, critics believe there is an ethical imperative on the part of all people to understand the way in which their particular beliefs relate to current power structures and struggles. In either case, the question of the extent to which ethics itself is ideological—the extent to which it is an instrument of political power and social control—is a pressing one.

The French savant Antoine Destutt de Tracy can be credited for coining the term “ideology” in 1795. For Destutt de Tracy, ideology had a neutral value signifying only ideas and ideals. In the history of its development, ideology has acquired two distinct senses. In a general sense, it applies to any set or system of ideas, whether they are philosophical, political, theological, or ethical. In a more critical sense, ideology refers to any false set of ideas used by the dominant classes to control the subordinate classes.

Approaching ethics from an ideological point of view means to inquire into the relationship between ethics and social classes. Ideological critique presupposes a conflictual model of society in which dominant social classes and subordinate or oppressed social classes struggle for power and autonomy.

### THE MARXIST TRADITION

The Marxist tradition has given more prominence to ideology in its social and ethical analysis than to any other theory. Karl Marx partly derived his concept of ideology from his intellectual mentor, the German philosopher Georg Wilhelm Friedrich Hegel, who, in his philosophy of history, set forth the

claim that human history moves forward by the “Cunning of Reason,” independent of any individual human awareness. From Ludwig Feuerbach, a critic of Hegel, Marx appropriated the idea that theological, moral, and metaphysical beliefs stem from the wishful projections of human psychology. Marx, however, deepened Feuerbach’s position and asserted the sociological roots of ideology.

In his 1859 preface to a *Contribution to a Critique of Political Economy*, Marx summarized his historical method. He utilized a structural approach that divided society into “structure” and “superstructure.” By structure, he meant the economic and social relations generated by the productive sphere. By superstructure, Marx referred to the state, its juridical-legal system, and the cultural realm of morality, religion, art, and philosophy—in short, ideology.

Marx believed that the form of the economic foundation of the state determined the form and content of the state’s ideological superstructure. For example, in a capitalist society, the laws protect private property and moral norms justify the disparity between the rich and poor. In an earlier work called the *German Ideology*, Marx criticized the ideological nature of German philosophy for its justification of the Prussian state. There also appears the metaphysical claim that the material conditions of life determine forms of social consciousness.

In *Das Kapital*, Marx claims that capitalism generates a form of illusory consciousness that Marx names “commodity-fetishism.” By commodity-fetishism, Marx means the false belief that commodities exchange on the basis of intrinsic value. In reality, values are extrinsic to the commodities and are based on ratios of social labor. In the *Critique of the Gotha Programme*, Marx refers to morality as ideological nonsense and calls the modern liberal ideas of equality and justice “bourgeois” and “ideological.” Nevertheless, Marx was not beyond inveighing moral dictums against the exploitative and alienating features of capitalism like a Hebrew prophet.

Later Marxists followed the lines of thought opened up by Marx. Antonio Gramsci, founder of the Italian Communist Party, formulated the concept of hegemony to express the ideological forces of the modern bourgeois state. Hegemony refers to the power and authority attained and maintained by the ruling classes through the coercive apparatus of the state and through the consent gained by the cultural

institutions of civil society. Louis Althusser, a French communist philosopher, developed the idea of ideological state apparatus. Briefly put, in order for society to maintain the status quo, it must also reproduce the fundamental economic social relations, that is, reproduce workers who submit to the bourgeois social control. This submission is made possible by ideological state apparatuses such as schools and churches, which express the ideas of the ruling classes. Jürgen Habermas stressed the notion of legitimation as the acceptance of a social system by the members of that society.

#### MAX WEBER AND KARL MANNHEIM

In the sociology of knowledge tradition, intellectuals sensitive to the crisis of relativism and skeptical of human rationality developed similar notions of ideology critique parallel to those of the Marxists. Max Weber linked certain religious tendencies to affinities with different social classes. He also set forth the idea of a theodicy of legitimation for the privileged and a theodicy of compensation for the oppressed. For Weber, ideology meant the consciousness of an epoch. Thus, ideology entailed ethical relativism.

Karl Mannheim showed how Christianity provided an ideology for the dominant classes and utopias for the oppressed. He also believed that there was a need for a class of individuals freed from any social class loyalty. These he found among academic intellectuals, the so-called free-floating intelligentsia. Sociology in general studies how social structures coerce individual human behavior and morality.

Several questions are raised by an ideological approach. How do social classes develop forms of consciousness containing particular ideologies? What role do ideologies play in social change? Does not the claim that ethics is ideological lead to ethical skepticism and ethical relativism?

*Michael R. Candelaria*

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SEE ALSO: Capitalism; Communism; Critical theory; Hegel, Georg Wilhelm Friedrich; Marxism; Theory and practice; Weber, Max.

## Illness

DEFINITION: Lack of health; presence of disease

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: An accepted definition of illness defines the parameters of the responsibilities of medical professionals, patients, and society in the treatment of both healthy and ill people.

During the twentieth century, particularly after World War II, advances in medicine took place so rapidly that the health care profession ballooned. With this expansion has come consistently increasing, often unattainable, expectations about what can and should be treated by the medical profession.

It is impossible to focus on a particular definition or viewpoint of illness without looking at its counterpart, health. Some people hold that illness is simply lack of health, but any definition of health is controversial. The World Health Organization (WHO) in 1946 offered this definition: "Health is a state of

complete physical, mental and social well-being.” It is easy to see why this is controversial. This definition places in opposition to health such states as grief as well as such social problems as racial oppression and poverty. Simultaneously, by classifying these things as health problems, it obligates the health care profession to broaden its scope to include them. Many people have taken issue with the WHO definition of health, but no one has yet been able to formulate one that is any more widely accepted.

### VIEWS OF HEALTH AND ILLNESS

There are three predominant views of the concepts of health and illness. The first, the empirical view, proposes that the health of any organism is determined by whether that organism functions the way it was designed by nature to function. Illness, then, is any situation or entity that hinders the ability of the organism to function in the way in which nature intended. Proponents of this view point out that this definition is equally applicable to plants, animals, and humans. An organism is determined to be ill or healthy without reference to symptoms subject to interpretation by either the patient or the evaluator.

Another view of health and illness holds that health is that which is statistically normal, and illness is that which is statistically deviant. The problem with this view is that it ends up classifying many things society sees as positive traits, such as extreme intelligence or strength, as illness. Proponents, however, point out that what nature intended for a specific organism is often determined by statistical evidence.

The third view is that of normativism. Normativists believe that the concepts of health and illness incorporate cultural and societal values, because what is viewed as illness depends on what the particular culture considers desirable or undesirable. For example, in seventeenth century America, there was a “disease” called drapetomania, which caused otherwise content slaves in the South to have the uncontrollable urge to escape. The designation of illness also depends on the ability or willingness of a society to recognize a situation as undesirable. A society without writing would not be likely to consider dyslexia an impairment.

The normative view is especially prevalent (and compelling) in the field of mental health. The designation of what is a disease is a product of the culture

of the time. For example, in the nineteenth century, women who enjoyed sexual intercourse were considered mentally dysfunctional, while in the twentieth century, the opposite is true. Certain factions, such as advocates for alcoholics, have fought long and hard to have their particular problems labeled as disease. Others, such as homosexuals, have fought equally hard to keep themselves from being so labeled.

### IMPLICATIONS OF DEFINITIONS

Why is the label of illness so desirable or undesirable? When a particular set of symptoms or problems is labeled as an illness, its presence carries with it certain properties of the “sick role.” Behaviors that would otherwise be seen as unacceptable or immoral are excused. Responsibility is diminished, both for actions and for inaction. The label of illness also carries with it, however, a certain stigma, that of the necessity to strive for a cure. This is why groups such as homosexuals have fought it so strenuously.

On a more general level, definitions of health and illness define the boundaries and obligations of the medical profession. It is reasonably clear that ideas about health care needs follow the line of ideas about health. The current conception of health care in Western society, the medical model, tends to support the paternalism of health care professionals as interventionists who relieve patients of their responsibility to care for themselves. A nonmedical model, however, tends to emphasize individual responsibility for health.

### DISEASE VS. ILLNESS

Most people consider the terms “disease” and “illness” to be synonymous. Some, however, separate illness into a subcategory of disease. This separation bridges the gap between the empirical and the normative definitions of health. Disease is seen as simply the impairment of natural function, as in the empirical view. Illnesses are diseases that incorporate normative aspects in their evaluations. An illness is a disease whose diagnosis confers upon its owner the special treatment of the sick role. Not all diseases are illnesses. Diseases such as sickle-cell anemia may not impair the health of the individual, and thus do not incur the sick role.

Generally accepted definitions of health, illness, and disease are becoming more necessary as the health care profession grows. Until society clarifies

these concepts, health care will be called upon to mitigate every problem society has, not only the enormous number it is traditionally expected to solve.

*Margaret Hawthorne*

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SEE ALSO: Diagnosis; Health care allocation; Holistic medicine; Medical ethics; Medical insurance; Mental illness; Physician-patient relationship.

## **Immigration**

**DEFINITION:** Flow into countries of people seeking to change their nationalities

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Governments regulate by force who may leave their territories and especially who may settle within their borders. Border controls designed to exclude unwanted immigrants may be viewed as legitimate forms of collective or

communal self-determination, but critics argue that they often violate the individual right to freedom of movement and the ideal of equal economic opportunity for all.

During the 1990's, the U.S. government took unprecedented and costly measures to prevent migrants in search of greater economic opportunities from illegally crossing its long border with Mexico. The federal Immigration and Naturalization Service (INS) almost tripled its budget, doubled the size of its Border Patrol, and created a border of fences, cameras, and policing by helicopters. Concerns with security eventually led to further steps to close the border. Nations in the European Union have taken similar measures. However, it is unclear how effective various efforts at border control have been.

Although millions of illegal migrants were arrested throughout the world and returned to their countries of origin, there were still at least six million illegal immigrants in the United States and more than three million in Western Europe at the beginning of the twenty-first century. The cost in human suffering is also high. Every year, hundreds of migrants die trying to enter what critics of strict border controls call "fortress Europe and America." The moral question raised is what justifies governments' effort to exclude ordinary people who seek to improve their lives.

#### **THE COMMUNAL RIGHT TO EXCLUDE**

The communitarian philosopher Michael Walzer argues that communities have a right to determine the rules governing their cooperation and with whom to exchange the goods of their cooperation, including membership. He compares political communities to clubs, noting that within clubs existing members choose the new members and that no one has a right to join a club. Another aspect of the analogy is that people have the right to leave their clubs and so they have a right to emigrate. Walzer adds that political communities are also similar to families. The children of citizens are automatically citizens, and states typically give preference to would-be immigrants who are genetically related to its existing citizens. For Walzer, the right to exclude is not absolute: He argues that all states should take in some political refugees since every person has the right to belong to some political community.

There are many reasons that citizens may have for



wishing to exclude other people from entering their countries. Walzer stresses the danger of immigrants undermining a national culture and a shared way of life. Other grounds for exclusion are limiting population growth, protecting the environment and resources, shielding native workers from wage depression and increased competition for scarce jobs, and preventing an overburdening of welfare programs, public education, and other social services.

Critics of restrictive border policies contest the view that admitting many immigrants with different cultural backgrounds threatens national unity. They point out that cultural blending is common and that, at any rate, a multicultural society enriches the lives of its citizens. This latter view was challenged in the United States after the terrorist attacks of September 11, 2001, heightened public fears of Muslims living in the country.

On their account, national unity can be based on respect for individual rights and need not include a

deep sharing of specific cultural values. They also argue that immigration contributes to economic growth and that many immigrants take jobs that natives find undesirable. A final perceived benefit of immigration is that it counteracts the shrinking or graying of the native populations of many Western nations.

#### ARGUMENTS FOR OPEN BORDERS

Proponents of open borders typically argue that even if more immigration does not benefit the receiving country, this does not necessarily warrant exclusion. Some utilitarian moral philosophers argue that the state must impartially balance the interests of its citizens against the interests of immigrants. Liberal human rights theorists maintain that individuals have a right to freedom of movement, arguing that just as people should be able to move from one city in the United States to another—whether or not their movement benefits the communities—so they should be able to move across borders. Egalitarian liberals hold

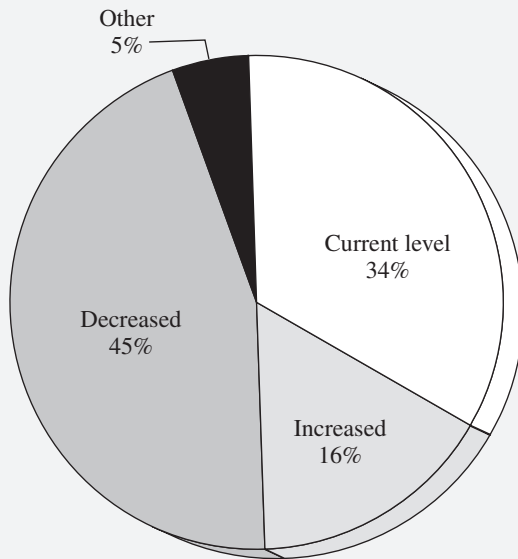


*European immigrants sailing to the United States in 1906. (Library of Congress)*



### Public Opinion on U.S. Immigration Levels in 2004

In January, 2004, a CBS News/New York Times poll asked a cross-section of Americans whether legal immigration into the United States should be kept at its current level, increased, or decreased.



Source: Roper Center for Public Opinion Research. Figures reflect responses of 1,022 adults surveyed in January, 2004.

that closing borders to immigrants from the developing world is unjust because mere location of birth should not determine one's chances for economic success. As the liberal philosopher Joseph Carens puts it, keeping economic immigrants out by force makes citizenship in Western democracies a modern variant of feudal privilege.

#### IMMIGRATION POLICY STANDARDS

During the late eighteenth and nineteenth centuries, the United States placed few restrictions on immigration other than excluding the seriously ill, the criminally convicted, and certain non-Western populations. National origin quotas were adopted in 1921 and the Border Patrol emerged in 1924. Congress abolished this quota system in 1965 with the understanding that it was racist and replaced it by a system of preferences for relatives of citizens and permanent residents. Congress also reserved immigration slots

for professional workers, a preference that has become more extensive in recent years.

The active recruitment of immigrants with valuable professional skills has led to a "brain drain" from some developing countries to Western societies. Some countries of the developing world have lost anywhere from 25 percent to 75 percent of their highly skilled workers, including engineers, scientists, and physicians. It is generally held that professionals from these nations should not be denied the right to emigrate from their home countries; however, some ethicists have also argued that it would be appropriate to impose exit taxes to be paid by the hiring agencies to compensate for the economic loss to the sending countries and to reimburse them for their educational costs. Increasingly, professional immigrants view it as their duty to establish networks with professionals in their countries of origin and to promote local businesses and educational developments.

Harry van der Linden

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SEE ALSO: Citizenship; Communitarianism; Diversity; Immigration Reform and Control Act; Population Connection; Population control; Refugees and stateless people; Rorty, Richard; Zero-base ethics.

## Immigration Reform and Control Act

**IDENTIFICATION:** Federal law designed to ease social and economic problems caused by illegal immigration

**DATE:** Passed in 1986

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** With the Immigration Reform and Control Act (IRCA), the U.S. government attempted for the first time to punish the employers of illegal immigrants, not only the illegals themselves, recognizing both as lawbreakers contributing to a national problem.

Authored by Senator Alan Simpson, the Immigration Reform and Control Act was passed after emotional debate in Congress. Nearly everyone recognized that immigration policy needed to be overhauled, but many opponents felt that the proposed law was designed specifically to keep out Hispanics and other people of color. The act had three main goals. Illegal immigrants already in the United States lived in fear of being found and deported; therefore, they were easily exploited by unscrupulous employers who paid unfair wages. Under the terms of the act, illegal aliens who came forward to register were granted amnesty and could eventually apply for citizenship.

The act also further increased funding for Immigration and Naturalization Service (INS) to turn back illegals at the borders. Later years showed this attempt to be very successful. Finally, the act made it more difficult for illegals to be hired for work in the United States; it was hoped that this would discourage them from attempting to come in the first place. Employers were now required to document that new employees were legally eligible for work in the United States.

*Cynthia A. Bily*

**SEE ALSO:** Citizenship; Immigration.

## Immortality

**DEFINITION:** Eternal life

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Many people believe that ethical grounds such as the demand for moral perfection, the justice of the universe, the value of the individual, and the goodness of God support or require belief in the immortality of the human soul.

Immanuel Kant, in his *Critique of Practical Reason* (1788), argued for the immortality of the soul along the following lines.

We are morally obligated to achieve moral perfection, a complete correspondence between our intentions and the moral law. Anything we are obligated to do is something we can do. But we cannot achieve moral perfection in this life. So given that moral perfection is obligatory, an infinite life during which moral perfection can be attained must be postulated.

In effect, Kant claims that the moral law requires as a corollary the immortality of the soul.

Kant's argument has several questionable aspects. Some people, claiming that morality is solely a matter of societal opinion or individual feeling, will reject outright the idea of a moral law and therefore will not be moved by Kant's argument. Even objectivists in ethics may claim that Kant's argument does not prove the existence of immortality, since it does not prove an objective moral law. Optimists about human nature may say that if people can control themselves in any given case, they may also be able to control themselves in every case, and therefore moral perfection in this life is possible even though it is difficult.

Others may question whether people are obligated to be morally perfect. Does the moral law require people to be perfect as well as to do their duty? If people are not obligated to achieve moral perfection but only to strive to achieve it, there is no need to postulate immortality. Those who think that they have independent grounds against the belief in immortality may say that no one is obligated to be morally perfect, since it is not possible to achieve such perfection in a single lifetime. Finally, it may be asked why achieving moral perfection requires pos-

tulating immortality rather than an extremely long afterlife.

Other moral arguments for immortality clearly rest on religious assumptions. Some appeal to a divine recompense, as follows: "In this life, the virtuous are not always rewarded, and the vicious are not always punished. Since God is just and powerful, however, there is an eternal life in which each receives his or her just recompense." No doubt, many people are motivated by a desire to avoid Hell and reach Heaven. Others worry that raising questions about immortality will undermine the motivation to act morally. They think that if there is no ultimate recompense, it is irrational for people to do what is right when it conflicts with their self-interest.

It is a mistake, however, to assume that moral behavior cannot be rational unless it promotes one's own welfare. If rational behavior instead only promotes one's ends, then since one can have altruistic ends, one can behave rationally without promoting one's own welfare. Thus, moral behavior that is not rewarded in this life can be rational even if it is not rewarded in a future life. A major motive for moral behavior is concern for other people, respect for their value. This kind of motivation does not depend on immortality, and this kind of concern is an important part of a fully human life; therefore, it is not irrational.

### THE RELEVANCE OF GOD

The recompense argument is based on the assumption that God exists. To accept God's existence on faith is to accept immortality on faith. To the extent that God's existence is not proved, the future life based on it is not proved. Granting God's existence, would divine recompense take an eternity? Even if it would, would God balance the scales of justice? Some people maintain that God's goodness would require this, but that conclusion does not follow. Even if a just God regards human mortality as bad, that does not mean that God should or would end it. To do so may require God to sacrifice something he regards as more important. God's overall best plan for the universe may include this evil as well as others. The evil of human mortality may be a necessary part of a greater good.

Some claim that a good and powerful God would

guarantee human immortality because people are such valuable beings, full of infinite potentialities, or because God would not disappoint those in whom he has instilled a desire for immortality. These reasons are not convincing.

It is a mistake to think that humans cannot be valuable if they are not permanent. Many things, such as good health, are valuable even though they cannot last forever. It also seems clear that Socrates and Mohandas K. Gandhi were valuable individuals even though they did not last forever. From the claim that humans are worthy of being immortal, it does not follow that humans are immortal.

The idea that a good God would not disappoint those in whom he has inspired a natural desire for immortality also does not stand scrutiny. Does this desire come from God or from society? Many Hindus and Buddhists do not desire immortality. They strive to avoid being reborn, because they believe that blessedness involves a complete extinction of the individual. Even assuming that the desire for personal immortality were universal, it is clear that a good God would not necessarily satisfy every human desire.

Gregory P. Rich

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SEE ALSO: Christian ethics; Death and dying; God; Kant, Immanuel; Life, meaning of; Life and death; Religion.

## Impartiality

**DEFINITION:** Absolute or relative freedom from prejudice or bias; fairness

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Impartiality is a central concept in several ethical theories that otherwise differ significantly. Many theorists assert that an ethics without impartiality is impossible. Others assert that to deny the fact of human partiality and assert a commitment to radical impartiality is to falsify the nature of the way people's minds and moral judgments actually work.

The concept of impartiality is suggested by various early writings and is implied by the Golden Rule of Jesus, which states that you should do unto others as you would have others do unto you. The idea of freedom from prejudice, even from prejudice toward oneself, however, occurs most often in ethical writing after 1700. David Hume claims that impartiality prevails when making moral judgments. Socially useful acts are approved. In "The Standard of Taste" (1757), Hume asserts that people accept as their own "the judgments of an impartial observer." Immanuel Kant, putting forward a very different theory from that of Hume, also stresses impartiality. He claims that duty is the same for all people. John Stuart Mill, developing a utilitarian ethical theory, asserts that utilitarianism requires one to be strictly impartial.

This concept of impartiality also occurs in writings of the twentieth century. In *The Moral Point of View* (1958), Kurt Baier states that the same rules should pertain to all. He asserts that we must adopt an impartial viewpoint. John Rawls, in *A Theory of Justice* (1971), urges a "veil of ignorance" where the rules of society are established by individuals who do not know what their own position will be in the society. In this approach, the rules that are developed will be impartial and fair to all.

Rita C. Hinton

**SEE ALSO:** Hume, David; Kant, Immanuel; Mill, John Stuart; Rawls, John; *Theory of Justice*, A.

## In vitro fertilization

**DEFINITION:** Physiological union of sperm and ovum outside the female's body

**DATE:** First human born through in vitro fertilization on July 25, 1978

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** In vitro fertilization permits the separation of the genetic from the gestational role of motherhood. It makes technically possible a range of practices that raise serious ethical questions, including surrogate motherhood, sex selection, and other types of genetic screening or manipulation.

The term's origins are unknown, since the terms *in vitro* ("in glass") and "fertilization" have long been used in science. Attempts at in vitro fertilization (IVF) were reported as early as 1878 but were not confirmed until M. C. Chang reported successful pregnancies from rabbit ova that had been fertilized externally and placed in foster wombs. After scientists mastered the preliminary steps to human IVF, Patrick C. Steptoe and Robert G. Edwards reported a tubal pregnancy in 1976. In 1978, Steptoe and Edwards conducted the first IVF procedure to lead to a successful human birth.

In 1995, 2.1 million married couples in the United States were infertile. IVF and related technologies show promise for 10 to 15 percent of those who do not respond to other treatments. The government reported about five thousand births from IVF worldwide by 1988.

### NONCOITAL PARENTHOOD

The Roman Catholic Church and some non-Catholic theologians oppose all noncoital reproductive techniques, including artificial insemination, because they separate the marital and the reproductive functions of love. Others see nothing problematic about achieving human parenthood "artificially," since control over the environment intrinsically defines human nature. A middle position admits that IVF's artificiality may harm marriage but holds that the overall benefits provided by parenthood outweigh those harms for some couples.

Similar secular objections are that IVF's artificiality will affect society's conception of humanness and will lead to the objectification of all embryos and

of women. Others worry about its psychological effects on the parents and children. Most consider the reproductive technologies to be no more of an “interference with nature” than is any other medical procedure.

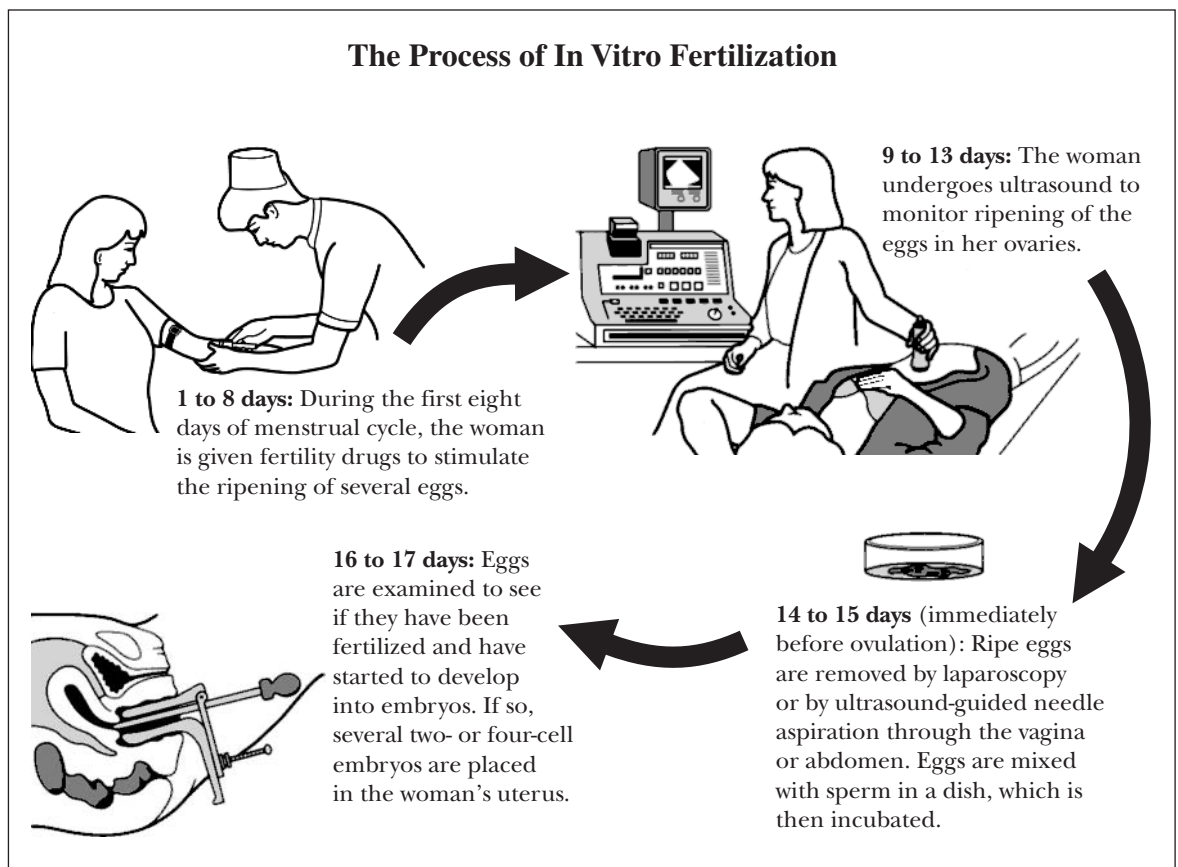
Many IVF programs do not accept unmarried or lesbian women. Although many would argue that children should be raised in traditional families, this screening singles out IVF and makes physicians the moral arbiters for society. Some allege that IVF reinforces, without examination, societal views that women must provide husbands with a genetically related child in order to achieve full womanhood.

### THE EMBRYO’S STATUS

When a single embryo is implanted to produce a live birth, IVF closely resembles coital conception. For those who believe that human life and personhood begin at implantation or later, the em-

bryo’s status presents few problems. For those who believe that human life and personhood begin at conception, however, IVF can be problematic, especially when it is used to study embryonic development or contraception. Does using embryos in research to provide a cure for diabetes or Parkinson’s disease constitute unauthorized experimentation on unborn children? Even as a substitute for normal conception, IVF results in greater “wastage” of embryos because of more failures to implant and more miscarriages.

Because “harvesting” ova is expensive and invasive, women are often hormonally induced to produce several ova. Often, physicians implant multiple embryos to increase the chances of live births; this procedure increases the possibility of multiple births or selective abortion if too many embryos are implanted. Alternatively, because cryogenic preservation is possible after fertilization, some physicians



(Hans & Cassidy, Inc.)



### Birth of Louise Brown

On July 25, 1978, Louise Brown, the first baby conceived outside a human mother's body in a laboratory dish, was born to Gilbert and Lesley Brown. The Browns were childless, because Lesley's fallopian tubes were blocked with adhesions and had to be surgically removed. Consequently, eggs from her ovaries could not migrate down the tubes, which prevented their possible fertilization and uterine implantation. To overcome this biological problem, physicians Patrick Steptoe and R. G. Edwards used in vitro technology. An egg surgically removed from the mother was combined with ejaculated sperm from the father in a laboratory dish to induce conception, or fertilization. The fertilized egg was then implanted into the mother's uterus, where its development culminated in the birth of Louise Joy Brown.

Among the most widely publicized events of its era, Louise's birth helped to turn the tide of public sentiment. The issue of in vitro fertilization (IVF) had been publicly debated with increasing fervor in the mid-1970's. Many feared the technologization of the reproductive process due to its potential miscarriages and abuses, and articles heralding a potential cure for infertility ran alongside articles decrying IVF's potential monstrosities. Louise Brown and her parents put a human face on IVF, however, and garnered popular support for the procedure.

implant embryos one at a time. Should excess frozen embryos be allowed to "die" or be donated to other infertile couples? A wealthy couple's 1983 death raised the issue of whether their frozen embryos should become their heirs. What happens if a couple divorces? A judge facing the issue awarded "custody" to the mother who wanted the embryos implanted. In 1992, the Tennessee Supreme Court reversed that decision, declaring that the embryos were neither property nor persons but an interim category entitled to respect because of their potential for human life; it held that both parents had rights to decide the embryos' fate prior to implantation but that the father's right not to be a genetic parent outweighed the mother's desire to donate the embryos.

All the government commissions examining the embryo's status adopted this interim category, recommending that experimentation be allowed until the fourteenth day of development and that the embryo be "treated with respect" but not accorded full rights of personhood.

### EXPERIMENTAL TECHNIQUE

As soon as IVF live births demonstrated success, "infertility centers" sprouted around the country. Since humans were only the fourth species that demonstrated success with IVF, some people accused scientists of rushing to experiment on women before properly studying IVF in animals. During the 1980's, many infertility "specialists" were inadequately trained and promised overgenerous results. Although there are no apparent problems, negative effects on the children of IVF cannot, as the DES tragedy demonstrated, be ruled out until the test group is larger and reaches reproductive age. Moreover, the long-term effects of superovulating women are unknown.

A de facto federal moratorium on funding IVF has resulted in no regulatory research to demonstrate the efficacy or safety of IVF and no development of guidelines; most research is connected with commercial interests. Moreover, IVF is expensive and has a low rate of successful pregnancies (an average rate of 10 to 15 percent per procedure during the late 1990's); some question making these expenditures to overcome infertility when resources are needed to care for or adopt living children and for research into avoiding the causes of infertility. Distributive justice concerns are also raised; even if covered by health insurance, which often declares IVF too experimental, IVF will not be affordable for most couples. At the beginning of the twenty-first century, IVF procedures alone could cost as much as nine thousand dollars in the United States, and the costs of drugs and donor eggs could easily raise the total cost to more than fifty thousand dollars.

### POSSIBLE USES OF IVF

As with artificial insemination, IVF makes the donation of gametes possible; this possibility raises questions of the advisability of separating the genetic from the other roles of parenthood, including the possibility of detrimental effects on the children's identities. In fact, through surrogacy, the gestational

mother need be neither the biological mother nor the intended mother. IVF is used to treat both male and female infertility. Some people question the reliance on using surgery on the woman to overcome the husband's low sperm count, particularly in the light of the dearth of research on the causes of and cures for male infertility. Preimplantation genetic testing of the embryo can be accomplished harmlessly, thus raising the advisability of genetic screening, including sex selection.

*Ileana Dominguez-Urban*

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SEE ALSO: Genetic engineering; Life and death; Medical ethics; Right to life; Stem cell research; Surrogate motherhood.

## Incest

**DEFINITION:** Sexual intercourse or sexual activity between close relatives

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Incest is taboo in most societies. Usually, incest between a child and an adult relative is considered especially heinous. Sibling incest, while still taboo, is usually judged to be more pathological than criminal.

Incest seems to be a growing problem. In the United States, at least, reported cases of incest were on the rise during the 1990's. Prior to the 1970's, incest seemed to be kept hidden. Increasingly, however, victims and their protectors began speaking out, and the public and legal authorities became more aware of the problem than ever before.

The "typical" offender in incest cases is the father (in approximately 90 percent of the reported cases), and the victim is usually his daughter. Fully 97 percent of all reported cases of parent-offspring incest involve father-daughter couplings or arousing sex "play." Only 3 percent of the perpetrators are female. When incest involves the father and the son, as it does in approximately 7 percent of reported cases, the young male has a second issue to grapple with—that of the father's bisexuality or homosexuality. Men who take sexual advantage of young relatives typically suffer from low self-esteem brought on by physical, mental, and, sometimes, sexual abuse that they suffered as children.

Many reasons for forbidding incest have been offered. Society has been "told," for example, that incestuous relations are likely to produce mentally and physically defective offspring. Although modern geneticists have learned that that fear is unfounded, laypersons still fear incest for this reason. Another reason to forbid incest involves family stability: Incest could create chaos in the family by causing jealousies and the exchanging of, or confusion about, roles, which could cause the family to become "organizationally dysfunctional." Such a family would not survive as a unit, and if enough families engaged in the practice, society itself would break down. Hence, a ban or taboo on the practice becomes a "functional prerequisite" for society.

Another reason to avoid incest exists. Many authorities emphasize the psychological harm done to

victims. The “crime” is so heinous that victims are often sworn to secrecy, becoming in a sense “responsible” not only for the act but also for keeping the family together by not talking. Fighting such strains, victims emerge with poor self-esteem and related psychological problems. As time passes, most victims cannot engage in “age-appropriate” play, and they tend to develop few outside interests. Some create discipline problems at home and at school. Furthermore, incest teaches some victims that if they like someone, they should act out their feelings sexually.

#### APPARENT EXCEPTIONS

Some scholars have begun to question the “negative only” view of incest. One study, for example, cited an investigator who studied twenty brother-sister marriages that occurred in one state. The investigator reported that the couples, all of whom were living in middle-class suburbia, led fruitful lives and were happily raising their offspring as normal human beings. Another case involved a twenty-eight-year-old married middle-class woman who regularly visited her old widowed father to clean his house and cook for him. The two regularly had sex because the woman had promised her mother that she would “take care of Dad.”

Another case involved a nineteen-year-old college coed. When she was preparing a research paper for a class in abnormal psychology, she had a severe anxiety attack that required hospitalization. She had just read that incest was a taboo, a heinous crime; in apparent innocence, she had been having sex with her father and three brothers since she was thirteen. Her analyst reported that she had had to take over the domestic duties of the family upon the death of her mother and that she had “assumed” that sex was part of her “responsibility” because men “needed it.” Furthermore, the analyst reported that the coed seemed well adjusted, happy, and guilt-free—until she went to the college library and read about the “horrors” of incest.

Such cases led some experts to talk of “functional” incest, which makes possible a shift in traditional family “roles” that enables the family to continue as a unit rather than to disintegrate. One scholar analyzed 425 published case studies of incest from America and Europe and identified 93 as “nonpathological” cases in which incest was a “functional” response that allowed the families to stay together.

One researcher recounted the story of a family in South America whose members had been shunned by their community because some family members engaged in prostitution and others engaged in bootlegging. The ostracism eventually resulted in incestuous relations among as many as forty family members and created a monstrous problem for those exploring the family genealogy. One man had relations with his mother, who bore his daughter. Years later, he had relations with his daughter, who then had a daughter. He thus became father, brother, and mate to his first daughter and grandfather, father, brother, and mate to his second daughter. In this case, however, incest did not mean disintegration of the family; in fact, the family members handled the cross-generational and sibling incest quite well. The family stayed together, and the individual members seemed well adjusted and happy.

Such cases should be regarded as exceptions. In most cases of incest, tragedy and suffering result; incest usually tears a family asunder, partly because of the behavior itself and partly because of the learned aversion to incest.

*James Smallwood*

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SEE ALSO: Child abuse; Family; Rape; Sexual abuse and harassment; Sexuality and sexual ethics; Taboos; Victims' rights.

## Income distribution

**DEFINITION:** Distribution of various forms of income among members of society and their families

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The consumption opportunities and senses of self-worth of individuals are strongly affected by the individuals' incomes and their views concerning the fairness of how society's total wealth is distributed.

The incomes of most Americans take the form of salaries paid by employers, interest and dividends from investments, rents on properties, and profits from businesses. Most income revenue comes from the private sector, but a significant share also comes from government sources. Incomes are also distributed and redistributed within individual family households, and unpaid household services performed by family members constitute important nonmarket forms of real income.

### BUSINESS INCOME

Most incomes paid by business are wage payments for labor services. In addition, firms make income payments for interest, rent, and dividends. Business profits constitute income for business owners, even if those profits are plowed back into the businesses.

Businesses pay out money in order to obtain labor and other productive services. They also make rental payments to obtain productive land, buildings, and equipment. Moreover, they pay interest and dividends in order to obtain funds that finance capital investments. Firms attempt to maximize profits and thus are motivated to pay as little as possible to obtain needed services. However, in order to compete with rival firms to obtain workers and other services, they must pay competitive wages. The individual worker's freedom of job choice is the most effective protection against workplace unfairness. Dissatisfied workers can always quit and go elsewhere or even start their own businesses. Employers experiencing

heavy turnovers in employees have an incentive to pay higher salaries to make their jobs more attractive to their workers.

Incomes from business are affected by taxation and by the activities of labor unions. Unions tend to display more concern for fairness than employers. A common union policy is seniority, a system wherein the workers who are employed the longest are given special consideration in pay and promotion decisions and protection against layoffs. However, seniority systems may work against efficiency and unfairly place younger workers at a disadvantage.

### PRODUCTIVITY ETHICS

The most widely accepted economic theory of incomes from business is that each supplier of productive services receives payment equal to the value of its marginal product—in the simplest case, the value of additional output that results from adding that individual's services. To many economists, this seems eminently fair: Each person takes from the economy an amount of goods and services equivalent to the value that person contributes. Furthermore, the system promotes a high level of economic productivity. Workers and wealth-owners shop around for opportunities that yield them the best incomes. In the process, their services flow into highly productive outlets. Workers have incentives to improve their productivity through extra training and harder work. Investors have incentives to obtain information about the profitability of various firms. Firms look for employees whose work helps generate the highest possible profits. This process leads both workers and employers into efficient patterns of production.

Evidence that labor incomes reflect differences in productivity comes from the higher pay that goes, on average, to persons with more education, more experience, and greater on-the-job supervisory responsibility. These variables account for much of the earnings differentials involving women and members of ethnic minorities. Young persons and others entering the labor market for the first time usually have low productivity and consequently receive low pay. Recent immigrants to the United States are particularly vulnerable to initially low incomes.

### INCOME DISTRIBUTION IN THE FAMILY

To assess the morality of market income distribution, one must be aware of the second system of in-

come distribution, which is the family. In 2001, about 135 million Americans were employed. Many of the remaining 150 million people—particularly the 65 million people under sixteen years of age—were household members with those employed. Their incomes depended partly on the incomes received by other members of their households and partly on the nonmarket ways in which incomes were divided among members of the household. Families also provide other methods of rewarding virtues such as kindness, loyalty, altruism, optimism, and creativity that are not always rewarded in the business world.

**INCOME FROM GOVERNMENT**

The third principal source of income is government. In the United States, about one sixth of employed persons work for some level of government. Fairness is a more significant factor in government employment. Workers qualify for government civil service positions by taking examinations, and the rules for pay and promotion are publicly known. In the United States, government jobs have helped to improve opportunities for women, members of minorities, and persons with disabilities. However, excessive concern with providing employment can mean that efficiency is sacrificed and government offices overstaffed.

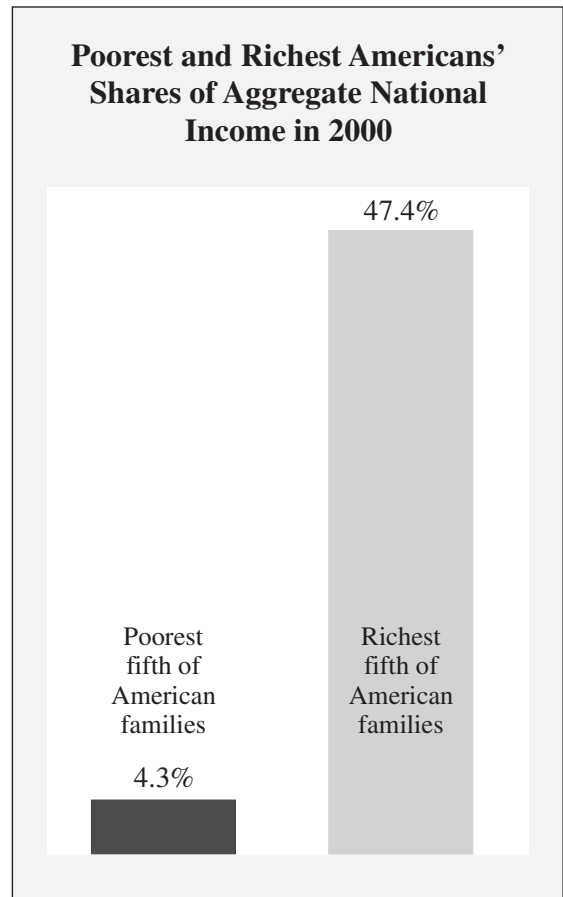
Governments also pay large amounts of income in the form of transfer payments: old-age pensions, unemployment compensation, disability benefits, and other income supplements for the poor. In 2000, one-eighth of personal income received by Americans came from transfer payments. In addition to cash incomes, government provides or subsidizes services such as medical care, education, and housing. People earn their government Social Security benefits by paying wage taxes while they are employed. Others earn interest from government bonds by lending money to the government. However, need rather than earning is the basis for government income programs for poor persons.

Government payments combine concerns for fairness with political expediency. For example, the first generation of Social Security retirement beneficiaries received far more than actuarial calculations would have warranted during the brief time the program had been in place. Conversely, working-age adults in the twenty-first century were paying much higher Social Security taxes than their parents had.

Medical benefits under Medicare and Medicaid have been the causes of a chronic political battleground. Before the federal welfare reforms of the 1990's, some opponents of government welfare programs argued that welfare benefits would subsidize irresponsible child-bearing.

**WHAT IS FAIR?**

The productivity ethics position is that individuals should receive rewards equal to their contributions to national output. However, this approach has led to wide disparities in income. In the year 2000, the one-fifth of American families with the lowest incomes received only 4.3 percent of the nation's aggregate income, while the top one-fifth of the population received 47.4 percent. The productivity standard is most obviously inappropriate for children, the elderly, and persons with disabilities, who cannot be expected to be very productive.





Even in a free-market economy, incomes do not always match productivity. In every sizable workplace there are always some workers at who are extremely competent and reliable and others at the same pay level who are lazy, careless, or troublesome. Employers often have only imperfect knowledge of these differences among their employees. At the same time, workers often have imperfect knowledge of alternative job opportunities that might be open to them. Imperfect matching between incomes and productivity may arise from monopoly conditions and from union activities that exclude people from certain occupations.

The market standard for “productivity” equates it with anything people are willing to pay for—even illegal drug dealers, pimps, and pornographers. Hence, the morality of income distribution depends partly on the morality of the activities from which people derive their incomes.

There is much potential injustice in property incomes. Some people accumulate wealth by hard work and frugality and invest it wisely. However, much wealth is transmitted from one generation to another through inheritance or family gifts and reflects no particular merit on the part of the recipients. At best, the recipients of such wealth are called on to exercise skill and responsibility in the way their wealth is managed. The belief that an egalitarian society should not allow the accumulation of unearned wealth across generations has been the chief argument in favor of the estate tax, which imposes a tax on already taxed income prior to its inheritance.

Another possible standard of fairness is equality. Because someone needs to do the work in every society, and because there needs to be an incentive to do it, a complete equality standard has never been very practical. However, many people feel that income distribution in a free-market economy is unduly unequal and is particularly unfair to children. In 2000, American households below the poverty income line accounted for nearly one-sixth of all children, and nearly 30 percent of black and Hispanic children.

### CHILDREN

The potential of individual people to achieve high-paying jobs depends greatly on their family backgrounds. Some children grow up in stable two-parent households that provide well for their nutrition, medical care, and education. Others live with parents who

have little education or job skills. Differences in intellectual capacity, physical fitness, and attractiveness can also affect earning capacity.

Poverty among able-bodied working-age adults often results from their life-style choices—drug and alcohol abuse, dishonesty, irresponsible pregnancies, violence, and neglect of their educations. However, large numbers of children are innocent victims of their parents’ poor choices. Marital status is a good indicator of life-style choice. In 2000, married-couple households had median incomes about double those of female-headed households.

Concern for children leads inevitably to the idea that fairness requires equality of opportunity. Government programs and charitable efforts to provide for children’s basic needs have the support of a large majority of the American people. In the early twenty-first century, the enormous disparities in public schools were a particular focal point for such concern.

### GOVERNMENT MEASURES

Much of what government does displays its concern for changing income distribution. Income fairness has been a major consideration in government policies to end discrimination based on gender and ethnic identity. In this regard, the armed forces have set particularly high standards for fairness—for taking care of service members and in providing excellent schooling for children of military families.

A modified version of the equality standard is that each person has the same basic material needs—for food, clothing, shelter, medical care—and the society should provide for these.

Traditionally, many economists have favored progressive tax systems, which impose higher tax rates on persons with higher incomes. In 2000, the top 25 percent of American income receivers—those with incomes of \$55,000 and higher—provided 84 percent of total U.S. income tax revenues. However, much government revenue comes from other types of tax that are not progressive.

Several moral objections have been raised against the principle of structuring taxes for the purpose of income redistribution. Taxation, by its nature, involves coercion. Taxation can impose heavy compliance costs and other forms of excess burden. Like all government actions, taxation reflects political expediency. All government measures are bent to serve

powerful special interests. Moreover, taxation does not in itself raise the incomes of the poor.

At the beginning of the twenty-first century, much government redistribution came through transfer payments. Poverty among older Americans has been greatly reduced by Social Security, Medicare and Medicaid, and need-based supplements. Federal, state, and local governments provide extensive safety-net programs aimed at children. Their effectiveness is often impaired, however, by parental delinquency or indifference.

### INTERNATIONAL DIMENSIONS

A broader question involves the enormous differences in incomes across the regions of the world. Efforts to remedy these by government foreign aid programs over the last half of the twentieth century proved relatively unsuccessful. Low-income countries generally have low incomes because their productivity is low. The reasons for low productivity often reflect defective legal and political environments as well as purely economic considerations. Well-meaning gestures from benefactor nations sometimes make matters worse. For example, donating food to a low-income nation may depress its local agricultural prices and thereby weaken its domestic agricultural sector.

*Paul B. Trescott*

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SEE ALSO: Corporate compensation; Distributive justice; Equal pay for equal work; Minimum-wage laws; Nozick, Robert; Poverty; Poverty and wealth; Professional athlete incomes; Taxes; Wage discrimination.

## Incommensurability

DEFINITION: State that develops when it is impossible to measure competing choices against a common denominator

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: The difficulty of choosing rationally between choices that cannot be evaluated on the same scale can raise special ethical problems.

Situations involving incommensurability frequently occur in everyday life. For example, parents must often choose between putting their careers on hold in order to raise their children at home and sending their children to day-care centers while continuing to work. Faced with such decisions, individuals may try to make their decisions on the basis of cost-benefit analyses. Can people, however, place a value on raising their children at home and plug it into an equation opposite the value of their working? Early nineteenth century British philosopher Jeremy Bentham's theory of utility calculus requires similar quantifications of all goods in order to determine how to maximize utility.

By contrast, theories of incommensurability argue that the values of some goods are *not* interchange-

able. An economist might assign monetary values to a person's career and the time the person spends with a child and compare them accordingly, but for many people such values cannot be measured in financial terms. Incommensurability can therefore be understood as a problem of translation, conversion, or compensation, as no amount of praise for the book that a mother writes during a year that her child is in day care might compensate her for the experiences that she does not share with her child. Aristotle's claim that no amount of one virtue can compensate for a lack of another challenged Plato's theory that all goods are ultimately instantiations, or reflections, of one essential good.

Problems of incommensurability also arise in political debates, typically when inherently valuable goods are at stake. For example, when considering whether a certain parcel of land is more valuable as a wildlife reserve or as an oil field, environmentalists are apt to object to conceptualizing the value of nature in financial terms.

*Nick Smith*

SEE ALSO: Aristotle; Bentham, Jeremy; Choice; Choiceless choices; Cost-benefit analysis; Moral equivalence; Utilitarianism.

## ***Index librorum prohibitorum***

IDENTIFICATION: Now-defunct list of books forbidden by the Roman Catholic Church

DATES: 1559-1966

TYPE OF ETHICS: Arts and censorship

SIGNIFICANCE: Members of the Roman Catholic Church were forbidden, except in special circumstances, from reading or even possessing books included in the *Index librorum prohibitorum*, on the theory that such works were harmful to the faith and morals of practicing Catholics, and that it was the function of the church to protect its members from such moral harm.

The *Index librorum prohibitorum* was never intended to be an exhaustive catalog of forbidden literature.

### ***Index Librorum Prohibitorum*** **Time Line**

- 1557 First *Index librorum prohibitorum* is drawn up by the Congregation of the Inquisition, under Pope Paul IV but never published.
- 1559 First *Index* is published, in larger and more extensive format than that compiled in 1557.
- 1571 Pope Pius V establishes special "Congregation of the Index" to oversee list and revise it as necessary.
- 1664 *Index* begins to list books and authors alphabetically.
- 1753 Pope Benedict XIV develops detailed rules to be followed in future *Index* compilations.
- 1757 Under Benedict, *Index* is revised extensively and cleared of previous errors.
- 1897 Pope Leo XII's *Officiorum ac munerum* outlines censorship duties for diocesan bishops that include control of literature judged contrary to faith or morals. *Index* begins growing less prominent in hierarchical Church affairs.
- 1917 Pope Benedict XV transfers charge of the *Index* to the Holy Office.
- 1948 Final edition of the *Index*, with 4,100 entries, is published.
- 1966 *Index* is abolished after Vatican Council II and becomes a historic document for Roman Catholicism. However, Church officials retain the authority to prohibit future books that constitute a threat to the faith or morals of Catholics.

Rather, it represented those works condemned by the Roman Catholic Church in response to specific requests from people around the world. The majority of works included in the *Index* were theological in nature. During the first century (1559 to 1649) of its four centuries of existence, 469 texts appeared in the *Index*; in its second century, 1,585 were added; in its third, 1,039 were added; and in its final century, 1,585 were added.

By the time the *Index* was suppressed in June,

1966, it contained 4,126 entries. Some entries denoted specific titles, whereas others designated authors with Latin notations such as *omnia opera dramatica* (“all dramatic works” [forbidden]) or, the most severe censure, *opera omnia* (“all works” [forbidden]). Among those whose writings were forbidden were such notables as Émile Zola (all works), Stendhal (all love stories), Samuel Richardson (*Pamela: Or, Virtue Rewarded*, 1740), Laurence Sterne (*A Sentimental Journey Through France and Italy*, 1768), Edward Gibbon (*The History of the Decline and Fall of the Roman Empire*, 1776-1788), and the complete works of British philosophers Thomas Hobbes and David Hume. Only four American authors (whose writings were theological in nature) were ever listed on the *Index*.

Robin G. Hanson

SEE ALSO: Art; Art and public policy; Book banning; Censorship; Christian ethics; Library Bill of Rights.

## Individualism

DEFINITION: Theory that individual human beings are the fundamental units of reality and value

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: In Western culture, liberal individualism is the dominant mode of understanding society, history, and one’s role within society and history. In ethics, individualist moral systems are founded upon the values and subjective experiences of the individual, and they valorize the rights of the individual and autonomist virtues above all else. Individualism opposes or marginalizes collective and communitarian theories of history and ethics, as well as other-centered virtues, such as nurturing, consensus-building, or responsibility to the community.

At the core of most debates about human nature, ethics, and politics is the debate about the power and value of the individual. In analyzing human nature, individualists emphasize that individuals have the power to control their own thoughts and actions and therefore to form their own characters by their choices. In ethics, individualists emphasize the value and potential of each individual, and so they encour-

age self-reliance, independence, and the quest for each person to realize his or her own unique self. In politics, individualists encourage laissez-faire—that is, leaving individuals free to pursue their own ends—and therefore they encourage free enterprise and limited government. In each area, individualists oppose the collectivist idea that individuals are molded by or subordinate to larger social groups.

### HISTORY

Individualist ideas predate the use of the term “individualism.” Early in the modern era, Thomas Hobbes and John Locke argued that political power begins with individuals and is consequently transferred to governments. They opposed the traditional idea that power naturally resides with an aristocracy or monarchy and is imposed on individuals. Government exists to serve its citizens, not vice versa. A gradual decentralization of power followed the rise of individualist ideas, giving rise to more democratic political institutions and free market economic institutions.

A highlight year for individualism was 1776, for in that year the United States of America was founded explicitly on individualist political ideas and Adam Smith published *The Wealth of Nations*, an influential description and defense of the free market system of economic individualism.

Alexis de Tocqueville is usually credited with the first use of the term “individualism,” in his *Democracy in America* (1835-1839). He used “individualism” to describe the American character to which he had had mixed reactions; while he admired the energy and vitality of American individualism, he also feared that it would eventually degenerate into atomic selfishness.

F. A. Hayek has noted that the Saint-Simonians (named for Claude Saint-Simon), the founders of modern socialism, used “individualism” to describe the free-market, competitive society they opposed.

### INDIVIDUALISM AND EGOISM

Individualism in ethics is associated with egoism, the theory that each individual’s life is his or her highest value. Individuals are ends in themselves, not servants or slaves to the needs or interests of others. In order to survive and prosper, individuals need to think and act independently; therefore, self-reliance, initiative, pride, and courage in the face of disap-

proval are encouraged as virtues. Individualism thus is opposed to collectivism in ethics, the theory that larger social groupings are more important than the individuals who make them up and that individuals have a duty to sacrifice for the benefit of the group, whether the group be class, race, tribe, family, or nation. Individuals recognize the great value of cooperation but emphasize that cooperative social groups exist solely for the benefit of the individuals that participate in them; individuals do not exist to serve the group.

### POLITICS

Individualism has important implications for economics and politics. Economically, valuing independence of thought and action translates into encouraging economic independence. Independence does not mean that individuals live as hermits. Rather, in a society based on the division of labor, it means providing for one's needs by producing the value-equivalent of what one needs and trading with others for mutual benefit.

Politically, valuing independence translates into recognizing and protecting individual spheres of autonomy. Individual autonomy can be violated in three broad ways: killing, assault (including slavery and kidnapping), and theft. Therefore, protecting individual autonomy means protecting individuals' lives, liberties, and property. The social institution established for this purpose is government, and to prevent abuses, political power will be decentralized as much as possible and limited to protective functions.

Thus, individualism encourages the decentralization of both political and economic power. The foundation of political authority resides in the individual citizens, and the power of government is limited to serving individuals' need for autonomy. Along with political decentralization goes economic decentralization: Economic power resides in individual ownership of property, and investment and consumption decisions remain in individual hands. Individualism is thus associated with limited government and free enterprise.

### HUMAN NATURE

All the above depends on an analysis of human nature. To support individualism in ethics and politics, individuals must be both capable and worthy of autonomy. This leads to the three most fundamental

debates about human nature between individualists and collectivists:

1. Whether only individuals exist and groups are only aggregates of individuals, or social groups are organic wholes of which individuals are only dependent fragments.

2. Whether individuals are born cognitively and morally *tabula rasa* ("blank slate") or are born with the inherently destructive elements (for example, with Christian Original Sin or a Freudian id) and therefore require strict social constraints.

3. Supposing that individuals are born *tabula rasa*, either they have the capacity to create their own characters and destinies by controlling their own thoughts and actions or they are formed and controlled by the social groups to which they belong.

The second and third issues raise the complex of nature versus nurture versus free will issues, and it is in the resolution of these issues of human nature that the fate of individuals lies.

*Stephen R. C. Hicks*

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SEE ALSO: Capitalism; Communitarianism; Egoism; Free enterprise; Freedom and liberty; Self-interest; Socialism.



## Industrial research

**DEFINITION:** Technical inquiry and experimentation to develop new products, new manufacturing technologies, or more profitable and efficient techniques for creating and distributing commodities

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** Industrial research raises a host of ethical issues involving fair employment practices, intellectual property rights, environmental responsibility, industrial espionage, workplace safety, and government oversight.

During the mid-twentieth century, the sociologist Robert Merton stated the norms of the scientific research community: communality, organized skepticism, originality, universality, and disinterestedness. To these should be added self-motivation, an openness in sharing results, and a readiness to change when objective evidence calls for it. To some degree, all these ethical norms are challenged by the practice of industrial research. The discussion that follows identifies some of these challenges, both to the individual and to the corporation.

### THE INDIVIDUAL SCIENTIST

People with research degrees (usually doctorates) in the sciences are accustomed from their university experience to being their own bosses in choosing and executing research projects. In industry, by contrast, they are assigned a research problem and must report regular progress to a boss who reports to a higher boss, on up to the research director, with results appearing not in professional journals, but only in internal reports. The problem is less acute in very large, research-oriented companies, where the projects are correspondingly larger and more interesting. In companies with very small research operations, the problems can be depressingly trivial (for example, it is difficult to care how to lengthen the time it takes cornflakes to become soggy in milk). It is also less uncomfortable for graduates without university research training to be trained in a particular company's laboratory and absorb the company's goals with the training. Nevertheless, nearly all industrial researchers occasionally feel that they are compromising true science and must find their own way to be comfortable with this.

### RESEARCH PRACTICES WITHIN CORPORATIONS

Companies must make money to survive. The problem for their research divisions, then, is to do as wide-ranging and complete research as possible within budgetary restraints. The urge to cut off research projects that do not pay off quickly must be resisted, as must the urge to stop a successful project the instant a product becomes possible. A more pernicious ethical problem is that of actually doing the research. Chemical procedures have sometimes been made up out of whole cloth, because "we know that's how they'd come out anyhow," and products have been represented as research breakthroughs that were nothing of the kind. Patent policy is worth mentioning: American firms customarily claim patent protection not only for a specific invention, the patent's subject, but also for any similar device or process that can be related to it, thus closing out research efforts by other firms. A topic that is too large to deal with here is the ethical handling of animals in industrial laboratories.

### RELATIONS WITH OTHER CORPORATIONS

All companies examine competitors' products with the idea of improving their own or claiming a share of the market. So long as this practice does not infringe patents, it is legitimate. What is not legitimate is deliberate industrial espionage—hiring a firm to place a person on the competitor's payroll to ferret out secrets of process or formulation that can be obtained in no other way. Equally unethical is the hiring away of key employees to exploit their privileged knowledge. Some firms have explicit policies that forbid this practice; many require professional employees to sign contracts that forbid their working for a competitor for a specified time after leaving the company. A separate issue of marketing that touches on the research side is that of firms that compete, not by improving manufacturing and distribution processes to reduce costs, but by blitzing competitors with a steady flow of new products. A weak firm can be driven out of business by such practices.

### RESPONSIBILITY TO CUSTOMERS

Customers need to know a great many things that only the industrial research laboratories can tell them—for example, about product safety. The Food and Drug Act was passed in 1906 to ensure the purity of foods and the safety and efficacy of drugs; even so,

many errors have been made that have stemmed from careless, if not unethical, practices: the pediatric syrup of sulfa drugs marketed during the late 1930's that used toxic ethylene glycol as solvent; the grossly teratogenic drug thalidomide, which was withdrawn from the market during the 1960's; diethylstilbestrol (DES), which is carcinogenic in women even to the second generation; and a host of other drugs and food additives, some quietly taken off the market when studies that should have been done in the original research showed unacceptable side effects. Environmental effects should be investigated (although these cannot always be anticipated): for example, pesticide residue toxicity, chlorofluorocarbon depletion of the ozone layer, and so forth. Finally, customers need to know that new research products are genuine innovations: Could the ingredients of a new two-drug pill have been prescribed separately more cheaply? Will this new research-hyped cosmetic really make one sixteen years old again? Do automotive gimmicks such as rectangular headlights or hideaway headlights make a car safer or mechanically superior? Although some of these examples border on marketing and salesmanship, many relate to the research laboratory.

### CONCLUSION

As the foregoing discussion indicates, industrial research deviates in many respects from pure research. Nearly all these points of deviation call for ethical decisions. No attempt has been made here to say what decisions should be made; the purpose of this article is descriptive rather than prescriptive.

*Robert M. Hawthorne, Jr.*

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SEE ALSO: Business ethics; Environmental ethics; Marketing; Product safety and liability; Science; Weapons research.

## Inequality

DEFINITION: Absence of an ethical entitlement of all people to the same legal, civil, economic, and social rights

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Although most people would agree that some forms of inequality are immoral, there is considerable ethical disagreement over how to distinguish just and unjust forms of inequality.

Inequality is a subject of concern in many areas of ethics, including politico-economic ethics, legal and judicial ethics, and business and labor ethics. A number of widely affirmed ethical principles address the issue of inequality. These include equality of opportunity, equality before the law, and the principle of treating people with equal concern and respect. Each principle represents an attempt to specify a kind of inequality that is regarded as unjust. For example, equality of opportunity is usually understood as precluding racial, religious, sexual, and ethnic discrimination for positions in business, government, and education.

Most ethicists argue that inequalities that arise from differences in race, religion, sex, or ethnicity are unjust inequalities. For example, people denied jobs at a corporation because of their religious beliefs are being treated unjustly: Religious beliefs are generally regarded as irrelevant to determining a person's qualifications as an employee in a secular orga-

nization. Long-standing moral and legal practices affirm the injustice of such forms of inequality.

Some argue that the best way to distinguish just from unjust inequality is to focus on the link between the forms of inequality and the choices that people make. According to this view, inequalities that result from unchosen differences, such as sexual inequality, are unjustified. By contrast, if two employees have equal opportunities for success on their jobs, the one who works harder may be said to deserve more income than the other. The fact that the other person earns less money is not necessarily unjust. Such a situation distinguishes inequalities that result from choices made by persons who have equal opportunities from those who do not. On this view, the first type of inequality is acceptable; the second is unjust.

There is much controversy about how to distinguish inequalities that reflect choice and inequalities that are beyond a person's control. The issue is complicated if one considers the role of luck in a person's chances for success in life. For example, people do not choose their own natural talents. Likewise, no child chooses the economic status of his or her parents. On the other hand, people can make choices about whether and how to develop the natural talents that they do have. However, there is little agreement among ethicists on such matters as the point at which ambition and effort matter more than luck for determining whether inequalities are just or unjust, whether society has an obligation to compensate inequalities that are not chosen, and whether affirmative action policies are a just means of eliminating racial inequalities.

*Jon Mahoney*

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SEE ALSO: Affirmative action; Caste system, Hindu; Discrimination; Distributive justice; Equal pay for equal work; Equality; Feminist ethics; Gender bias; Wage discrimination.

## **Infanticide**

**DEFINITION:** Intentional killing of human infants

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** Arguments over what constitutes human life permeate abortion debates and flow over into the issue of infanticide. A key point in the debate concerns when human beings become persons with protected rights. Infanticide also has ethical implications for the broader issue of euthanasia.

If the question is asked whether killing a neonate (newborn) or infant human is equivalent to killing an older child or adult, the answer is yes—according to the law. However, in most past societies, and some modern societies in certain parts of the world, the distinction is not as clear. Leading modern ethicists, bioethicists, and sociobiologists continue seriously to debate under what, if any circumstances, infanticide may be justified.

Many sociobiologists point to the fact that killing even normal infants in particular circumstances, such as overpopulation, is common to most primates and is part of the complexities of intergroup reactions or reproductive strategies. Among prehistoric human societies, infanticide was used to help ensure the survival of older siblings. Infants with severe physical or mental handicaps rarely survived childhood. Even in the modern world, there is a strong medical and economics-driven argument that newborn babies with severe disabilities pose intolerable burdens on the scarce resources of both their families and society at large. Moreover, it is also argued that because infants with such disabilities may be doomed to short and painful existences, it is inhumane not to perform euthanasia (mercy killing).

#### **REAL PEOPLE**

In the debate over abortion, it is argued that the fetus is not a real person with an independent identity. Rationalizers of infanticide argue that a newborn is no different, and life and death issues should be under the

jurisdiction of the biological parents. Furthermore, it is argued that a newborn human is a primitive creature with no self-concept, lacking the self-sufficiency and will to survive found in other mammals. In fact as the well-known ethicist and animal-rights activist Peter Singer pointed out, in his landmark study *Animal Liberation* (1975), humans eat a wide variety of life-forms that are much more advanced than human infants. Therefore, to argue against infanticide as being unethical is mere hypocrisy. Singer is joined by bioethicist Michael Tooley, who defined fifteen characteristics of personhood, all of which neonates lack. Although infants are clearly human beings, Tooley argued that they do not begin to become persons until the age of three months. Thus killing a baby younger than three months old clearly does not equate to killing an actual person.

### PRO-INFANTICIDE PHILOSOPHERS

Neither Plato nor Aristotle, as is true of most ancient Greek philosophers, found anything wrong with infanticide of defective and unwanted newborn babies. Much like modern bioethicists, some major philosophers such as John Locke (who viewed human infants as being born into the world as “blank tablets” lacking personhood) and Immanuel Kant (who defined persons as beings that are conscious of themselves and able to consider themselves as themselves) approved of infanticide. In addition, the utilitarianism of Jeremy Bentham stressed the principle of the greatest good for the greatest number as well as the principle of avoiding pain and seeking pleasure. Consequently utilitarianism could be used to justify euthanasia of infants with serious birth defects or killing of infants merely to benefit the larger social unit.

### ARGUMENTS FOR AND AGAINST INFANTICIDE

Some cultural historians have pointed to infanticide as a concern primarily within the Judeo-Christian and Islamic world. Nevertheless, until the late twentieth century, the fact that few questions were asked when infants died is an indication that Western societies tacitly accepted infanticide. Poverty and illegitimacy were major causative factors of infanticide. Infants abandoned to foundling homes generally received death sentences through neglect. Many unwanted infants in their parents' home fell victim to neglect so severe that it amounted to passive infanticide. Infanticide thus appears to have been an integral

part of the human experience throughout the ages and not merely an aberration.

There are strong arguments for the notion that people actually protect their own lives by valuing life in general. In *Abortion and the Ways We Value Human Life* (1999), Jeffrey Reiman points to a natural human love for infants produced by evolution—an impulse exemplified by the attention and protectiveness given to infants even by strangers. Such love is necessary for human infants to survive precisely because human babies are the most helpless infants among all mammals. Likewise, respect for the development of humans from neonates to adults is needed for human survival. An example of this value of life is supported by the care devoted to the disposal of human corpses.

### CRIMES AGAINST HUMANITY

Ethicists and historians point to euthanasia programs conducted by Nazi Germany under Adolf Hitler to eliminate people with mental and physical disabilities. Since such practices were condemned as crimes against humanity at the Nuremberg trials, a turn toward euthanasia would resurrect horrors of the past. Because older persons suffering from severe dementia or Alzheimer's disease may also be said to lack personhood and self-awareness, they too could be included in euthanasia programs.

Another argument against infanticide is that it victimizes the defenseless. Democratic societies provide individuals with rights precisely to protect the weak from being harmed by the strong. Worldwide, those suffering most from infanticide are female babies. Permitting infanticide is thus also contrary to the goal of redressing gender inequalities. Moreover, many historians would argue that the fact that infanticide pervades human history does not justify the practice. The institution of slavery also pervades human history, but few would argue that this fact justifies the institution.

*Irwin Halfond*

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SEE ALSO: Abortion; Birth control; Birth defects; Children's rights; Death and dying; Euthanasia; Homicide; "Playing god" in medical decision making; Right to die; Singer, Peter.

## Infomercials

**DEFINITION:** Paid commercials that mimic the lengths and formats of conventional television programs and are typically designed to sell specific products

**DATE:** First broadcast during the mid-1980's

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** The dramatic rise in infomercial broadcasting at the end of the twentieth century posed ethical questions regarding truth in advertising and the blurring of lines between commercial and noncommercial television programming.

The two- to four-minute television commercials for household gadgets that entrepreneur Ron Popeil began broadcasting during the mid-1950's are often considered precursors of modern infomercials, which typically devote thirty minutes or more to promoting a single product or line of products. In 1984, the administration of President Ronald Reagan relaxed federal guidelines limiting the time that television stations could devote to advertising, paving the way for lengthier and more detailed on-air sales pitches. Later that same year, the HerbaLife company aired a sixty-minute advertisement for its diet products that is commonly regarded as the first true infomercial. Infomercials then proliferated rapidly throughout the rest of the decade and into the 1990's, fueled by budget cuts that forced local television stations to increase their advertising revenues.

Infomercials are frequently designed to mimic

news programs, talk shows, or public service announcements, creating the illusion that the information they present meets journalistic standards of credibility and objectivity. Infomercial advertisers are often accused of utilizing these formats to reinforce outrageous claims and sell shoddy merchandise to consumers who are sometimes emotionally or intellectually vulnerable. Critics of this practice cite laws against deceptive advertising as well as the ethical tradition of the regulated market economies of Western nations, which holds that businesses and advertisers should not mislead consumers by lying or misrepresenting facts.

Defenders of infomercials argue that according to the dictates of the free market, infomercial producers and broadcasters have a fiduciary obligation to maximize profits that supersedes their obligation to consumers, that the disclaimers commonly included in these programs provide sufficient notification to viewers as to their content, and that consumers must assume at least partial responsibility for distinguishing between news and advertising.

*Michael H. Burchett*

SEE ALSO: Advertising; Children's television; Consumerism; Marketing.

## Information access

**DEFINITION:** Ability to obtain, utilize, and disseminate information, especially personal information, stored on computers

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** The advent of one integrated set of technologies, the computer network, to both store and transmit information, renders information both less secure and more easily exploited or disseminated once it has been accessed, by an order of magnitude. As a result, new ethical principles are required to arbitrate and safeguard the traditional right to privacy in the Information Age.

The ability to store and exchange computerized information about individuals raises ethical questions about access to that information. Who should have access to personal information? Does the right of the government to know take precedence over an indi-



vidual's right to privacy? What kind of information should not be kept or shared? Complicating these issues is the tendency to accept information obtained from a computer as totally accurate. Given authorized access, how can the information be verified as accurate? Do people have a right to examine information pertaining to them?

### RISE OF INFORMATION TECHNOLOGY

Since World War II, computer and communications technologies have combined to produce a major influence on Western society. The first generation of electronic computers had thousands of vacuum tubes, required huge amounts of electricity for power and cooling, and cost so much that only governments and very large corporations could afford them. The development of the transistor, the integrated circuit, and the microprocessor led to generations of ever-more-affordable computers. By the 1980's, computer technology had reached virtually every level of the economic infrastructure. Computers became repositories for criminal and tax records, health and employment records, and credit and financial information. The communications revolution parallels the computer revolution. Satellites and fiber-optic lines have made possible the almost instant transmission of data between geographically distant computers.

The first two decades of computer technology progressed without much public discussion of ethical issues. By 1965, the Federal Bureau of Investigation (FBI) had begun to develop the National Crime Information Center as a central repository of criminal arrest records. That same year, the proposed idea of centralizing government records of individual citizens in a National Data Center was met with strong opposition in Congress. Debate over the National Data Center focused national attention for the first time on the issue of invasion of privacy as people began to fear the prospect of an Orwellian all-seeing, all-knowing government becoming reality.

In *Menard v. Mitchell*, a landmark 1971 federal case, the U.S. Supreme Court ruled that a "compelling public necessity" had to be proved before an individual's arrest record could be widely disseminated. Legislation by Congress followed. The Privacy Act of 1975 regulated the use of criminal justice information, and the Freedom of Information Act of 1977 gave individuals the right to access non-classified government records.

### Ethical Questions Posed by Information Technology

What is the moral status and nature of ethics presented by artificial intelligence?

Are machines capable of being moral, or, should human beings be considered moral machines?

What is humanity's moral relationship with high-tech information technology, and what obligations does each owe to the other?

What can be done about the "digital divide" between the haves and have nots in access to computers and the Internet?

What moral issues arise from the impact of computers on work, the family, church, and other social institutions?

Should "bad" information technology be prohibited?

Is it possible for hackers and other "deviant" users of information technology to be considered ethical?

### THE PRIVATE SECTOR

The first attempt to regulate the retail credit industry's use of personal credit information had come with the Fair Credit Reporting Act of 1969. By the 1980's and 1990's, however, personal information had become a lucrative commodity driving a huge industry. The two largest credit bureaus maintained separate databases of more than 150 million files, which they made available to banks, credit card companies, and virtually any other business willing to pay for the service. Many people believed that the protection of the Fair Credit Reporting Act was no longer adequate. Reports by the news media and consumer advocates documented cases of individuals being victimized by false and ruinous credit information. A 1991 Consumer Union study found inaccuracies in nearly half the records it sampled.

Smaller companies specialized in providing demographic and consumer information to direct marketing firms. For a small monthly fee, customers had access to detailed information on millions of households, including address, telephone number, property ownership, and legal records. Manufacturers of-

ten routinely sold information taken from cards returned by consumers for product warranty registration to direct marketers, who used it to target potential customers more accurately.

### PROSPECTS FOR REGULATION

Because access to personal information has reached virtually every level of modern society, regulation by a single law or agency is impossible. Federal and state governments struggle to sort out the questions of access versus privacy and enact appropriate legislation, while some critics question the government's ability to regulate itself. By 1982, U.S. government computers contained more than 3.5 billion personal files. The FBI continues to build a database of the arrest records of 25 million people, whether or not their arrests resulted in convictions.

During the 1970's, the National Security Agency (NSA) and International Business Machines (IBM) developed the Data Encryption Standard (DES) to ensure secure transmission of classified information over telephone and data lines. Data or conversations that are transmitted between two points are encrypted with a mathematical key. In 1993, the introduction of a DES integrated circuit chip, to be made available in commercial products, led the Clinton administration to support its widespread use. Privacy advocates hailed the advent of the DES chip but worried that a new standard with government control of the keys could trigger abuses of wiretapping and that computer hackers might be able to duplicate the new standard's classified algorithm.

Meanwhile, groups such as the Consumer Union and the American Civil Liberties Union, as well as individual citizens, continued to press for protection against abuses by both the government and the private sector.

### SUMMARY

The ethics of information access began with the issue of privacy versus the government's right to acquire knowledge for the public good but expanded as businesses began to perceive their access to personal information as part of their right to do business in a free-market economy.

Some social analysts claim that the Information Age has brought a change in values to modern society, where the benefits and convenience of free access to information outweigh the individual's right to

privacy. It has even been proposed that since an individual's personal information is a commodity with commercial value, that person should be compensated with a royalty whenever the information is sold.

The Industrial Revolution was welcomed as an unmixed blessing to humankind for many years before society began to consider such ethical issues as child labor and pollution. The Information Age has brought sweeping changes to society at a much faster pace. Sorting out the ethics of information access and creating systems for control is a slow process, with much opportunity for abuse in the meantime, because the very concepts of information and privacy are being redefined by this rapidly developing technology.

*Charles E. Sutphen*

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SEE ALSO: American Civil Liberties Union; Arrest records; Computer databases; Computer technology; Confidentiality; Freedom of Information Act; Identity theft; Orwell, George; Privacy.

## Inside information

**DEFINITION:** Confidential knowledge possessed or obtained by people in positions of power or with privileged access to information within a company, organization, or government

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** Inside information can be put to many uses with ethical implications. It can be used to profit the person who possesses or obtains it, it can be passed on to authorities or to a public whose interest in such knowledge is arguably legitimate, or it can be used to harm, or violate the privacy of, individuals, companies, or organizations. All of these uses are the subject of ethical codes and many are subject to legal regulation as well.

Confidential information that derives from the fulfillment of professional or civic duties is a valuable commodity. Misappropriation of such knowledge is a common occurrence in the banking and securities industry, where frequent opportunity exists to convert one's knowledge into a monetary profit through the buying and selling of stocks about which one has secret information. The Securities and Exchange Commission explicitly prohibits such practices and vigorously prosecutes violators.

Media professionals, too, have access to information that is proprietary in nature and that has the potential for misuse. The wide scope of the First Amendment and the privileges guaranteed to the press therein, however, preclude the existence of both a regulatory body and legal restrictions designed to control the use of information. Therefore, the press, as with other questions of conduct, is obliged to address the ethical issues on a situational basis, weighing circumstances along with values, loyalties, and journalistic principles.

Two central issues exist regarding the issue of inside information: how the information is obtained and how it is used. In regard to the securing of information, journalists are morally obligated to remain objective and uncompromised and to respect the boundaries of legal as well as ethical codes. Because a journalist's primary obligation is to distribute information, however, even these simple tenets must be weighed in the light of a situation's defining circumstances. *The New York Times*, for example, in the

publication of the Pentagon Papers (the documents that exposed the illegal activities of the Nixon administration during the 1972-1973 Watergate Affair), knowingly accepted stolen materials in the light of what the editors reasoned was a greater moral good—the exposition of a governmental effort to misrepresent the realities of the Vietnam War.

The second question concerns how inside information can be ethically used by media professionals. The code of ethics of the Society of Professional Journalists states that journalists who use their professional status as representatives of the public for selfish or other unworthy motives violate a high trust. A vigorous and effective press relies on the public trust, so it is incumbent upon journalists to use information humanely, intelligently, and ethically. This process involves questioning the motives of both the reporter and the source of the information, any obligation that may be created on the part of the journalist in exchange for the information, and the nature of the relationship in which the information became known.

That the public interest is best served by making known everything that is knowable is a journalistic standard that justifies much of what is presented as news. When journalists become the recipients of confidential information, however, an ethical dilemma arises that challenges this utilitarian philosophy and the accompanying assertion that an action is just as long as it achieves the greatest good for the greatest number. The debate lies in an opposing belief that people are not to be treated as a means to a journalistic end. A corollary to this principle is that the journalist should not allow himself or herself to be so treated, which may well be the case when publishing information “leaked” from confidential sources. Journalists, therefore, are morally obligated to seek out competing perspectives and confirming information and to question whether they are being used by someone whose interest is counter to the public interest, such as a campaign worker who might provide information about an opponent's sexual history.

Journalists must also inquire about their own motives for pursuing confidential information. During the 1970's, Bob Woodward and Carl Bernstein of *The Washington Post* were guilty of unethical conduct when they sought to lure information from grand jurors hearing evidence on the Watergate case

who were sworn to secrecy. Even though a corrupt administration was eventually driven from office partly as a result of their investigation of the Watergate break-in, they did not foresee this event at the time, and the means they employed to obtain information violated ethical codes.

### OBLIGATIONS OF REPORTERS

A second ethical question raised by the use of inside information relates to the obligation it establishes on the part of the reporter. Does the journalist incur responsibility toward the informant when he or she has taken risks to provide the information? If he or she has broken the law to do so, does the reporter assume culpability as well? Such concerns refer again to the principle that people are to be treated with respect and not as a means to an end, and also begin to encroach into other ethical problems for journalists, those of source-reporter confidentiality and the use of anonymous sources.

Finally, the issue of respecting the nature of the relationship in which confidential information is learned presents yet another ethical challenge. Reporters, as representatives of the public trust, frequently find themselves privy to sensitive information that they are obligated to preserve in respect to their roles as journalists. Even seemingly insignificant violations of the public trust, such as providing friends with advance notice of an upcoming sale to be advertised in the local paper, are unethical by intention regardless of the consequences.

The press, by nature, is not governed by a concise, explicit code of professional conduct. The ethics codes that do exist offer guidelines for performance and not absolute standards of behavior. Journalists and other media professionals, therefore, are encouraged to weigh situational factors along with their principles of duty in a thoughtful, critical effort to determine the ethical use of inside information.

*Regina Howard Yaroch*

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SEE ALSO: Confidentiality; Insider trading; Intellectual property; Journalistic ethics; News sources; Pentagon Papers; Privacy.

## Insider trading

**DEFINITION:** Use of information not available to the public to guide decisions to buy or sell publicly traded securities

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Federal laws regulating insider trading in the United States are designed to create a level playing field for all investors, on the theory that for the stock market to be fair, it must in principle be both equally accessible and equally unpredictable to all participants.

Insider trading has been prohibited in the United States since the passage of the Securities Exchange Act of 1934, whose Section 10(b) laid down restrictions. The federal regulations on securities were designed to prevent corporate executives, directors, attorneys, accountants, investment bankers, and other "insiders" from using their positions to gain unfair advantages in the market trading of their corporations' securities. To buy or sell securities on the basis of confidential information or to recommend trading to others on that basis constitutes a violation of federal securities regulations, potentially subjecting violators to both criminal prosecution by the Security and Exchange Commission (SEC) and civil lawsuits by injured investors.

Over the years, the SEC and the courts developed a detailed description of insider trading in numerous individual cases, most notably in the U.S. Supreme

Court's decisions in *United States v. Chiarella* (1980) and *Dirks v. Securities and Exchange Commission* (1983). Insider trading became widely publicized during the 1980's, when two prominent financiers, Ivan Boesky and Michael Milken, were convicted of numerous securities violations, sentenced to prison, and fined more than \$700 million.

No formal definition of insider trading was written into federal law until 2002, when the U.S. Congress passed the Sarbanes-Oxley Act. That law spelled out the conditions constituting lawful and unlawful insider trading and established ground rules for legal insider trading. These rules required dealers to file insider transactions, electronically, within two business days to the SEC and to post the transactions on their companies' Web sites within one day of filing the information with the SEC. Under previous legislation, insider traders had at least forty-one days to report their transactions, making it nearly impossible to detect abuses until well after damage was done. For example, executives of the failing Enron corporation did not report they had sold off most of their own stock in the company in 2001 until after the company's collapse was made public. By the end of the calendar year, the value of the company's stock fell from more than eighty-one dollars per share to virtually nothing.

*W. Jackson Parham, Jr.  
Updated by the editors*

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## Institutionalization of patients

**DEFINITION:** Involuntary confinement in mental health facilities of mentally ill individuals

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** The involuntary institutionalization of people who are deemed to be mentally ill cre-

ates a conflict between the ethical values of personal autonomy on one hand and beneficence or care on the other. The question is when it is appropriate to violate the wishes of individuals for their own good. This question is made much more complicated by the fact that what has counted as mental illness and as legitimate grounds for institutionalization has changed significantly over time, which can cause any given standard to seem more arbitrary than it otherwise might.

Religions teach that the least among us deserve aid and comfort. To apply this rule to the mentally ill often requires some degree of forced institutionalization. To fulfill the ethical rule not to restrict liberty without good cause means to allow people to live on the streets and to conduct costly court hearings. Many solutions to the problem of the seriously mentally ill have been tried, but all are flawed.

#### A HISTORY OF INSTITUTIONALIZATION

Various societies at various times have attempted to find humane solutions to the problem of mentally ill persons. Many homeless mentally ill persons wandered the towns and roads of the American colonies. In 1752, Benjamin Franklin influenced the Pennsylvania colony legislature to open the first mental hospital in the thirteen colonies. During the mid-nineteenth century, many people hailed Dorothea Dix as a great reformer because her efforts on the behalf of the homeless mentally ill resulted in the creation of thirty mental hospitals that soon were filled with patients. Placing people in mental hospitals deprived them of liberty. Common law principles allowed the taking of a person's liberty only if that person was dangerous to himself or herself or the community, required due process, and maintained that a defendant was innocent until proved guilty. Application of the common law rules could have stopped physicians from attempting to treat the mentally ill.

In 1849, the Association of Medical Superintendents of American Institutions for the Insane (now the American Psychiatric Association) appointed a well-known expert, Isaac Ray, to draft a model law for involuntary confinements. He proposed that the involuntary confinement of the deranged for treatment be treated as a medical decision without legal formalities. After several years, most states accepted



Ray's idea. During the nineteenth century and the first half of the twentieth century, the states constructed many large mental asylums. In the United States in 1963, 679,000 persons were confined in mental hospitals, whereas only 250,000 were confined in state and federal prisons. From the medical viewpoint, confinement in mental institutions represented an opportunity to "help" those suffering from a disease.

### **THE DEINSTITUTIONALIZATION MOVEMENT**

By the 1950's, many critics, including the well-known psychiatrist Thomas Szasz, attacked the involuntary confinement of the mentally ill unless the patients were dangerous to themselves or others. For Szasz, mental illness was a myth, a name for problems in living rather than a medical condition correctable by medical action. He proposed the deinstitutionalization of mental patients and the dismantling of community mental health centers. Szasz pointed to misuses of psychiatry in the former Soviet Union to institutionalize and "treat" political prisoners.

Patients' rights advocates who sued hospitals to release patients and improve conditions joined forces with fiscal conservatives who recommended the release of patients to more cost-effective community care. Judges forced mental hospitals to use more stringent criteria for involuntary admissions, to grant extensive rights to patients, to stop exploiting patients economically, and to improve conditions. The "need for treatment" criterion was rejected, and only the mentally ill who were a danger to themselves or others or were gravely disabled could be confined involuntarily and then only by means of a judicial decision. By 1984, the mental hospital population had dropped to roughly 125,000.

The courts also granted mental patients basic rights. Mental patients were to be treated as normal human beings, they were not to be embarrassed by disclosure of their patient status, and they were to be paid for work done in the institutions. They had a right to refuse most extreme treatments, such as shock therapy. Their rights included absolute access to an attorney and qualified rights for free communication. The restrictions on commitment and the new rights for mental patients made it more expensive and difficult to commit patients and more expensive to keep them. Mental hospitals had partially supported

themselves by the unpaid labor of the patients, but this was now forbidden.

The theory behind deinstitutionalization was that community mental health facilities such as halfway houses would replace the large asylums, but legislatures did not fund adequate numbers of the new centers and communities resisted having the facilities in their midst. Outpatient care using chemotherapy was initiated, but most patients did not use such services. Deinstitutionalization freed patients but did not improve their overall welfare. Many freed patients moved to the streets and endured terrible conditions. Some had children on the streets. Citizens complained about the activities of mental patients in their neighborhoods. The argument that the mentally ill should have the same legal protection as criminals is flawed. The consequences of confinement and freedom for each group of persons and for society are different.

Today, state laws specify the procedures for involuntary confinement of the mentally ill. The normal grounds for such confinement are that the patient is a danger to self or others or is gravely disabled. As patients' loss of liberty increases through longer confinements, the courts play a larger role and patients have more due process rights. The state must provide an appointed attorney if one is requested and must allow jury trials.

### **TREATMENT AND A CLASH OF VALUES**

A second factor that acted together with court rulings to promote the deinstitutionalization of the mentally ill was the discovery of powerful antipsychotic drugs during the 1950's. Chemotherapy treated symptoms but did not cure the mentally ill, and it often produced very unpleasant side effects. Because most patients could function as long as they took their medication, it made it possible to release many of them. Many patients improved during confinement because of therapy and drugs, won release, stopped taking their medication, and then relapsed.

Ironically, once the patients' rights advocates won the deinstitutionalization battle, they then attacked forced chemotherapy. Psychotherapists argued that chemotherapy liberated the mind from delusions. A majority of state courts granted patients rights to refuse chemotherapy, while the federal courts applied a "need-for-treatment" analysis and left the decisions in the hands of psychiatrists. As chemotherapy de-

clined, hospital stays became longer and the use of physical restraints increased.

The basic institutionalization issue involves deciding which profession and which set of ethical values will control the treatment and confinement of the mentally ill. The patients' rights attorneys see themselves as being in conflict with arrogant physicians who deprive patients of civil rights. In fact, most therapists do tend to overdiagnose mental illness. The idea that judging a sick person to be well is more to be avoided than judging a well person to be sick is built into the medical model. Therapists are wary of public criticism and of lawsuits triggered by the violent acts of a few dangerous released mental patients, and they view involuntary confinement and treatment as being ethically required to protect patients and the public.

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SEE ALSO: Consent; Lobotomy; Mental illness; Psychology; Right to die; Sterilization of women; Therapist-patient relationship.

## Integration

**DEFINITION:** Incorporation as equals of the members of different groups, especially races, within an organization, institution, or society

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** The Civil Rights movement of the 1950's and 1960's in the United States helped bring about both a federal policy and eventually a general societal ethic of racial integration, replacing and stigmatizing previous segregationist practices and policies. The appropriate parameters of that ethic are still being debated, in relation to such practices as affirmative action and school busing.

A racially integrated society would be one in which African Americans can participate in all aspects of national life without being handicapped by their color. In such a society, there should be no neighborhood where an African American could not reside simply because of being black; no hotel, restaurant, or other public facility that an African American could not use on equal terms with whites; no school that an African American child could not attend because of being black; no kind of vocational training, university education, or line of work from which an African American would be barred because of being black; and no public office for which an African American could not contend. In an integrated society, whites would see African Americans not as pariahs but as fellow Americans, fellow veterans, coworkers, and neighbors. By the turn of the twenty-first century, the goal of a racially integrated society, despite much progress, was only half achieved; the role that public policy should play in creating a more racially integrated society was still a matter of lively debate.

#### ETHICAL AND LEGAL PRINCIPLES

Those who discuss the ethics of integration are dealing with the ethics of public policy rather than (as is the case, to some extent, with prejudice and racism) the morality of private behavior. The promotion of racial integration has been seen by its proponents as essential to the realization of an important value in public policy ethics: that of equality under the law regardless of race or color. This principle had first been publicly recognized in the United States by the Fourteenth Amendment to the Constitution (ratified in 1868), which mandated that every state guarantee its

citizens the equal protection of the laws. Liberals tend to be more optimistic about the possibilities for achieving greater racial equality through government-sponsored integration; conservatives tend to perceive a conflict between government-mandated integration and other cherished American values.

Signposts of progress during these years (which witnessed the flowering of the Civil Rights movement) included the gradual desegregation of the American military, which began with President Harry S. Truman's executive order in 1948; the Supreme Court decision of 1954, which struck down the constitutionality of segregated schools; the admission of African Americans into southern state universities; the Civil Rights Act of 1964, which established the right of equal access to public accommodations and banned discrimination in employment; the Voting Rights Act of 1965; the Supreme Court decision of 1967 that overturned state laws against black-white intermarriage; and the federal fair housing law of 1968. By 1990, many of these changes had achieved general acceptance; efforts to integrate employment, schools, and housing, however, continued to arouse controversy.

#### **AFFIRMATIVE ACTION CONTROVERSY**

By the late 1970's, affirmative action, in which the presence or absence of a fixed percentage of African Americans in a business, government department, or university is used to determine whether that institution discriminates, had become the chief tool by which the federal government tried to open up opportunities for African Americans. In 1975, in the book *Affirmative Discrimination*, the white sociologist Nathan Glazer condemned the application of this policy in both private businesses and government employment. Glazer argued that affirmative action undermines respect for merit and encourages ethnic and racial divisiveness; unlike many liberals, he denied that the underrepresentation of African Americans in a particular job or profession is necessarily evidence of discrimination. Some African American conservatives believe that affirmative action stigmatizes as inferior those African Americans who do gain entrance to prestigious universities or get good jobs. Yet other thinkers—white as well as African American—argue that many employers would hire no African Americans at all if they were not prodded to do so by the existence of a numerical goal.

#### **SCHOOL INTEGRATION AND THE SUPREME COURT**

In *Brown v. Board of Education*, in 1954, the Supreme Court declared that officially enforced school segregation by race (then found mostly in the southern states) violated the Fourteenth Amendment to the Constitution. In a 1968 decision, the Supreme Court exerted pressure on southern school boards to end segregation more quickly; in a 1971 decision, *Swann v. Board of Education*, the Court held that school busing—the transportation of children out of their neighborhoods for schooling—might be an appropriate tool for achieving desegregation.

During the 1960's, the question arose of what to do about the de facto racial segregation of the schools, based on neighborhood racial patterns rather than on the law, found in many northern cities. In 1973, the Supreme Court ordered, for the first time, a northern school district (Denver, Colorado) to institute a desegregation plan. In 1974, however, the Court, in a sudden shift, banned (in the decision *Milliken v. Bradley*) busing for integration purposes across city-suburban boundaries. In general, the Court has ordered steps toward ending de facto segregation only when evidence exists that local authorities have deliberately rigged school district boundaries to keep the races apart.

#### **INTEGRATION OF ELEMENTARY AND SECONDARY SCHOOLS**

Ever since 1954, people have argued about how necessary integration of the races in the classroom is to providing equal educational opportunities for African American children. During the 1980's, even some maverick conservative African American thinkers, such as Thomas Sowell and Robert Woodson had their doubts. Woodson argued that a neighborhood school, even if it is exclusively African American, can become a valuable focus of neighborhood pride for low-income city dwellers; Sowell pointed nostalgically to a high-quality African American secondary school of the pre-1954 era of segregation, Dunbar High School in Washington, D.C. (Critics stress how atypical Dunbar was.)

Integrationist scholars, however, argue that forcible exclusion from the company of white schoolchildren stigmatizes and psychically wounds African American children; the African American journalist Carl Rowan thinks that such exclusion is psychically

wounding even if it results from white flight to the suburbs rather than government edict. White liberal political scientist Gary Orfield suggests that racial integration of the schools is necessary if African American children are to have greater access to information about jobs and other opportunities; white liberal education writer Jonathan Kozol contends, like many African American thinkers, that all-African American public schools are more likely than integrated ones to be starved of money by legislatures that are beholden to white-majority electorates.

### INTEGRATION VS. PARENTAL RIGHTS

Although the compulsory busing of children into schools predominantly of the other race may be necessary to achieve racial integration in some cases, it does severely limit the rights of parents, thereby causing some resentment. The Supreme Court's 1974 ban on busing across city-suburban boundaries means that the most bitter white foes of school integration could often shield their children from it by moving to the suburbs; even if this decision were overturned, achieving complete racial integration of the schools in defiance of segregated neighborhood patterns would be both a herculean task and a politically controversial one.

The rights of parents over their children are, as the African American philosopher Bernard R. Boxill points out, by no means absolute. There is a societal interest in promoting interracial harmony, Boxill suggests, that perhaps should be allowed to prevail over the wish of bigoted white parents to preserve their children from all contact with African American children. Rejecting the notion (found in the writings of African American conservative Glenn Loury) of an unresolvable tension between integrationist goals and individual rights, Boxill also argues that government can use inducements as well as penalties to promote integration, in education and in other areas.

To promote integration of the schools while keeping busing to a minimum, some local school authorities have instituted so-called magnet schools. By placing elementary and secondary schools with above-average endowment in facilities and curricula in the middle of African American neighborhoods, authorities hope to persuade, rather than force, white parents to accept racial integration of the schools. Yet because funds are limited, the number of magnet schools that can be established is also limited; inevi-

tably, some African American schoolchildren remain in all-African American schools, and some white parents cannot get their children into magnet schools. The magnet school solution is not perfect.

### ACHIEVING HOUSING INTEGRATION

By 1990, neither the federal Fair Housing Act of 1968 nor the many state and local laws banning discrimination in the sale or rental of housing had solved the problem of racially segregated neighborhoods. One troublesome issue that arises with respect to housing integration is the tension between individual rights and the goal of keeping a neighborhood integrated over time. Many whites are reluctant to live in a neighborhood or an apartment complex when the percentage of African American residents exceeds a certain number. To prevent wholesale evacuation by whites, so-called benign quotas have been introduced limiting the African American influx in the interest of stable integration. Benign quotas have been used by realtors in the Chicago suburb of Oak Park and by the management of the Starrett City apartment complex in New York City; in the latter case, the constitutionality of benign quotas was challenged during the 1980's.

Another difficult question is whether poor as well as middle- or upper-income African Americans should be given the chance to live in the prosperous and mostly white suburbs. White suburbanites who might tolerate the occasional prosperous African American homeowner as a neighbor would almost certainly oppose the building of public housing projects in suburbia; yet it is the poorer African American who might benefit most from the greater employment opportunities found in the suburbs. In Chicago, the Gautreaux program attempted to circumvent the problem by settling small numbers of carefully selected poor African American families in prosperous white suburbs.

Nathan Glazer, in a 1993 magazine essay, argued that only an extremely intrusive government could make racially integrated neighborhoods remain racially integrated over time. Bernard Boxill contends, however, that not every action that is beyond the penalties of law is necessarily moral, and that government, if it cannot force whites to stay in integrated neighborhoods, can at least offer inducements for them to do so.

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SEE ALSO: Affirmative action; Civil Rights Act of 1964; Civil Rights movement; King, Martin Luther, Jr.; Racial prejudice; Racism; Segregation.

## Integrity

**DEFINITION:** Consistent adherence to moral, intellectual, professional, or artistic principles despite temptation to abandon them

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Integrity is an important personal characteristic in ethical systems based on virtue and moral character.

The etymology of the word "integrity" reveals its relationship to the Latin *integritas*, meaning "soundness, health, unimpaired condition," and to the English "integral," meaning "necessary for completeness" and "made up of parts forming a whole." On the assumption that this etymological relationship is relevant within a moral context, integrity as a moral virtue may be identified as early as the fourth century B.C.E. in Plato's ethical theory. The Platonic soul is tripartite, consisting of reason (intellect), spirit (feelings), and passion (desire). The harmonious interaction of these three parts, with reason dominant over the other two, is central to human virtue. The virtues corresponding to the correct exercise of each of these three parts are, respectively, wisdom, courage, and self-control, which together constitute the virtue of justice. A person in whom either spirit or passion is out of control is both morally and psychologically impaired, existing in a state of moral fragmentation. In such a case, the tripartite soul is splintered, making the person less than morally whole or complete. If justice is the harmonious interaction of the three parts of the soul, then Platonic justice is Platonic integrity, and Plato's understanding of integrity simultaneously serves as the benchmark for subsequent Western ethical theory and presages the development of modern moral psychology.

If integrity is defined as the willingness to abide by and defend one's principles, whether they are artistic, intellectual, professional, or moral, it is evident that the first three kinds of integrity are rooted in a more fundamental moral integrity, since without the latter, one cannot be relied on to retain and to act on whatever other principles one holds. The definition of integrity entails that, because of deeply held beliefs and commitments, there are some things that one is unwilling to do, an unwillingness that may persist even under extreme circumstances.

The artist whose artistic identity and principles are rooted in her originality might refuse to produce tasteless but lucrative popular art, even if this refusal means a life of relative poverty. A scholar, to preserve his intellectual integrity, may refuse to publish anything that will not make a genuine, worthwhile contribution to his discipline, even if he might advance professionally with more frequent but less qualitative publication. The businessperson, faced with the temptation to compromise important professional principles, declines to do so in the interest of both personal



and corporate integrity. Moral integrity, which is at once more fundamental and more comprehensive, requires that an individual refuse to abandon important moral principles even when it is advantageous to do so and that the content of these principles be such that reasonable people would recognize them as moral. Moral steadfastness on behalf of manifestly sound moral principles entitles one to the esteem of others as an honorable person who maintains a high degree of consistency between principle and behavior when faced with the temptation to do otherwise.

In modern ethical theory, the discussion of integrity has centered more on its importance than on its definition. Emphasis on moral traits such as integrity is a defining feature of ethical systems based on personal virtue, in which individual moral character assumes primary importance and moral evaluation focuses on persons rather than (or in addition to) actions. For consequentialist ethical systems such as utilitarianism, however, actions and consequences rather than persons are the primary object of moral evaluation. The latter system is more typical of modern ethical theory, while the former is more traditional, dating back to the Greeks and Romans, and especially to Stoicism, in which personal character assumes a centrally important place. This difference reflects the modern tendency to distinguish between an individual's personal character and that individual's actions and to regard actions as being morally more important than character, since they have direct or indirect consequences for the well-being or harm of others.

Bernard Williams, in *Utilitarianism: For and Against* (1987), underscores the traditional importance of integrity by making it a focal point in his criticism of utilitarianism, according to which an action that increases the totality of human well-being is moral, regardless of the motives or character of the agent. Williams argues that one of the chief flaws in utilitarianism is that it constitutes an attack upon personal integrity by dismissing as unimportant the deeply held commitments from which emanate a person's most significant actions. Utilitarianism, which by its nature mandates taking into account only the consequences of actions, requires that one disregard personal convictions in favor of doing what ensures, on balance, an acceptable utilitarian outcome of greater good than harm. How one feels about one's action is irrelevant. Integrity is a strong component of moral conviction, however, and conviction is an im-

portant source of action. Williams argues that alienating a person from strongly held convictions by requiring that they be disregarded is unreasonable and unfair, amounting to the destruction of much of what constitutes the agent's identity.

Alasdair MacIntyre, in *After Virtue: A Study in Moral Theory* (1984), argues for a reintegration of character and action, contending that since personal virtue is an important determinant of actions, character is therefore an essential component of any complete moral context. To separate character and action is to displace virtues such as integrity from this context, making comprehensive moral judgments impossible. Such a separation destroys the "unity" or wholeness—integrity in the Platonic sense—of an individual life. A person's life, to be of genuine moral significance, must be one in which a set of virtues, firmly held and consistently acted upon, unifies the various roles that the individual occupies, and confers upon that individual a corresponding set of obligations. Such a life requires integrity (in both the ancient and modern senses), which is intelligible only in relation to a more universal good.

Finally, integrity is a characteristic for which one bears special individual responsibility, as enunciated by Aleksandr Solzhenitsyn upon receiving the Nobel Prize in Literature: "And the simple step of a simple courageous man is not to take part in the lie, not to support deceit. Let the lie come into the world, even dominate the world, but not through me."

Barbara Forrest

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SEE ALSO: Character; Cheating; Consequentialism; Honor; Stoic ethics; Utilitarianism; Virtue ethics.

## Intellectual property

**DEFINITION:** Ideas, devices, techniques, or representations whose ownership and control by their creators is recognized and enforced by law

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Accepted public policy thinking holds that society has an interest in assigning ownership of ideas or expression for a limited duration. The initial right to profit from a creation motivates people to create things, while eventual transference of ownership to the public domain allows for the expansion and development of the initial ideas or expression in ways not envisioned by their creator, to society's benefit.

Society has a vested interest in encouraging useful inventions and artistic creations. Modern legal theory treats the ideas, designs, texts, images, or musical compositions of such persons as their private intangible property and allows them to restrict the use of this intellectual property for a set time or until certain events occur. Intellectual property law generally recognizes four forms of intellectual property: trade secrets, patents, copyrights, and trademarks. Inventors are considered to have the right to keep their invention trade secrets if it is practicable for them to do so but are encouraged to disclose fully their inventions in return for the exclusive rights provided by the issuance of a patent to practice their inventions for a fixed period of time.

Authors, artists, and composers generally can

claim a copyright for their work, which will prevent others from using their ideas or reproducing or performing their creative work without permission, for which they may then receive a fee or royalty. A trademark is a word or symbol that a manufacturer can use to distinguish its products from those of its competitors. In effect, a trademark allows a firm to profit from its (intangible) reputation for quality or reliability. The owner of intellectual property is free to sell it to another or to grant a license for its use. Unauthorized use of intellectual property is called infringement. Plagiarism, the intentional misrepresentation of an idea or creation as one's own, is considered a serious breach of ethical behavior in almost every area of creative endeavor.

## HISTORY

In ancient times, no formal protection was given to inventors, who had to resort to secrecy to prevent others from using their inventions. In the absence of printing presses and high-speed communication, there was little point in forbidding others to copy a work. In the Middle Ages, ideals of personal modesty encouraged anonymous authorship. It is only with the rise of capitalism and economic competition that the notion of intellectual property entered into legal and ethical thinking.

A monopoly is an individual or group that has been awarded an exclusive right to conduct a business or practice a profession. Since monopolies can demand a higher price for goods and services than can businesses that have competition, the existence of monopolies is generally considered undesirable unless required in a given area for the public good. The development of patent and copyright law is usually considered to begin with the English Statute of Monopolies of 1623, which in general was an attempt to eliminate monopolies but excepted patents on inventions and methods as necessary means of encouraging the development of industry. The Constitution of the United States expressly grants to the federal government the right to issue patents and copyrights "to promote the progress of science and the useful arts."

## ETHICAL PRINCIPLES

Underlying the general concept of intellectual property is the notion that an individual is entitled to compensation for the products of his or her labor. In

the case of inventions, there is the additional question of the inventor's right to privacy. In most legal systems, someone who develops a new process or recipe for, say, a long-lasting paint, is under no obligation to share the process with the public. He and his heirs may treat it as a trade secret forever. If anyone else, however, were to discover the process by any legitimate means, such as chemically analyzing a can of paint that had been purchased, he or she would be free to manufacture and sell the identical product at a lower price. In applying for a patent on this process, the inventor, in effect, enters into a contract with society in which secrecy is abandoned in return for the exclusive right to control the use of the process for a fixed number of years. Very few individuals could afford to be authors, composers, or filmmakers if anyone who wished to could make multiple copies of their works and sell them freely.

#### ETHICAL PROBLEMS

The question of where to draw the line between individuals' rights to their intellectual property and the welfare of the public has not been fully resolved. Some countries, including the United Kingdom, refuse on humanitarian grounds to issue patents for medicines. Many countries permit the suppliers of military hardware to infringe the patent rights of inventors, possibly with a provision for compensation but without advance permission, when such an act is justified by the requirements of national security. Even the existence of public libraries in effect deprives authors of the revenue they might otherwise gain from the readers of their books. The development of computer networks allows, in effect, many persons to use the same copy of a copyrighted program.

There are also possible conflicts between the rights of authors, artists, and composers and the rights of subsequent owners of a copyright. Many governments recognize as moral rights of creative individuals the rights of attribution, or recognition as being the creator of one's own work, and of integrity, or having one's work presented as a whole or in an acceptable abridgment, even though the work may have been purchased or performed for pay. It can also, of course, be argued that allowing the owners of intellectual property greater control over the form in which it is disseminated could increase their profits and thus ultimately benefit the creators.

*Donald R. Franceschetti*

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SEE ALSO: Business ethics; Constitution, U.S.; Copyright; Freedom of expression; Internet piracy; Plagiarism; Property.

## Intelligence testing

DEFINITION: Measurement of human intelligence

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: Intelligence testing raises ethical concerns involving potential cultural bias of tests as well as the differential treatment of people based on their test results.

Alfred Binet and his colleagues first devised tests to assess the mental abilities of French children during the 1890's. A child's "mental age," divided by chronological age, gave an "intelligence quotient" (IQ). Binet thought that IQ scores could be improved through education, but many British psychologists insisted that intelligence was hereditary. Data on this issue were gathered by Cyril Burt, but some of his data were later shown to have been fabricated. American psychologists modernized Binet's tests but applied them, with considerable bias, against African Americans and immigrants.

Despite early claims that the tests measure "in-



Alfred Binet, inventor of one of the earliest intelligence tests. (National Library of Medicine)

nate intelligence,” careful studies show that educational influences are strong and that most early studies were flawed. In particular, a fifteen-point average difference between unselected whites and African Americans disappears when comparison is made between samples matched by social status, family income, and similar factors. African Americans who have attended good schools and have had similar advantages achieve higher scores than do students from disadvantaged backgrounds regardless of race.

Test bias occurs because the test is given in a particular language and because it assumes a middle-class cultural environment; the results are therefore biased against the poor and against those who speak a different language. More subtle bias includes questions about activities that are common to middle-class white males, thus discriminating against females and blacks. Bias-free exams are difficult to write.

Proponents of eugenics have advocated favorable treatment of high-IQ individuals and unfavorable treatment (including sterilization) of low-IQ sub-

jects. Since test results can be modified by education and are subject to bias, such proposals have lost much favor since about 1940.

*Eli C. Minkoff*

SEE ALSO: Eugenics; Genetic counseling; Genetic testing; Psychology.

## Intention

DEFINITION: Purpose or aim of an action; that which is intended

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Agents typically must intend to do something or be directed toward a certain intended state of affairs in order to be morally responsible for their actions.

The idea of the intentionality of action is commonly attributed to Aristotle’s *On the Soul* (335-323 B.C.E.). Aristotle’s theory was transmitted through late medieval to modern philosophy primarily by Thomas Aquinas and William of Ockham. In the nineteenth and early twentieth centuries, intentionalism was associated with Franz Brentano’s 1874 work *Psychology from an Empirical Standpoint* and his 1889 *The Origin of Our Knowledge of Right and Wrong*. Modern moral philosophy in the intentionalist tradition includes the work of, among others, G. E. M. Anscombe, Robert Audi, Roderick M. Chisholm, Donald Davidson, Joseph Margolis, and Richard Taylor.

An agent’s intention is what the agent intends to do. It is the possibly nonexistent state of affairs that the agent assumes as the purpose or goal of action, toward which the action is directed. Some examples of intentions are to help another person, to perfect one’s abilities, to achieve a career objective, and to move a finger.

It is standardly agreed that agents are not morally responsible for their actions unless they intend to do them. Behavior performed entirely without intention is not action or doing in the philosophically correct sense of the word, but something that a person suffers or undergoes. Doing something unintentionally, when there is no negligence or overriding obligation to determine the likely effects of an action, is often

considered to render a person morally blameless for bad consequences. Agents are sometimes praised or blamed even for their unrealized or failed intentions, as a reflection of their moral attitudes and inclinations.

The main division in moral philosophy between deontological and consequentialist ethics can be drawn in terms of the role that intention is thought to play in moral evaluation. For the deontologist, having a good or morally approved intention, usually one that intends an action because it is prescribed by duty, is the most important factor in ethical conduct, regardless of the consequences. Consequentialists are unconcerned with the state of mind with which an action is undertaken, except insofar as it leads to good consequences, which are often understood as whatever maximizes happiness. Although the concept of intentionality does not resolve the dispute between these two types of moral philosophy, the fact that their disagreement can be characterized in terms of intentions indicates the importance of the concept of intentions to moral theory.

*Dale Jacquette*

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SEE ALSO: Aristotle; Consequentialism; Deontological ethics; Desire; Kant, Immanuel; Practical reason; Responsibility; Thomas Aquinas.

## **International Covenant on Civil and Political Rights**

**IDENTIFICATION:** Legally binding promise by signatory nations to ensure civil and political rights within their sovereign territory

**DATE:** Adopted on December 16, 1966; took effect on March 23, 1976

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The covenant represents a practical attempt to enforce the principles advocated in theory by the Universal Declaration of Human Rights.

For years after the 1948 Universal Declaration of Human Rights, the United Nations struggled to prepare treaties that would oblige nations to guarantee the rights and freedoms described in the declaration. In 1966, two covenants were presented: the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights.

Those nations who are party to the Covenant on Civil and Political Rights have agreed to guarantee to all individuals under their jurisdiction certain basic rights. No distinctions are made because of race, color, sex, language, national origin, and so on. The rights and freedoms guaranteed under this covenant include the right to life and liberty, freedom from slavery, freedom from torture or inhuman punishment, freedom from arbitrary detention, the right to travel freely, and the freedom of thought and religion. Furthermore, the covenant guarantees protection for ethnic, religious, and linguistic minorities, and guarantees that no one may be forced to testify against himself or herself. Signatory nations found to be in violation of this covenant may be held accountable by the United Nations.

*Cynthia A. Bily*

SEE ALSO: Civil Rights movement; Commission on Civil Rights, U.S.; International law; League of Nations; UNESCO Declaration on the Human Genome and Human Rights; United Nations; United Nations Declaration of the Rights of the Child; United Nations Declaration on the Rights of Disabled Persons; Universal Declaration of Human Rights.



## International Criminal Court

**IDENTIFICATION:** Permanent court established in The Hague, Netherlands, by the international community

**DATE:** Founded in 2002

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** The International Criminal Court (ICC) is the first standing international court designed specifically to prosecute individuals for war crimes and crimes against humanity. Its mission is to prosecute egregious criminals who enjoy impunity in their home countries and further to refine and articulate international laws of war and laws promoting human rights.

Creation of the International Criminal Court culminated a century of developments in international criminal law. While there has always been a belief that certain crimes are of such a hideous nature that their prosecution demands an international response, the political will to develop a serious legal institution to confront these crimes was long lacking. Prior to the establishment of the ICC, the only courts in which war criminals and other politically powerful criminals could be prosecuted were domestic courts or ad hoc tribunals—temporary courts convened only to prosecute a particular individuals or groups for crimes occurring at specific times and places. While such courts have had some success, their influence has been sharply limited by their inherently transitory nature. Other international courts, such as the International Court of Justice and the infrequently used Permanent Court of Arbitration, deal only with grievances among states and do not handle claims regarding individuals.

To address this issue, a large number of states convened in Rome to draw up plans for a court that would fill this gap in international law. Founded by the resulting Rome Statute of 2003, the ICC is designed as a standing body that can prosecute certain crimes almost anywhere in the world.

### CONTROVERSY AND JURISDICTION

The ICC is not without its critics. In particular, the United States has been a strong opponent of the court, fearing that its own citizens may become targets of politically motivated prosecutions and that it may lose some of its independence to an unaccount-

able international power. In 2002, the U.S. government took the unprecedented step of removing its signature from the Rome Statute. In addition, it pressured smaller nations to sign agreements that would prevent them from sending Americans to the ICC, should the court seek to prosecute them. This policy has, in turn, met with stiff resistance from other countries throughout the world and from the European powers in particular, who see the court as an important first step in the creation of a more peaceful and just world order.

The ICC cannot pursue cases against anyone it wishes. For a prosecution to be authorized, the crimes must either take place in states that are party to the treaty or involve accused persons who are citizens of one of those states. In a novel development in international criminal law, domestic courts may first elect to investigate and prosecute accused criminals and then, if they are unable or unwilling to pursue the case, the ICC's own prosecutors may take over the prosecutions—a process known as “complementary jurisdiction.”

The ICC has special jurisdiction over several types of crimes: war crimes, as defined by the Geneva Conventions; genocide; crimes against humanity, such as slavery, mass rape, ethnic cleansing, and apartheid; and aggression. The last crime is notoriously vague, and the treaty delays any prosecutions for aggression until the concept can be adequately defined.

### ETHICAL ISSUES

The ICC faces a great number of ethical issues. At its founding, the hope was that an international judicial body would be better able to provide justice for many people who have been unable to find it in their home countries. Some of the most egregious crimes in history have been committed by powerful leaders, such as Adolf Hitler and Joseph Stalin, whose power placed them beyond traditional forms of legal accountability.

However, according to some critics, it is unclear whether it is practical to make political leaders subjects of ICC prosecutions. Tyrants who face possible international criminal trials are likely to hold onto power much longer if abdication means that they may face humiliating trials in The Hague and lengthy imprisonments. By contrast, if such rulers were instead offered immunity from prosecution and rela-

tively comfortable retirements, they might be more easily persuaded to give up power without committing additional crimes or causing further suffering. Such a benefit, critics contend, is more concrete than any abstract notions of “justice” that the ICC can provide.

### CRITICISMS

Some critics have contended that the justice that international courts apply will be biased in favor of the interests of wealthy and powerful countries and those countries’ provincial value systems. The leadership of weaker states with difficult domestic problems and substantial civil strife may be unable to meet the standards of stable Western democracies. Some critics contend that it is unfair to hold such states to standards that they cannot possibly meet. Further, when the powerful states commit criminal acts, their governments are likely to possess the political clout to stop prosecution of their leaders. Thus, the court is not likely to provide justice for all, but rather will simply be another forum in which the powerful bully the weak.

However, the court’s defenders have insisted that without some legal accountability for international criminals, victims will be forced to find justice outside of the law. They argue that resorting to vigilante justice will only prolong and deepen the bloodshed already caused. By providing a public record of the atrocities committed by the powerful, the ICC should provide the closure necessary for societies to move forward. Additionally, the court may deter powerful would-be criminals by publicly reminding them that they are not beyond the reach of the law.

Regardless of whether the ICC proves to be a success, its creation marks a turning point in the moral and ethical thinking of much of the world. For the first time, the vast majority of the world’s nations have accepted that large-scale human suffering is not only a matter for local authorities but is always a concern for all of humanity.

*Aaron Fichtelberg*

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## International justice

**DEFINITION:** System established by sovereign nations to resolve disputes and punish offenders of international law; or principles of just and equitable treatment of nations and individuals applied to geopolitical analysis and activism

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The concept of international justice transcends the parochial interests of individual nations in the name of larger concerns such as human rights or simply stable international relations. As a result, it is often based in universal, egalitarian or humanist moral systems, and it has the potential to threaten the sovereignty of individual nations.

The term “international justice” has three connotations. First, it refers to the mechanisms by which governments seek to fairly and legally resolve disputes among themselves. Second, it refers to the formal and informal systems by which governments are punished for wrongdoing. Finally, and more broadly, it has in recent years been used to call for a more fair allocation of global resources among nations.

Ethical considerations surrounding all these connotations are conditioned by the lack of centralized and completely effective mechanisms by means of which international justice can be effected. The international system is built on the principle of national

sovereignty, which requires coordination of state policies to attain justice, rather than a system of subordination under which countries submit to a global authority exercising ultimate and binding jurisdiction over them. As sovereigns, nation-states are the highest authorities and are beholden to no higher authority unless they voluntarily concede by treaty to limit their sovereignty. Conflict in such a system is an ever-present threat. The achievement of order and justice, then, is accomplished by mutual accommodation, negotiation, political maneuvering, and sometimes through the use of collective force. Ethical constraints are not irrelevant in this system, but they are typically subordinated to political interest.

### **LEGAL RESOLUTION OF DISPUTES**

Assuming that governments prefer to resolve disputes peacefully, rather than through conflict or force, numerous options are available to them, including political mechanisms such as direct bilateral negotiation, third-party mediation and conciliation, and legal mechanisms such as arbitration and adjudication. Political solutions are very common means of resolving international disputes. Arbitration and adjudication are less common at the international level. Disputes between citizens or business interests of two countries are quite common, however, and these are often resolved by the domestic courts of the involved countries or by mixed claims commissions that have been established by treaty.

When a legal dispute arises between two governments, they may choose to seek arbitration and adjudication to avoid conflict. When seeking arbitration, governments agree to submit the legal issue to an ad hoc panel of experts composed of members proposed by each of the countries involved and whose final judgment is accepted in advance as binding both parties to the dispute. Arbitration has been practiced for centuries by nations, and its roots go back at least as far as the ancient Greeks in the fifth century B.C.E. In modern times, states created the Permanent Court of Arbitration, which was established by the Hague Peace Conference of 1899 but has been resorted to only infrequently since World War I.

In addition to arbitration, states may seek to adjudicate disputes through standing courts, such as the International Court of Justice (ICJ) at the international level, or through various regional courts, such as the European Court of Justice. The sole interna-

tional court, the ICJ, lacks compulsory jurisdiction over states, which means that no state is required, unless it consents to do so, to bring cases before the court or to appear in court to defend itself from suits brought against it by other states. Fewer than a third of the members of the United Nations recognize the ICJ's jurisdiction as compulsory. Once governments agree to the ICJ's jurisdiction, however, they are bound to abide by its decisions. Enforcement of court decisions, however, has not been completely satisfactory or effective. The ICJ operates, then, in a less than perfect environment in which states are not required to submit disputes to it and, even in those rare cases when they do, there is no guarantee that its judgments will be honored.

### **PUNISHING WRONGDOERS**

Given its weak legal structures, international justice is often conducted either through collective punishment of offending states or by the self-help of individual governments. Members of the United Nations are required by the U.N. Charter to resolve disputes peacefully. Aggressor states that violate this obligation may be punished by the United Nations through the collective application of economic sanctions and even force. If the United Nations cannot agree to punish an aggressor, however, the injured state is left to defend itself. It may do so by recourse to the traditional laws of retaliation. Ultimately, the success of all such collective and individual efforts depends on the cooperation of powerful states. When powerful states are on the side of justice, justice can be done. If they are not, or if powerful states actively flout international law, the only prevailing justice is that of the strongest.

Apart from the legal resolution of disputes and the use of force to punish aggressor states, international justice is increasingly used to refer to the fair distribution of global resources. Significant inequities currently prevail among nations. This leads many poorer countries to call for a fairer international economic order. In many of the poorest countries, however, wealth is equally badly distributed. The ethical claim of the elite in such a country to an entitlement to greater access to international wealth for their nation rests on shaky ground. There exists no current legal principle by which wealthy states must transfer wealth to poorer ones, and even where ethical considerations demand it, as in the case of famine or disas-

ter, the claim of a wealthy elite in a poor country to have absolute control over the internal allocation of foreign aid lacks justification.

### CONCLUSION

The achievement of international justice depends to a very large extent on the voluntary cooperation of governments and peoples. Governments often do cooperate to mutual advantage. They often resolve disputes peacefully and help each other in time of need, but there is no world government to ensure that they do so. They do so out of a sense of either political interest or legal or ethical obligation. A government's first obligation is to its own people's security and prosperity. At the international level, its obligation to the security and prosperity of other nations is governed by traditional friendships and ties, by voluntarily accepted treaty and legal norms, and by prudence and expediency.

*Robert F. Gorman*

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SEE ALSO: Arbitration; Conflict resolution; Globalization; Human rights; International Criminal Court; International law; Intervention; Power; Sanctions; Sovereignty; Universal Declaration of Human Rights.

## International Labour Organisation

**IDENTIFICATION:** Specialized agency of the League of Nations, and later of the United Nations, that attempts to improve global working conditions and standards of living

**DATE:** Founded in 1919

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Formation of the International Labour Organisation (ILO) served to recognize and legitimize the ethical ideals of international labor groups.

As a result of lobbying by international labor unions and the governments of several countries, the Treaty of Versailles, which ended World War I, recognized the International Labour Organisation. Its declarations and resolutions were not, however, made enforceable.

During the Great Depression, the ILO encouraged governments to plan for the reemployment of workers and to develop relief and unemployment insurance schemes. The United States joined the ILO in 1934. Other countries had delayed joining; some also dropped their membership.

The ILO was the first specialized agency to be affiliated with the United Nations, which was created in 1946. It took on a more proscribed role, with some of its concerns delegated to other agencies. Its membership also changed, including many more developing rather than industrialized countries. The ILO became more of a statistical and information center that also provided technical assistance to developing countries. It turned its attention more to problems of poverty and social conditions rather than narrow labor issues. The agency is concerned with international disparities in the treatment of workers, and it attempts to prevent exploitation. As part of that program, it promotes relatively free immigration and emigration of workers. The ILO is unique among intergovernmental agencies in that member states send representatives not only from their governments but also from worker and employer groups.

*A. J. Sobczak*

SEE ALSO: American Federation of Labor; Employee safety and treatment; Fair Labor Standards Act;

Globalization; Knights of Labor; League of Nations; United Nations; Universal Declaration of Human Rights.

## International law

**DEFINITION:** Body of obligatory customs, conventions, rules, and principles by which governments of nation-states order their interrelations

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** International law seeks to minimize international conflict, to promote cooperation among nations, and to protect individuals victimized by their own nations or caught in the middle of hostilities between nations.

Unlike domestic systems of law, in which supreme legislative, executive, and judicial organs make, enforce, and interpret law, international law has developed between and among rather than above states in international relations. Possessing sovereignty, these states alone can make international law, and when they do so, it is of their voluntary accord rather than under the compulsion of any higher authority. This lack of a higher authority above states leads potentially to a system of anarchy in which evils of unspeakable proportions can be committed. Governments have, since the earliest dawn of civilizations, attempted to limit their sovereign prerogatives in an effort to avoid anarchy, preserve harmony in their interrelations, and promote the welfare of their respective populations. Even when cooperation broke down and war occurred, governments recognized a need to limit their behavior, protect innocent life, and curb the excessive brutality associated with violent war. They did so by devising systems of international law.

### HISTORY

The roots of international law can be traced back at least to the times of the ancient Greeks and Romans, who developed principles of interstate law to govern diplomatic exchanges, treaties, the legal status of aliens, usages in war, and principles of citizenship and asylum. These ancient states saw the benefits of reciprocity—that is, of treating citizens and representatives of other nations with decorum and respect so that similar treatment would be accorded

their own citizens and representatives by other states. Much of this law was based in custom, but some was established by statute and treaty.

The Roman conceptions of *jus civile*, *jus gentium*, and *jus naturalae* established the foundation on which international law is today based. The *jus civile*, or law of cities, concerned the rules distinct to each city of the Roman Empire based on its own customs and traditions. The *jus gentium*, or law among nations, was the law that applied to citizens of all states in their relations to one another. The *jus naturalae*, or the natural law, comprised those overarching principles in nature that human reason could discern regardless of national affiliation. The closer the *jus civile* and *jus gentium* approximated the *jus naturalae*, the more perfect they became.

### THE MIDDLE AGES AND BEYOND

During the Middle Ages in Europe, Christian moral principles served as a means of inhibiting the excesses of governments against their subjects and against other governments. Rules of war called for the protection of civilians and noncombatants, humane and fair treatment of prisoners, and even proscribed conflict during certain seasons and on certain days. Laws of diplomatic immunity persisted and developed. Rules for acquiring and disposing of territory gradually developed.

With the onset of the Protestant Reformation and the resulting religious wars in Europe, however, the princes and monarchs of Europe ultimately found it necessary to establish clear rules regarding state rights and duties. At the Peace of Westphalia in 1648, they determined that states were sovereign, equal, and independent; the sovereign within a particular territory had exclusive control over it and the right to determine its laws and its religion. No sovereign was obliged to abide by any treaty or rule that he or she did not explicitly and voluntarily accept or recognize. These principles continue to serve as the basis of modern international law, although governments in the intervening centuries have shed themselves of monarchs and in many instances adopted republican government.

As the Industrial Revolution, commercial expansion, and colonial competition grew, governments found the need to recognize both customary and treaty principles in order to promote a degree of cooperation and to curb excessive conflict. In the twen-



tieth century, states agreed that force should not be used to settle international disputes, unless used in self-defense or under the aegis of a collective authority such as the United Nations. In addition, governments increasingly developed rules to protect aliens living, traveling, and working in foreign lands. States undertook the responsibility to protect aliens at a level commensurate to that enjoyed by their own citizens. Should the host state fail in this responsibility, an injured alien could, after exhausting available local remedies, appeal to his or her country of nationality to file a claim against the host government to obtain redress for the injury.

### TWENTY-FIRST CENTURY ETHICAL PRINCIPLES AND ISSUES

As noted earlier, most international law is made and observed by states out of reciprocal self-interest. Once states make promises to one another in treaties, they are obliged to honor them, and in the vast majority of cases they do. If states should fail to honor their treaty or customary legal obligations, however, the injured parties may seek judicial remedies, or failing this, they may seek to punish offending states through sanctions or other retaliatory measures. When engaging in such retaliation, governments are obliged to observe the principle of proportionality, which means that they can take actions of roughly similar kind and degree against a state committing a prior wrong. Excessive retaliation is itself considered wrong.

During the twentieth century, with the emergence of guerrilla wars, total wars, and nuclear weaponry, the old distinction between civilian and combatant was blurred in practice. The customary laws of war, in turn, have often been disregarded, and many innocent lives have been lost. The Geneva Red Cross Conventions and Protocols have been promulgated to reassert the distinction between combatants and non-combatants and to preserve the rights of prisoners of war.

In addition, since World War II, governments have increasingly adopted a wide range of human rights declarations and treaties in order to define more clearly the respective rights and responsibilities of individuals and states under international law. Such agreements include the Universal Declaration of Human Rights, the Genocide Convention, and the

Conventions on Civil and Political and Economic and Social Rights. Thus, although states remain the principal subjects of international law, they increasingly recognize the need to protect, usually through domestic legal mechanisms, the human rights of their respective citizens. In turn, individuals can be held directly accountable for a variety of international crimes, including war crimes, piracy, genocide, counterfeiting, and slave trading.

International law represents one of the means by which governments have countered the anarchic tendencies of international relations and thereby remained conscious of their legal and ethical obligations to one another and to their own citizens as well as to aliens.

*Robert F. Gorman*

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SEE ALSO: Deterrence; Genocide and democide; Grotius, Hugo; Human rights; International Criminal Court; International justice; Intervention; Natural law; Sanctions; Sovereignty; War crimes trials.

## International Monetary Fund

**IDENTIFICATION:** Organization that monitors the health of the world economy by lending money to countries facing balance-of-payment problems

**DATE:** Founded in December, 1945

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** Ethical debates have arisen over the question of whether the International Monetary Fund's (IMF) free enterprise policies promote the welfare of the global poor, enhance democratic decision making, and protect the world's natural environment.

The International Monetary Fund, along with the World Bank, was first conceived in 1944 at the United Nations conference held in Bretton Woods, New Hampshire. Conference delegates believed an international agency was necessary to promote balance and growth in international trade. The IMF makes temporary loans to nations facing economic or financial crises. Since the Thatcher-Reagan era of the 1980's, the IMF has increasingly insisted that debtor nations adhere to free-market policies (known as "the Washington consensus"). Nations receiving IMF loans often must agree to structural adjustment programs (SAP), which may require eliminating tariffs and restrictions to the flow of capital and implementing policies of fiscal austerity and privatization.

Advocates of market liberalization such as the IMF, as well as defenders of protectionist policies, generally agree that ethical fairness means that the rich have some degree of obligation to help the worst-off, but they differ on the short- and long-term economic measures that best guarantee such assistance. Since IMF loans are made under stipulations that may cause short-term hardships, IMF policies raise ethical questions. The free market may improve economic efficiency and undercut bureaucratic graft in the developing world, but austerity policies may also force declines in wages and increase unemployment. While personal suffering may only be a short-term consequence of market adjustments, critics argue that it is morally unacceptable to force such hardship upon those least able to bear it

### **RICH VS. POOR NATIONS**

The power that rich industrialized nations exercise over developing nations through the IMF raises

other ethical debates. The vast imbalance of power between the IMF and client countries means that the latter are sometimes pressured to accept loan conditions in conflict with the will of the nation or its traditional values. Critics charge that such "conditionality" in effect gives the IMF undue influence upon the democratic determination of domestic policy. Furthermore, IMF negotiations are often cloaked in secrecy out of legitimate concern that required loan conditions might provoke domestic unrest, but this lack of transparency subverts the citizen's right to know government plans. Similarly, the liberalization of financial markets (removing barriers to the flow of investment) may undermine the power of a nation to control its own economic development. Defenders of globalization and the IMF argue that greater global equality and prosperity rests upon extending free trade practices across the world.

*Bland Addison*

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SEE ALSO: Agribusiness; Business ethics; Developing world; Ecology; Globalization; International law; Outsourcing; World Trade Organization.

## International Organization of Consumers Unions

**IDENTIFICATION:** Global non-governmental organization that seeks to protect and expand the rights of consumers

**DATE:** Founded in 1960

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The International Organization of Consumers Unions (IOCU) is the main vehicle through which national and regional consumers' groups share information and coordinate action.

Headquartered in The Hague, Netherlands, the International Organization of Consumers Unions is affiliated with 175 national and local consumer organizations in sixty-eight countries. Its purpose is to bring together the efforts and results of these smaller organizations to increase the power of consumers worldwide. Specifically, the IOCU has worked on such issues as the safety and effectiveness of infant formulas, and the safe distribution and use of pesticides.

The IOCU gathers and shares published information from its affiliates; provides a forum for further sharing of information and problems; encourages nations to cooperate with one another in testing product safety and in sharing the results of these tests; and studies and interprets local, national, and international laws relating to consumers. Because it works closely with the United Nations and other international bodies but not with any individual national governments, the IOCU can be an important advocate for consumers in developing nations. These consumers have sometimes been deceived or coerced into buying products that have been judged too dangerous or ineffective for sale in the developed nations where they were manufactured. Working with the United Nations, the IOCU offers consumer education and protection programs in developing nations.

*Cynthia A. Bily*

SEE ALSO: Consumerism; Globalization; Product safety and liability; Public interest; United Nations; World Trade Organization.

## International Red Cross

IDENTIFICATION: Charitable organization created in Switzerland to ameliorate the horrors of war by providing relief to its victims

DATE: Created in 1863

TYPE OF ETHICS: International relations

SIGNIFICANCE: Through the Geneva Conventions with which it is closely associated, the Red Cross

Image not available

*Red Cross workers cleaning buckets at a prison in northern Afghanistan, where the organization fed starving prisoners and greatly improved conditions in early 2002. In the Muslim world, the Red Cross is known as the "Red Crescent." (AP/Wide World Photos)*

has helped develop the concept of combatants adhering to ethical standards of conduct during military conflicts.

In 1859, the sight of wounded soldiers suffering on the battlefield after the Battle of Solferino in Italy so horrified a young Swiss businessman named Jean Henri Dunant that he wrote an impassioned book, *A Memory of Solferino* (1862), in which he called for the creation of an army of volunteers to treat the wounded and for the establishment of international conventions under which such an army would function. In 1863, a committee of five prosperous citizens of Geneva, Switzerland, took up Dunant's ideas and arranged an international conference that led to

the first Geneva Convention on the treatment of wounded soldiers. The committee, which became known as the International Committee of the Red Cross because of the badge it adopted for its volunteers, initiated further conferences that produced additional conventions.

The Geneva Conventions established rules for the humane conduct of war in an attempt to alleviate the horrors of warfare. These rules included provisions facilitating the treatment of wounded soldiers by recognizing both the wounded and the medical personnel treating them as neutral. Later rules called for the humane treatment of prisoners of war, civilians affected by war, victims of civil wars, and political prisoners.

Although the central purpose of the Red Cross was to introduce ethical standards into military conflicts, some observers criticized its efforts on ethical grounds, arguing that by making the conduct of war more humane, the Red Cross was also making war more acceptable and thus encouraging rather than discouraging war. Some critics, including the noted English nurse Florence Nightingale, also said that providing a volunteer army of nurses and other medical personnel also made war easier for combatants by relieving their military authorities of medical responsibilities and freeing up their resources.

However, in the twentieth century, especially after World War I, there was general acceptance of the importance of the relief work carried out by the Red Cross under the Geneva Conventions. Ethical debates did arise, however, over how best to enforce the conventions, and the Red Cross, which generally preferred private communication to public denunciations, was criticized for not speaking out publicly against the treatment of the Jews by Nazi Germany during World War II.

Debates also arose over the political use of relief, especially during the Nigerian civil war during the late 1960's, and over the treatment of combatants in guerrilla wars. Historically, the approach of the Red Cross has generally been one of neutrality. The Red Cross does not judge the merits of conflicts; instead, it encourages humane treatment of all those affected by such conflicts.

Dunant, the founder of the International Red Cross, shared the first Nobel Peace Prize in 1901, and the organization itself received the award in 1917, 1944, and 1963.

*Sheldon Goldfarb*

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SEE ALSO: Geneva conventions; Human rights; Limited war; Military ethics; Nobel Peace Prizes; War; World Health Organization.

## Internet chat rooms

DEFINITION: Internet forums in which strangers engage in live and usually unsupervised discussions

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: The anonymity and undisciplined nature of online chat rooms exempts their participants from the responsibility to adhere to normal social and legal mores, and makes gullible, immature, and inexperienced participants vulnerable to deceptive and unethical practices.

Anonymous chat lacks ethical boundaries, a sense of place, and social rules. Private individuals and public authorities—sometimes even police officers—are lured into public displays of immoral behavior and such acts of deception as providing false identities and setting up entrapment schemes. So many married people have been known to flirt with strangers over the Internet that growing numbers of divorces have been fueled by online affairs.

Emotionally unstable people try to live out their fantasies by exaggerating their personal attributes and hiding their true selves from those they deceive and seek to exploit. Neurotics play roles, criminals try to recruit collaborators, and sexual exhibitionists find ready audiences. Racist, sexist, and homophobic speech is uncensored. Sexual predators and those entrapping predators offer pornographic images and statements. The types of legal protections from gov-

### Surreptitious Advertising

Is it ethical for companies to promote their own products by having their employees enter chat room discussions to rave about their products, without revealing their connections with the companies? This very question was posed to Rabbi Asher Meier, the author of the online column *The Jewish Ethicist*. He answered by citing the Torah, which forbids putting “a stumbling block before the blind.” Failing to reveal one’s true identity in a chat room discussion is, in effect, leaving other participants “blind.” This practice is not only unethical in Jewish law, but also violates the American Marketing Association’s code of ethics, which counsels against “sales promotions that use deception or manipulation.”

ernment intrusion that are ordinarily provided to mail, telephone conversations, and face-to-face conversations are generally not extended to Internet chat rooms, instant messaging, and e-mail, making online communications ripe for official abuse.

Despite the possibilities for unethical behavior on Internet chat rooms, the actual incidence of improper activity may be less common than has been thought. An AT&T WorldNet study conducted in 2004 found that the online behavior of most people who use the Internet online is the same as their behavior in everyday life. Early twenty-first century studies of young people who had been raised on the Internet found that they question assumptions they are asked to accept by those they meet online. The young people were constructing their own rules for online behavior and etiquette, making ethical judgments about message content, critically evaluating and responding to improper behaviors they encountered and dispensing online discipline for those who behave improperly in chat rooms.

*Gordon Neal Diem*

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SEE ALSO: Child abuse; Computer misuse; Confidentiality; Electronic mail; Electronic surveillance; Gossip; Identity theft; Personal relationships; Pornography; Sexual abuse and harassment.

## Internet piracy

**DEFINITION:** Unauthorized duplication and distribution of copyrighted materials taken from computer networks, usually to avoid paying for the use of commercially licensed materials such as music, motion pictures, photographs, computer software, and texts

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Internet piracy is considered unethical because it prevents creators from being able to profit fairly from their works or regulate their use and distribution. The growing practice of Internet piracy raises issues concerning the ethical assumptions presupposed by intellectual property, fair use, and copyright laws.

Perhaps no new technology has created a more daunting challenge to traditional notions of intellectual property rights and their relationship to personal privacy than the popularity and ready availability of file-sharing mechanisms on the Internet. Internet use worldwide skyrocketed in the 1990’s, as did the use of free and easily accessible computer software that allows users to make and share digital copies of music, video, and other media.

A significant portion of the material that was being exchanged in the early years of the twenty-first century consisted of illegally pirated works, copies of commercially recorded music, software, and similar materials originally created and distributed for profit. Encryption technology that might prevent unauthorized duplication of digitized materials was not able to keep pace with the software allowing users to “rip,” or digitally duplicate, copyrighted materials via the Internet. Industry estimates in the late 1990’s put the number of computer users exchanging pirated music, not to mention other commercial electronic media, in the tens of millions.

#### THE PIRACY PHENOMENON

In 1997, a small group of college students developed and made available free of charge on the Inter-



net a software program that allowed its users to easily “rip” copies of music from compact discs and upload them to centralized storage servers. Other users could then access the servers to download the illegally copied music without charge. Initially used only by a handful of music enthusiasts, word of Napster’s capabilities spread rapidly, and by 1999, Napster’s developers estimated that their program had been downloaded about sixty million times. If even only a small fraction of Napster’s users were robbing the entertainment industry of potential revenues, the courts viewed its existence as a potential disaster for the music industry. Consequently, Napster was shut down by a U.S. federal court injunction in 2002.

However, by that time, similar renegade file-sharing systems were proliferating the Internet. Some of these systems allowed users to swap not only music with ease but also a range of other types of digitized files—computer software, games, and full texts of books. In contrast to Napster, the new systems were decentralized, not requiring the use of central servers for storage of pirated material. Consequently, illegal piracy became more difficult to trace back to its sources. Identifying and attempting to shut down even a small fraction of the users of pirated files proved impractical if not impossible. Despite government and entertainment industry campaigns to inform users of the unethical and illegal use of Internet file-sharing systems, Web-based piracy continued to grow even after Napster’s highly publicized court battles.

### FAIR USE AND BIG BUSINESS

Many online file sharers have claimed that theirs is a victimless crime, asserting that they are merely sharing duplicated materials for their own personal use. Some have even argued that online file sharing actually leads to increased sales of music, games, and video materials because it increases exposure for commercial artists. However, representatives of the entertainment industry vehemently disagree. The Recording Industry Association of America (RIAA), a music industry trade group, attributed to the popularity of online piracy a significant plunge in music sales in the years following the proliferation of Internet file-sharing programs. In 2001, sales of compact discs (CDs) in the United States dropped 6.4 percent, and the following year, they plunged another 8.7 per-

cent. During the same period, the number of Internet users who admitted downloading ever more music while buying less of it outnumbered those who claimed downloading led them to buy more music by a two-to-one margin.

Both the entertainment and software industries tend to regard virtually *all* unauthorized duplication of their products as acts of piracy. However, certain considerations complicate the issue. The copyright laws of most countries, including the United States, provide for the “fair use” of protected artistic and intellectual materials. In other words, it is legal for those who own copyrighted copies of music, movies, and in some cases computer software, to duplicate them for their own private use—provided they do not share their “personal” copies with others. It is legal for a person who has purchased a collection of compact discs to make CD collections of their favorite songs, provided they do not share the copies that they make. The ethical and legal problem lies in what constitutes “sharing” such copies. Surely, giving a friend a copy of one’s “personal” CD would infringe on copyright. Nonetheless, if one makes a “personal” copy of a song and plays it in the presence of a visiting friend, does this infringe on the rights of the copyright holder to profit from the friend’s hearing the music?

Privacy advocates strongly oppose what they see as the entertainment industry’s draconian efforts to invade personal privacy by limiting “fair use.” They also warn against allowing software companies to have almost absolute control over their software’s source code, pointing out that in many cases this limits the individual’s rights to fair personal use and impedes the natural course of technological progress.

### A HAPPY MEDIUM?

In 2003, the RIAA sued major Internet service providers Verizon and Earthlink, demanding that they turn over the names of their customers known to download or exchange copyrighted media files. However, in reality such lists only allowed the RIAA to verify the names of Internet subscribers from whose computers illegal file exchanges had occurred. They could not verify which particular members of these households had been sharing pirated materials because no electronic mechanism exists that can pinpoint exact violators. In one highly publicized case, the RIAA sent a letter threatening a size-

able lawsuit against a grandfather whose name appeared on a list of Internet accounts from which illegal downloads had allegedly been made. In truth the computer owner's grandson, who only visited his home occasionally, was actually downloading pirated music on the family computer. Privacy advocates view the RIAA's efforts at enforcing their rights as copyright holders as displaying an unethical disregard for personal privacy rights when taken to this extreme. They place the responsibility for preventing piracy on the entertainment companies themselves, suggesting that they develop and market new ways of copy-proofing their products rather than playing Big Brother and haphazardly attempting to target individual copyright violators. They maintain that although copyright infringement takes place on a widespread basis on the Internet, targeting individuals has a serious cost—the potential sacrifice of personal privacy and the significant risk of punishing the underserving.

*Gregory D. Horn*

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SEE ALSO: Computer crime; Computer misuse; Computer technology; Copyright; Intellectual property; Napster; Plagiarism; Song lyrics.

## **Intersubjectivity**

**DEFINITION:** Communicative interaction or struggle between two or more conscious minds

**TYPE OF ETHICS:** Theory of ethics; beliefs and practices

**SIGNIFICANCE:** Intersubjectivity is a key concept in several influential theories of communication, knowledge, and desire. Ethical theories that focus

on intersubjectivity emphasize the importance of one's ability to understand the points of view of others, to recognize the validity of their projects, and to negotiate conflicts between their desires and one's own.

Whereas subjectivism makes truth and knowledge dependent upon an individual knower, and objectivism holds that truth exists independently from any subjective state of mind, intersubjectivity makes the objective validity of truth depend upon the consensus of a community of subjects. In so doing, intersubjectivity avoids the relativism of subjectivism without granting to truth a status independent of the human mind. Intersubjectivity has been used as a heuristic concept to aid in the formulation of solutions for two thorny issues. First, how is meaning determined? Second, what is the foundation for the possibility and validity of ethics?

#### **THE PROBLEM OF MEANING**

Charles Sanders Peirce established pragmatism as a philosophical method for determining meaning and truth. Two elements stand out in his pragmatic theory. First, the conception of an object consists of the conception of its effects. Second, truth is indefinite. Truth is that upon which the ultimate community of investigators would agree. The ultimate community of investigators constitutes the intersubjective precondition for the possibility of meaning and of science.

In addition to pragmatism, Peirce also developed a theory of semiotics, the science of the interpretation of signs. He rejected the traditional philosophy of consciousness that interpreted knowledge in terms of a two-place relationship—the object in the world and its mental representation. Semiotic theory introduces a third element; that is, a sign not only stands for something in the world but is also addressed to an interpreter. The three-place relationship is essentially intersubjective. Signs have meaning only within the intersubjective framework of an interpretation community. The traditional role of the subject of knowledge is replaced by the interpretative community. Subjectivity is replaced by intersubjectivity. Signs can represent only if they are related to the intersubjective world of interpreters, and only those assertions are true that would be reaffirmed by an indefinite community.

Jürgen Habermas, influenced by the pragmatism of Peirce and his semiotic theory, formulated discourse ethics. Discourse ethics emphasizes the use theory of meaning. Meaning consists of a threefold relationship—what is meant, what is said, and the way it is used. Use theory builds on the third element and focuses on the interactive contexts of communication in which expressions function. These contexts were called “language games” by Ludwig Wittgenstein. Language games include the totality of linguistic expressions and nonlinguistic activities. The analysis of language games discloses the intersubjectively shared backgrounds of the forms of life and lifeworlds that influence the meaning and function of language.

Meanings of symbols, therefore, are never subjective but always intersubjective. Symbolic meaning does not derive validity from private interpretation but from intersubjective agreement.

Because of the interconnectedness of language and lifeworld, intersubjectivity is fixed in ordinary language. Interactive communication and agreement between human beings make social life possible.

Habermas also rejects the traditional concept of the subject understood as an ego. The subject is a community of investigators. For Habermas, the moral subject, as a subject of action, cannot even be conceived apart from communicative interaction with other human beings.

**KARL-OTTO APEL**

Karl-Otto Apel, a German philosopher, insisted that language and intersubjective agreement make meaningful ethical judgments possible. Apel held that the intersubjective community of investigators is the precondition for the possibility and validity of objectively valid ethics. Apel maintained, along with Immanuel Kant, the necessity for universal preconditions for the possibility and validity of ethics. Unlike Kant, however, he did not find these “transcendental” conditions in the consciousness of the solitary individual; following Peirce, Apel located them in the discursive ethical community.

Apel conceptualized this idea by utilizing a synthesis between transcendental idealism and historical materialism. From idealism, he postulated the normative and ideal presupposition of the “ideal communication community.” The ideal communication community functions as an imaginary hypothetical

community free from inequality and unjust constraints. From materialism, he derived the “real communication community” as a given historical society in which real conflict and inequality exist. The dialectical relationship existing between the ideal communication community and the real communication community is characterized as an antagonism between the ideal and the factual. Notwithstanding its antagonistic character, this dialectical relationship results in the conceptualization of the discursive community as the precondition for both the ethical community as a moral subject and, at the same time, the discursive community as the object of ethical action. In this manner, Apel avoids the extremes of subjectivism and objectivism. In Apel’s thought, ethics is made possible because of the search for mutual understanding that occurs intersubjectively between persons in conversation.

The heuristic model of the communication community functions in the same way as Wittgenstein’s concept of the language game. In either case, consensus functions as a regulative principle. Truth and knowledge arise from communicative action under rule-governed institutions. It is this communicative interaction that makes the objective validity of ethics possible.

*Michael R. Candelaria*

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SEE ALSO: Kantian ethics; Peirce, Charles Sanders; *Phenomenology of Spirit*; Pragmatism; Sartre, Jean-Paul; Wittgenstein, Ludwig.

## Intervention

**DEFINITION:** Activity undertaken by a state that coercively interferes in the domestic affairs of another state

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** Intervention may be motivated by national interest, humanitarian concern, or both. It is

often excused, or even mandated, when it seems primarily to be in the interests of the human rights of people being abused or neglected by their own government. Less apparently altruistic instances of intervention are often seen as examples of real-politik and therefore of questionable moral status.

Theoretically, no state has the right to interfere in the domestic affairs of another sovereign state. Such an act is a contradiction of the principles of sovereignty and therefore an attack on the very system on which the freedom of nations rests. Intervention comes in many forms: propaganda; espionage; discriminatory economic policies; and support or denial of support to governments or subversive movements in domestic crises, especially where such foreign support might prove to be decisive. The most notorious form, however, is military intervention.

It is not always easy to determine the morality of

Image not available

*U.S. Navy admiral Leighton Smith, commander of the North Atlantic Treaty Organization military mission in Bosnia in 1995, talks to reporters about the handover of power from United Nations to NATO forces. A map of Bosnia is in the background. (AP/Wide World Photos)*

intervention, and where interventionist activities are concerned, morality may not always be the highest value. Instead, what matters most is the relationship of morality, power, and knowledge, which, when gainfully exploited, in its contemplative stage may be called wisdom and in its active phase may be called justice. Unfortunately, more often than not, this is not the case. During most of the Cold War, for example, intervention was undertaken on behalf of issues of national power far more often than because of poverty, tyranny, or exploitation. During that period, any action against the communist or imperialist threat, especially if it was successful, was considered by the interventionist power to be moral by definition, or else merely a problem of techniques.

*Olusoji A. Akomolafe*

SEE ALSO: Covert action; Espionage; Iraq; Kosovo; Peacekeeping missions; Realpolitik; Sovereignty; Vietnam War.

## Intrinsic good

DEFINITION: Value that something has in itself, as opposed to its value based on its usefulness or what it can bring about

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Intrinsic good or intrinsic value is a crucial component of many philosophical systems and theories of morality, which see it as the very basis of value. Other, more skeptical, philosophies see the concept of intrinsic good as an obfuscation of the true (relational or historical) nature of value and therefore believe they have an ethical obligation to attack those systems that employ it.

The concept of intrinsic good goes back to Aristotle's notion of "the good" as that for the sake of which one chooses all other things. The contrast is with extrinsic good, which is understood as something that is good only because it brings about something else that is intrinsically good. Standard candidates for intrinsic goods are pleasure and happiness; pluralist theories include such things as friendship and virtue. G. E. Moore introduced a useful test for intrinsic goodness and a theory about its nature. For example,

to see whether music is intrinsically good, Moore would have one imagine a universe with only music in it—and therefore with no listeners to enjoy the music—and consider whether the universe seems a better one than a universe without any music. If the universe with music in it does seem better, music is intrinsically valuable; if not, music is valuable only because of its effects, such as its effects on listeners. Moore also argued that intrinsic goodness is an objective, nonnatural property and that rightness can be defined in terms of it.

*Eric H. Gampel*

SEE ALSO: Aristotle; Derrida, Jacques; Good, the; Intuitionist ethics; Moore, G. E.; Nietzsche, Friedrich; Utilitarianism; Value.

## Intuitionist ethics

DEFINITION: Any of several ethical systems based, variously, in sensory perception, rational understanding, or considered judgment

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Intuitionist ethics seeks to justify or ground moral beliefs by demonstrating that they derive from a fundamental human faculty. The precise nature of that faculty, different in different versions of intuitionist ethics, will have profound implications for the theory and practice of moral judgment.

According to one version of intuitionist ethics, normal people can simply see the truth about at least some moral matters. In this view, the intuition that something is right or good is not just a hunch or a feeling. Instead, it is an immediate awareness, something like the awareness that three-sided plane figures have three angles. Thinking carefully about a particular act leads one simply to see that the act would be right. In this view, the judgment that this act would be right is self-evident—that is, knowable without reliance on further evidence. In a similar way, some intuitionists claim that some general moral principles are self-evident in the same way that mathematical axioms are self-evident.

The analogy with geometry and mathematics is, however, problematic. "Any three-sided plane figure



has three angles” is self-evident, but “Always tell the truth” is not self-evident. General moral principles, unlike geometric principles, have exceptions, and therefore they cannot be self-evident in the same way. In the case of particular moral judgments, one cannot be sure that there is no hidden aspect of the situation that will make the judgment incorrect. Thus, such particular moral judgments also lack the self-evidence of geometric principles.

Some intuitionists think of “seeing” as looking instead of as understanding. For them, moral intuitions are like perceptions of colors as opposed to apprehensions of axioms. One objection to this approach is that perceiving requires a sense organ, and it does not seem that people have a moral sense organ. It seems clear, however, that seeing moral qualities only requires some means, not necessarily anything like “a moral eye or a moral nose.”

Moral disagreement within societies, between societies, and across time periods presents a more serious problem for intuitionist ethics. How can one be sure that one is perceiving right and wrong if there is so much disagreement about them? Disagreement about what is red would raise serious questions about one’s power to detect color qualities, and the same seems true about the power to detect moral qualities.

Intuitionists may respond that some people have a faulty moral faculty. Such people may be biased or lack relevant experiences, such as knowing what it is like to be without enough food to eat. The idea is that, just as some people suffer from color blindness, some people suffer from moral blindness. Unlike the case of color blindness, there is no agreed-upon test for determining moral blindness. Intuitionists may emphasize the “intuitions” of “normal moral observers” or “moral experts” and discount the “intuitions” of everyone else. Then, however, the difficulty is to say what a moral expert is, without making a moral judgment that rests on intuition.

Also responding to the problem of moral disagreement, other intuitionists claim that there is not really that much disagreement. For example, one culture may leave older people to die in the cold while another culture cares for older people. Yet both cultures may be trying to do what they think is good for older people and merely have different factual beliefs about what that is. All the same, it seems that people may agree on all “the facts” of abortion and still disagree about whether the fetus has a right to life.

## OBLIGATIONS

Some intuitionists may try to lessen moral disagreement by talking about *prima facie* obligations. A *prima facie* obligation to keep promises, for example, is an obligation to keep promises unless there is an overriding moral reason not to keep them. This approach does away with some disagreement, but disagreement remains, since different intuitionists have different lists of *prima facie* obligations.

If having an intuition is supposed to guarantee that one has determined the truth, then what are the criteria for determining that one has actually had an intuition? Disagreeing parties may be equally certain that they are right. If intuition is a “seeming to see,” something like a conviction, then how can it provide a solid foundation for moral judgments?

This appeal to intuition is not an appeal to one’s general beliefs, but instead an appeal to one’s considered beliefs, beliefs that one has arrived at after a process of rationally considering alternatives. These beliefs are not supposed to be self-evident; one checks them against one’s other beliefs and against the considered beliefs of others. Beliefs that pass this test become part of the basis for testing other beliefs.

This approach makes justification largely a matter of “coherence” among beliefs. If this approach can avoid a vitiating circularity, can it avoid a built-in bias in favor of traditional beliefs? Might not traditional prejudices survive the process of testing beliefs? In any case, the problem of disagreement remains, since two incompatible sets of beliefs may be equally coherent.

Gregory P. Rich

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SEE ALSO: Epistemological ethics; Metaethics; Moore, G. E.; Moral-sense theories; Naturalistic fallacy; Plato.

of privacy is now recognized by law, the media can no longer publish whatever it wishes to without consequence.

*Jennifer Eastman*

SEE ALSO: Accuracy in Media; Biometrics; Drug testing; Fairness and Accuracy in Reporting; Journalistic ethics; Libel; Photojournalism; Privacy; Tabloid journalism; Telemarketing.

## Invasion of privacy

**DEFINITION:** Exposure of one's personal life or information, especially by the media

**TYPE OF ETHICS:** Civil liberties

**SIGNIFICANCE:** Charges of invasion of privacy represent a clash between two fundamental civil liberties: the right to privacy and the right to freedom of the press. Generally speaking, the press is given more leeway to present the intimate details of the lives of public figures than those of private individuals, because the former are considered to have ceded some portion of their privacy rights voluntarily when they entered public life.

In 1890, two Boston lawyers, Samuel D. Warren and Louis D. Brandeis, published an article on the right to privacy in the *Harvard Law Review*. The article deplored the sensationalistic tactics used by the press at that time, which violated the average person's notions of privacy. Gradually, during the next century, such invasions of privacy were incorporated into an articulated concept in tort law. The earliest kind of privacy invasion was known as appropriation, the use of another's name or likeness for commercial purposes without that person's consent. Two other types of invasion of privacy—intrusion upon another person's seclusion and placing a person in a false light—developed later.

A last kind of invasion of privacy—the one to which Warren and Brandeis referred—is the publication of private information about a person. Today, if such information is newsworthy or is a matter of public record, the media may publish it. Since opinions differ regarding what is newsworthy, however, this type of invasion of privacy remains most vexing for citizens and media alike. Generally, though—supermarket tabloids notwithstanding—because the right

## Iraq

**IDENTIFICATION:** Predominantly Arab Middle Eastern nation that has experienced an unusual amount of conflict and suffering

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** The modern history of Iraq has been afflicted by tyrannical leaders, abuses of human rights, religious and ethnic hostilities, power struggles among rival clans, and disastrous wars.

Situated in the northwest of the Persian Gulf, Iraq stands in the heart of western Asia. Except for a portion of the Shatt al-Arab (River of the Arabs), its national boundaries are generally arbitrary. A lack of common bonds for a national union has been one of the great problems of the country. Early in the twenty-first century, Iraq's proven oil reserves were surpassed only by those of Saudi Arabia. Until the disastrous war over Kuwait in 1991, which was followed by more than a decade of economic sanctions, the Iraqi population enjoyed a moderately high living standard.

### ETHNIC AND RELIGIOUS CONFLICT

Almost 80 percent of Iraq's 22.6 million people are Arabs—people who speak the Arabic language and share a common Arab culture. The Kurds, the other major ethnic group, constitute about 17 percent of the population. The Kurds speak their own language, which is related to Persian, and most of them live in the mountainous regions of northern Iraq, next to Kurdish regions of Turkey and Iran. Having a strong sense of nationalist identity, they have long desired a separate country, to be called Kurdistan, an idea that the Iraqi government has long opposed. In

1988, the Iraq government used poison gas against Kurdish villages.

Small groups of other minorities are scattered throughout the country. Turkmen make up about 2 percent, while Iranians, Assyrians, Lurs, and Armenians each have less than 1 percent. Almost 3 percent of the people belong to various Christian churches. Before 1948, Iraq had about 150,000 Jews, but since then, forced emigration has reduced their numbers to about nine thousand. Except for Jews, small ethnic minorities have generally been tolerated so long as they have not opposed official government policies.

About 97 percent of Iraqis are Muslims—followers of the Islamic religion. Almost all Kurds and one third of the Arabs are Sunnī Muslims, who accept the orthodox Sunnī interpretations of the Qurʾān. The government has traditionally been controlled by

Sunnī Muslims. Approximately two-thirds of the Arabs are Shiʿites, who have different views of Islam and look to Ali as Muḥammad’s true successor. Located primarily in the country’s south, they have separatist tendencies. Their 1991 rebellion against the central government was brutally suppressed.

#### A VIOLENT POLITICAL CULTURE

Conquered by the Ottoman Turks in 1515, Iraq was part of the Ottoman Empire until 1917. Great Britain then administered the country as a League of Nations mandate until 1932. During the first year after independence, Iraq’s army massacred Assyrian Christians. A bloody *coup d’état* of 1936 added to political instability, and a series of eight military governments ruled the country until 1941, when the British returned in force. With Iraqi self-rule in 1945,

Image not available

*Iraqi Kurds who suffered under Saddam Hussein’s “Arabization” policies celebrate as they enter the city of Khanaqin in Northern Iraq on April 10, 2003. Khanaqin was the first city in the region to fall to coalition forces after Iraqi government forces retreated. (AP/Wide World Photos)*

chaotic conditions allowed the Kurds to form a short-lived Kurdish Republic, which was brutally suppressed by the national army.

In the post-World War II years, Prime Minister Nuri al-Said shared power with the regent for the young king Faisal II. Iraqis fought in the Arab-Israeli War of 1948, which intensified anti-Zionist and anti-Western attitudes among the population. During the Suez Crisis of 1956, al-Said's refusal to condemn Great Britain and France infuriated Arab nationalists. Two years later, a group of left-wing military officers, led by General Abdul Karim Kassim, took over in a coup, killing both al-Said and the young king. The new regime executed scores of politicians and officers who had been connected with the monarchy. Democratic institutions were abolished. In 1961, attempts to suppress Kurdish nationalists led to a guerrilla war.

In 1963, a left-leaning group of military officers seized power in a coup, executing Kassim and his close associates. The new president, Colonel Abdul Salam Arif made an alliance with the Baath Party, a radical organization endorsing violence in pursuit of socialism, Arab nationalism, and anti-Western policies. In November, 1963, President Arif staged a successful anti-Baath coup. The next year, Baath members failed in an attempt to assassinate Arif, but in 1968, Baathist officers seized power in a violent coup.

### IRAQ SINCE 1968

Between 1968 and 1979, Colonel Ahmad Hassan al-Bakr was president of Iraq as well as chairman of the Revolutionary Command Council. Real power, however, was firmly in the hands of his assistant, Saddam Hussein, who controlled the internal security apparatus. When Bakr resigned in 1979, probably for health reasons, Hussein was quickly installed as president. Hussein's first act was to purge the Baath Party of senior officers suspected of disloyalty, making it clear that opposition would not be tolerated. Most historians agree that Hussein's regime became one of the most violent and repressive in the modern history of the Middle East.

Hussein led his country into three destructive wars. In 1980, he ordered the invasion of Iran, apparently with the goal of annexing an oil-rich Iranian province where Arabs were in the majority. The destructive conflict lasted eight years. Two years later, Hussein's army occupied the oil-rich kingdom of Kuwait. In the Gulf War of 1991, a massive U.S.-led co-

alition forced the Iraqis to leave the small country. The United Nations passed numerous resolutions authorizing inspectors to determine whether Iraq was developing weapons of mass destruction (WMD). When Hussein failed fully to comply, a coalition of the United States, Britain, and a few other countries invaded Iraq and ended Hussein's regime. Observers debated about whether the coalition's preemptive war met the usual criteria of a just war.

Following Hussein's overthrow, coalition authorities appointed an Iraqi governing council, with representatives from the major religious and ethnic communities. The council was given the difficult task of producing a democratic constitution by the summer of 2004. Kurds wanted to gain independence, while Shi'ites and Sunnīs disagreed about how political leaders should be chosen. Numerous Iraqis bitterly resented the continued presence of foreign military forces, and some expressed their discontent with sniper attacks and terrorist bombings. Meanwhile, coalition inspectors failed to find any WMDs, the major reason given for intervention. Americans and British citizens became increasingly dissatisfied with the costs of the occupation.

*Thomas Tandy Lewis*

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SEE ALSO: Biochemical weapons; Chemical warfare; Hussein, Saddam; Intervention; Israeli-Palestinian conflict; National security and sovereignty.

## Is/ought distinction

**DEFINITION:** Distinction drawn in moral philosophy between prescriptive (value) statements and descriptive (empirical) statements in neither being verifiable nor representing a definable body of knowledge

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The distinction between “is” statements and “ought” statements is crucial to ethics, since it differentiates between statements that can be true or false on the one hand and articulations of subjective unverifiable judgments on the other.

One of the oldest continuing debates in moral philosophy concerns the relationship of “prescriptive” statements (about what one *ought* to do) to “descriptive” statements (about what one *is* doing). Descriptive statements are defined as statements of fact that refer to events or properties that are obtained through the experiences of the senses and therefore are verifiable—that is, they can be categorized as true or false.

Since descriptive statements are empirical in nature, they are thought collectively to form a body of “scientific” knowledge. An example of such a statement is “The water is hot.” Both the subject and the predicate in this sentence can be verified; the liquid in question can be tested as to its composition, while its temperature can be measured and compared to accepted conventions of hot and cold. Once the sentence is analyzed, its truthfulness will either be affirmed or denied, but in either case, a concrete “fact” will have been established.

Prescriptive statements, however, do not always seem to proceed from the same empirical foundations, and it is not always possible to verify their truth or falsehood as one would verify that of a descriptive statement. Again, consider an example: “One ought never to cheat.” Here, no actual event is necessarily referred to; thus, there is nothing concrete to verify as either true or false. Instead, the statement seems to express an attitude about a possible course of action—in this case, to assert disapproval. The debate in moral philosophy, however, is whether such statements have any relation at all to empirical facts and thus form a body of “knowledge” similar to that of descriptive statements. About this there remains much disagreement.

## THE DISTINCTION’S ORIGINS

The origin of the modern philosophical debate about the nature of prescriptive statements is traditionally ascribed to the eighteenth century British philosopher David Hume. In his *Treatise of Human Nature* (1740), Hume criticized previous philosophers who attempted to draw prescriptive conclusions from descriptive premises. Since for Hume the two types of statements have fundamentally different natures, he considered it impossible to derive the former from the latter. Statements of value, in other words, were not reducible to statements of fact.

Hume’s critique was challenged later in the eighteenth century by Immanuel Kant, who, in his *Fundamental Principles of the Metaphysics of Morals* (1785), attempted to avoid the trap of moral relativism that seemed to ensue from Hume’s position. While Kant agreed that statements of value could not be derived from statements of fact, prescriptive statements could nevertheless be verified if they were derived from a universal moral principle that could be shown to be self-evidently true. Kant’s categorical imperative (“I am never to act otherwise than so that I could also will that my maxim should become a universal law”) represented one attempt to frame such a universal moral principle and thus allow prescriptive statements in general to form a body of knowledge.

## MODERN DEBATE

More recent attempts to either affirm or resolve the is/ought distinction have led to the formation of a number of schools of thought. In the main, those who make such attempts fall into two major groups: the cognitivists, who claim that prescriptive statements do form a recognizable body of knowledge, and the noncognitivists, who deny such a possibility. Cognitivists further subdivide into two separate schools: naturalists (such as Jeremy Bentham and R. B. Perry) believe that prescriptive statements are simply different forms of factual statements that are, like any scientific fact, empirically verifiable. Such verification may occur through analyzing those acts that happen in accord with particular prescriptive principles (Are such acts consistent with established ethical norms?) or by observing the consequences of those acts (Have they led to desirable results?). In either case, the naturalist asserts that such observation takes place on the level of the senses and thus value statements themselves are considered to be facts.



The nonnaturalists (such as David Ross and G. E. Moore) differ, seeing prescriptive statements as unique forms in themselves, which cannot be reduced to the level of scientific fact. Values may be considered to be true or false, but they must be verified not according to the observations of sense experience, but instead by direct appeal to moral intuition, to a universal value-principle, or to a set of properties that define intrinsic moral value. This appeal to universals has led to the nonnaturalist position's also being defined as intuitionism.

In addition, G. E. Moore, in his monumental work *Principia Ethica* (1903), framed a critique of the naturalist position based on what he termed the naturalistic fallacy. Moore claimed that naturalistic statements attempt to equate value properties with empirical properties as if statements about each conveyed the same kind of meaning. ("Gandhi is a good man" as being no different from "The ball is green"). Since it can be shown, said Moore, that such statements are not the same, naturalistic statements are inherently fallacious.

Noncognitivists (such as Charles Stevenson and A. J. Ayer) continued Moore's critique of naturalism but extended it to include all cognitivist theories in general. Both naturalism and nonnaturalism are thought by this group to be incorrect in claiming that prescriptive statements can in any way be proved to be true or false. Rather, prescriptive statements communicate a person's attitudes about a particular event, property, or course of action and attempt to convince others to agree. Since attitudes are not verifiable, they cannot be considered true or false, and, since attitudes are not intrinsic value-properties (as nonnaturalism asserts), there can be no such thing as a body of moral knowledge.

More recently, noncognitivism itself has come into question from a variety of directions. Philippa Foot has claimed that when one examines how one actually uses prescriptive statements, no "logical gap" exists between one's observation of facts and one's moral evaluation of them. Also, Mortimer Adler has proposed his own form of cognitivism by distinguishing between "natural desires" (which he calls "needs") and "acquired desires" (called "wants"). Since what one needs is by definition good for one, and since one cannot do the opposite and not desire what one needs, one may thus construct an imperative that is self-evidently true. Having done this, one

may then observe specific actions and measure them empirically according to one's established norm—a process that allows prescriptive statements to be verifiable and to form a body of knowledge after all.

*Robert C. Davis*

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SEE ALSO: Cognitivism; Hume, David; Intuitionist ethics; Kantian ethics; Moore, G. E.; Naturalistic fallacy; Prescriptivism.

## **Islamic ethics**

**DEFINITION:** Ethics of the monotheistic religion that is the dominant faith in the Middle East and the religion of more than one billion adherents worldwide

**DATE:** Founded in seventh century C.E.

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Islam unites the spiritual and temporal, setting forth the ethical and moral principles that have become the precepts by which the world's Muslims live.

The Islamic faith centers around the Qurʾān (also spelled Koran), which Muslims consider the word of Allah as revealed in the seventh century to Muḥammad, an affluent seventh century Arabian merchant who become the religion's founder and only prophet,

through the archangel Gabriel. Muslims consider the ethical and behavioral precepts set forth in the Qurʾān to be the word of God (Allah) and, therefore, to be infallible.

Muslims are also guided by the Sunna and the *Ḥadīth*, collections of precepts and acts attributed to the Prophet Muḥammad and gathered after his death in 632 C.E. Based on oral traditions, the *Ḥadīth* and the Sunna provide temporal and spiritual guidance. They differ from the Qurʾān in being attributed to the Prophet, rather than to Allah, so they are not considered infallible and are subject to interpretation.

### THE SPIRITUAL AND THE TEMPORAL

Muslims view life as a mere moment along the unimaginably long line of infinite time. Earthly existence is a prelude to life in the hereafter, the quality of which will be determined by the believers' adherence to the rules set forth in the Qurʾān and by their actions as dictated by this holy work. When the world comes to an end, a final judgment will occur. The obedient will be rewarded and the disobedient punished in grotesque ways. Those who die in defense of Islam are promised particularly lustrous afterlives.

The Qurʾān, quite remarkably to most non-Muslims, deals with such mundane matters as proper methods of cooking, bathing, brushing one's teeth, and defecating. However, while details of the temporal and corporeal aspects of everyday life are of great importance to Muslims, their importance never overshadows that of the spiritual.

The ethical codes of Islamic communities are clearly articulated. Most acts of Muslims fall into three categories: the morally acceptable, the morally neutral, and the morally unacceptable. Acts specifically forbidden by the Qurʾān include murder, cheating, sexual offenses, gambling, drinking liquor, and eating pork. All these prohibitions touch more on the temporal than on the spiritual. Infractions of these codes, such as theft, are severely punished on the second offense. While thieves may be lashed or incarcerated for their first offenses, the penalty they face for second offenses is having their right hands chopped off. Such penalties are rarely imposed in the most secular modern Islamic nations, such as Turkey, but in more traditional nations, they are practiced.

Followers of Islam need not shun earthly pleasures. However, they are commanded not to violate the moral and ethical codes necessary for their com-

munities to function smoothly. Polygamy is accepted by Islam, but adultery and homosexuality are not. Both offenses were still punishable by death in a number of Islamic countries in the early twenty-first century.

### FIVE PILLARS OF ISLAM

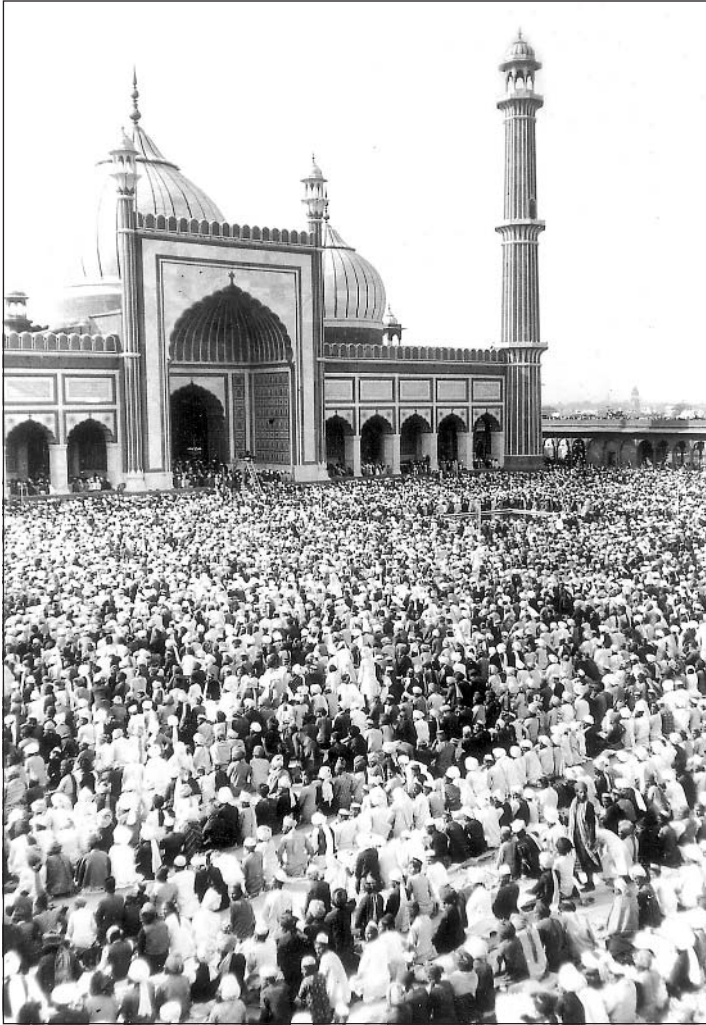
Islam is based upon five underlying precepts known as "pillars." The first and most important pillar is *shahadah*, accepting Allah as the one true god and Muḥammad as his Prophet. Indeed, the Arabic word *muslim* means one who submits. Unquestioning submission to the word of Allah and the precepts of Muḥammad are fundamental to accepting Islam.

The second pillar, *salah*, is closely tied to submission. It requires Muslims to pray five times at prescribed hours every day, prostrating themselves on prayer mats, with their heads bowed, and, facing toward the holy city of Mecca while praying. After praying, believers are to rise with their hands cupped behind their ears so that they might better hear the words of Allah. The washing of the head, forearms, hands, and feet frequently accompanies *salah* when it takes place within a mosque—a building devoted to Islamic worship.

Westerners may question the ethics of requiring such unquestioning adherence to any religious philosophy, but Islam demands total submission. In Muslim communities, a *muezzin*, or holy man, summons people to prayer, beginning in the early morning and continuing through the day until the final call to prayer at bedtime.

The third pillar is *zakah*, the giving of alms, initially a tax determined by Muslim communities based on specific assets. These alms were originally used to aid the poor, to help travelers and converts to Islam, and to buy freedom for slaves. In addition to *zakah*, Muslims practice *sadaqah*, or voluntary contribution. Islam has no moral strictures against the accumulation of wealth, but it both encourages and mandates sharing wealth with the less fortunate. The overlap between religion and politics is evident in this precept. Muslims are expected ethically to care about fellow human beings. The ethical question is not one of whether accumulating wealth is acceptable but how the wealth that is accumulated can best be used.

The fourth pillar of Islam is *sawm*, or fasting during the daylight hours through the entire month of Ramadan. Ritual fasting is viewed as an act of spiri-



Muslims gather for prayers before a mosque in India. Although India is a predominantly Hindu nation, it has more than 100 million Muslim citizens, who make it one of the largest Muslim nations in the world. (Library of Congress)

tual cleansing as well as an act of submission to the will of Allah. Some Muslim countries punish and even imprison people who do not observe *salah* and *sawm*, although strict interpretations of these precepts are less vigorously enforced in modern Islamic countries, largely because they pose ethical and legal questions about the interrelationship between religion and government. In some Muslim contexts, however, strict enforcement prevails.

Finally, there is the precept of the *hajj*, or the pilgrimage of Muslims to Mecca, the city in which

Muhammad received his revelations from Allah. All Muslims, with exception of those with severe disabilities, are expected to visit Mecca at least once during their lifetimes.

One might question the ethical validity of imposing these precepts and the strict set of rules that characterize Islam upon the diverse populations that accept the faith. The justification for this is the acceptance of the one underlying precept that colors significantly all the others: *shahadah*. After accepting this precept, no Muslim has a defensible justification for failing to yield to the will of Allah and for accepting the faith unconditionally.

#### ECONOMICS AND USURY

Muslims are not discouraged from engaging in profitable enterprises and from becoming rich. Muhammad, after all, was a rich merchant. Indeed, the richer that individual Muslims become, the more the Islamic community benefits from their affluence, collecting *zakah* to be put to fruitful uses. Islam considers the desire to make money a God-given desire, not unlike sexual desire, which is also, in Islamic eyes, God-given. However, Islam imposes implacable ethical codes upon either form of desire. Just as sexual desire must be controlled and not used to the detriment or exploitation of anyone, so is material desire expected to result in ethical acts such as charitable giving.

The one economic practice to which Islam is most stalwartly opposed on ethical grounds is usury—the lending of money at high rates of interest. The Qurʾān and the other holy books of Islam strictly prohibit usury. Before the rise of Islam in Arabia, it was not uncommon for Arabs to lend money at exorbitant rates of interest. If borrowers defaulted on loans, the amount of money or goods owed was doubled. These draconian lending practices led to the total economic destruction of many borrowers. Such practices are completely opposed to the ethical strictures of Islam.

## WOMEN AND ISLAM

When Islam was established, the status of women in Arabia was low. Women were considered objects, mere chattels whose main purpose, beyond child bearing, was to serve the pleasure of men. Women had few rights, little protection, and virtually no independence. Under Islam, this situation changed. Muḥammad outlawed the casual, uncommitted relationships that were common between men and women at that time, replacing them with laws that articulated rules for both the polygamous marriages that Islam countenances and for divorce.

Although it may not seem so to modern Westerners, Muḥammad's codification of male-female relationships represented a major step forward for seventh century Arabian women, whose unethical treatment and vulnerability to moral violations such as rape and incest was inimical to Islamic ethics. Muḥammad decreed that women could own property and be able to inherit. These changes accorded women a previously unheard-of legal status. Ethically, women, who existed at the pleasure of men and who had been inconsequential members of society, were now accorded their rights as humans, even though they did not share equal social status with men.

Muslim women were governed by stringent rules of conduct and could be punished severely for transgressions, especially for sexual indiscretions. Those found guilty of adultery could be stoned to death, as often happened. Even at the beginning of the twenty-first century, women were still punished in this fashion in parts of Africa and in Saudi Arabia.

The *Ḥadīth* require women to dress in loose clothing that masks their bodily contours. Muslim women in many Islamic societies are required to wear a *burqu'*, a floor-length head piece that covers the entire female body, with only a slit left open for the eyes. In Iran and other Islamic countries, women have been severely punished for not wearing the *burqu'* or for not covering their bodies sufficiently. Islamic women in many countries, however, have begun voicing serious objections to Islamic dress codes.

The prescriptions and proscriptions of the Qur'ān are designed to assure morality in Islamic societies, often by removing temptation. Men and women cannot intermingle freely in public. Men worship in the mosque, whereas women usually worship at home. If women are occasionally admitted into the mosque, they worship in rooms apart from those used by men.

In more developed Islamic countries, women are encouraged to seek higher education and to enter the professions. Coeducational facilities, however, do not exist. Islamic women are encouraged to study medicine because in most Islamic countries male physicians are legally forbidden to treat female patients. One may question the ethics of withholding from one gender the professional services of someone of another gender, but Muslims adhere strictly to the separation of the sexes.

## JIHAD

After the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001, many Westerners became concerned with the Islamic notion of jihad, which is usually translated "holy war." However, attacks such as those, which were planned and executed by radical Islamic fundamentalists, have not been sanctioned by more centrist groups of Muslims.

A literal translation of the Arabic term *jihad* actually means something similar to "making an effort on the pathway of God." Most Muslims regard jihad as the efforts of individuals to act in ways that exemplify the demands of holy laws as they are outlined in Islam's holy books. Muslims strive through jihad to achieve ethical perfection on an individual basis. According to the precepts of Islam, an offensive jihad can be led only by someone on a level with Muḥammad, and most Muslims deny that any such person exists, although the Saudi leader of al-Qaeda, Osama bin Laden, apparently regarded himself as qualified to meet that mandate. Lacking a leader of Muḥammad's stature, Islam can engage only in a defensive jihad without violating the ethical precepts of the religion.

From time to time, some Islamic rulers have called their wars jihad, focusing their hostilities on people they identify as nonbelievers. Such leaders have generally represented the fringe elements of Islam and have been shunned by the vast central core of Muslims.

*R. Baird Shuman*

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## Isolationism

**DEFINITION:** Foreign policy or attitude toward foreign affairs designed to maximize a nation's autonomy and minimize obligations or entanglements by abstaining as much as possible from alliances and other international relations

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** On a theoretical level, isolationism raises the question of the extent to which the well-being of people in other nations, including those suffering from human rights abuses or unjust wars, should be the concern of a given government. On a practical level, it may be unclear whether the effect of isolationism is to benefit or to harm a nation's own citizenry.

Taken together with such major concepts as neutrality and the Monroe Doctrine and such lesser ones as nonintervention, recognition of de facto governments, and equality of trade opportunity, isolationism was one element of a larger policy of U.S. independence on the international stage. George Washington's declaration of as "little political connections as possible" and Thomas Jefferson's admonition of "no entangling alliances" did not preclude a different course from being adopted when the United

States reached maturity. George Washington's Farewell Address constituted a foreign policy of independence, not one of isolationism. His primary concern was to keep the operations of the government immune from foreign intrigue and the decisions of the people free from alien domination.

*Bill Manikas*

SEE ALSO: Jefferson, Thomas; Manifest destiny; Monroe Doctrine; Sovereignty.

## Israeli-Palestinian conflict

**IDENTIFICATION:** Long-standing dispute about the right to occupy a small piece of land in the Middle East

**DATE:** First armed conflict began in 1948

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** After the founding of the state of Israel in 1948, the Israelis fought against Palestinians and neighboring Arab nations in five bloody and destructive wars. During the early twenty-first century, the ongoing conflict still presented a major threat to international peace.

After Palestine's Jewish people rebelled against Roman imperial rule in 70 C.E., most of them were forcibly expelled from their homes in the province of Judea, which was part of Palestine. Throughout the ensuing centuries, Jews dreamed of one day returning to the original homeland of their ancestors, which they called Zion. By the eighth century, however, Arabic-speaking Muslims were firmly entrenched throughout the entire region. In the late nineteenth century, Jews of Central and Eastern Europe, faced with growing European anti-Semitism, organized the Zionist movement, which called on Jews everywhere to return to Palestine. Most Zionists were idealists who believed that the then sparsely settled region had enough room for both Jews and Arabs to live together in peace.

### THE FOUNDING OF MODERN ISRAEL

During the early decades of the twentieth century, waves of Jewish immigrants flowed into Israel. Arabs living in the area were alarmed to see them arrive, and periodically members of the two groups





fought each other. After World War II, revelations about the Jewish Holocaust in Europe produced great support for Zionism among Western Europeans and Americans. In November, 1947, a special commission of the United Nations (U.N.) called for the creation of separate Jewish and Arab states and proposed an international status for Jerusalem, with free access to persons of all religions. Jewish settlers at that time were willing to accept the borders proposed by the commission, but virtually all the Arabs in the Middle East adamantly opposed the notion of creating a Jewish state.

On May 14, 1948, Jewish leaders in Palestine declared the establishment of the independent state of

Israel. The declaration referred to the spiritual connection between the Jewish people and the land of Israel and provided a framework for a democratic system of government. It also promised religious freedom for members of all minority groups, called for peaceful relations with neighboring Arab countries, and recognized the right of all Jews to settle in Israel. Both the United States and the Soviet Union gave quick diplomatic recognition to the new state.

Meanwhile, Israel's Arab neighbors—Jordan, Egypt, Syria, Lebanon, and Iraq—quickly declared war and invaded Israel. The bitter fighting of this first Arab-Israeli war resulted in many thousands of deaths, including massacres such as one at Deir

Yassin. However, Israel prevailed and annexed one-third more land than had been provided for in the original U.N. partition plan. Truce agreements were finally signed in early 1949, but the Arab states still refused to recognize Israel's right to exist. Continued animosities later led to the Suez War of 1956, the Six-Day War of 1967, the Yom Kippur War of 1973, and Israel's invasion of Lebanon in 1982.

#### **MORAL CLAIMS TO THE LAND**

Israelis have cited several arguments to justify their right to live in Israel. Many conservative Jews base their claims on the Bible, which explicitly says that God has allocated the Promised Land to the Hebrew people, that is, the Jews. Liberal Jews, in contrast, have argued that they have purchased most of Israel's land, and that they will provide additional compensation for land to displaced Palestinians once a final settlement is made. Most Israelis further con-

tend that there are many Arab countries in which the Palestinians might live, but only one place in the world reserved for Jews.

Arab-speaking Palestinians believe that the state of Israel is founded on unjust aggression. They argue that their ancestors were living and working in Palestine for more than a thousand years, until Jewish invaders forcibly took over. They demand, moreover, the return of their land and homes, not monetary compensation. Many of them compare Zionists to the Christian crusaders of the Middle Ages, who were eventually expelled from Palestine.

One of the most controversial issues relates to why more than a half-million Palestinians became refugees in 1948-1949. The Israelis deny Palestinian assertions that the refugees were forced out of Israel. Rather, they argue that the refugees left of their own accord in order to make it easier for Israel's Arab enemies to kill Jews within Israel. Regardless of which

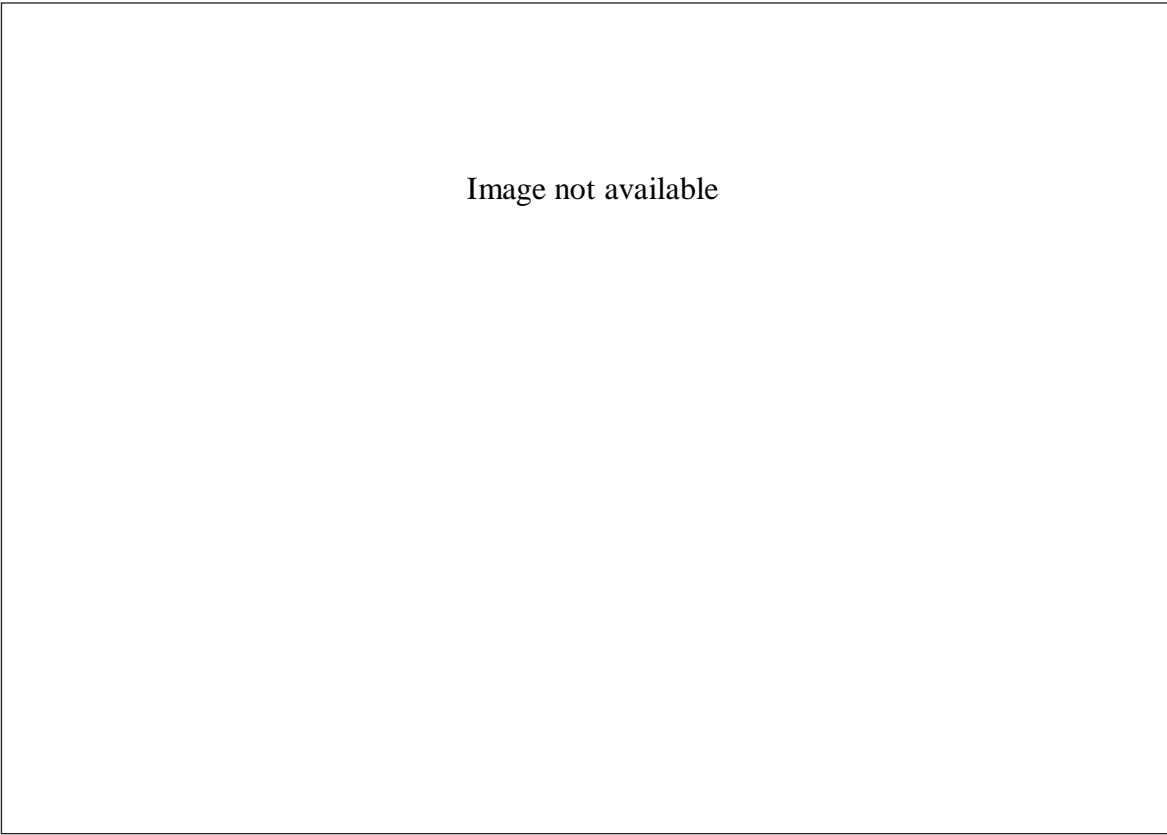


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*Masked Palestinians in the militant Islamic Jihad demonstrate in the Gaza Strip in early January, 2004, to protest the Israeli government's killing of their top commander a week earlier. (AP/Wide World Photos)*

claims are true, by the end of the twentieth century, the number of Palestinian refugees had grown to about four million. Large numbers of them have been living in squalid camps, and many have joined extremist groups that advocate violence, including terrorism against civilians, as a means of repossessing their homeland.

### THE DIFFICULT QUEST FOR PEACE

Scholars of the Israeli-Palestinian conflict generally agree that peace can be achieved only if both sides make painful concessions. While seeking a solution to the conflict in 1967, the U.N. Security Council passed Resolution 242, which called for Arab recognition of Israel's right to exist in exchange for Israel's withdrawal from territories occupied during the Six-Day War. The basic idea was described as "land for peace." The two antagonists, however, disagreed about whether the resolution meant "all" or "some" of the occupied land. Each side blamed the other for intransigence.

After 1967, moments of hopeful concessions were typically followed by periods of intensified violence. In the Camp David Accords of 1979, Egypt recognized Israel, while the latter promised eventually to accept limited autonomy for the Palestinians in the West Bank and Gaza regions. However, the Palestine Liberation Organization (PLO) continued to call for Israel's destruction, and Israel constructed increasing numbers of Jewish settlements in the West Bank. Hope reappeared when the Israeli government and the PLO in 1993 made secret agreements in Oslo, Norway, that envisioned peaceful coexistence and a gradual transition to an elected Palestinian government with authority over most of the West Bank and Gaza.

Extremists on both sides prevented full implementation of the Oslo agreements. Palestinian

groups, such as Hamas, began sponsoring a series of suicide bombers, who blew up crowded buses and stores. The Israeli government responded by destroying homes and assassinating radical leaders. In 2000, Israelis elected as prime minister Ariel Sharon, a former military commander with strong Zionist convictions. The Palestinian government demanded an end to new settlements, while Sharon refused to make any concessions until all acts of terrorism ended. Meanwhile, growing unemployment and despair encouraged angry young Palestinians to volunteer for suicide missions.

*Thomas Tandy Lewis*

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SEE ALSO: Anti-Semitism; Holocaust; Iraq; Islamic ethics; Jewish ethics; Jihad; Religion and violence; Zionism.

# J

## Jackson, Jesse

**IDENTIFICATION:** African American cleric and civil rights leader

**BORN:** October 8, 1941, Greenville, South Carolina

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** A prominent civil rights spokesman and director of an organization dedicated to creating job opportunities, Jackson ran for president of the United States in 1984 and 1988, when he created controversies over racial and religious remarks that he made.

Jesse Jackson grew up in South Carolina during the era of rigid racial segregation. Because of his bitter experiences with racism and discrimination, he joined the Civil Rights movement and rose to become an assistant to Martin Luther King, Jr., in the Southern Christian Leadership Conference. The Civil Rights movement had a moral and ethical basis because of the historical mistreatment of southern blacks. After King's assassination in 1968, Jackson founded Operation PUSH, a Chicago-based organization whose goal was self-help and economic development. As a Christian minister, Jackson stressed moral values and often advocated boycotting businesses that engaged in discriminatory hiring and promoting practices. He regarded these matters as ethical issues, especially since employers practiced racial discrimination but wanted African American business.

In 1984 Jackson ran in the Democratic primaries for president of the United States. His appeal crossed racial lines and had a populist ring to it, reaching out to farmers, union workers, the working class, and the dispossessed in addition to the middle class. However, he created controversy for himself with remarks he made confidentially to a reporter, when he alluded to Jews as "Hymies" and

New York City as "Hymietown." The reporter published the remarks in his newspaper the next day. As a minister, Jackson came under severe criticism for ethical misconduct in making the statements and his failure to apologize immediately. His critics also wanted him to renounce Nation of Islam leader Louis Farrakhan, an ardent but controversial supporter of Jackson's presidential bid. Farrakhan himself called Judaism a "gutter religion." Jackson then faced an ethical dilemma because Farrakhan had provided personal protection for him during his 1984 political

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*Jesse Jackson marches in a June, 2003, demonstration intended to discourage the Federal Communications Commission from relaxing restrictions on media ownership. (AP/Wide World Photos)*

campaign. When Jackson ran for president again in the 1988 Democratic primaries, he hired a Jew as his campaign manager, blunting criticisms that he was anti-Semitic.

In January, 2001, Jackson's morals and ethics were again tested after it was publicly revealed that he had fathered a baby out of wedlock and outside his marriage. This revelation appears to have done irreparable damage to his reputation as a Christian minister. Nevertheless, he continued to lead Operation PUSH after a vote of confidence from the board of directors, and he remained active in Chicago politics.

*Mfanya D. Tryman*

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SEE ALSO: Adultery; Anti-Semitism; Apologizing for past wrongs; Boycotts; Civil Rights movement; Farrakhan, Louis; King, Martin Luther, Jr.; Nation of Islam; Song lyrics.

## Jain ethics

**DEFINITION:** Religious tradition indigenous to India focusing on mystical insight leading to spiritual liberation and total nonviolence

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The central Jain principle of *ahimsā*, or nonviolence, became important to a number of later philosophies, among them Mohandas K.

Gandhi's philosophy of nonviolent political action.

The Jains constitute less than 1 percent of the population of modern India, but their modern and historical importance in the country far exceeds their numbers. The founder of the Jain faith, Vardhamānū Mahāvīra (called the *Jina*, or "conqueror") lived in what is now Bihar in north central India. He was roughly contemporaneous with the Buddha (both lived in the sixth century B.C.E.), and Jainism and Buddhism have many similarities. Central to Jainism is the principle of *ahimsā*, or nonviolence, which might be considered its primary contribution to ethics.

#### HISTORY AND CHARACTER OF JAINISM

It is probable that Jainism was a continuation of ancient aboriginal traditions of north-central India rather than a radical innovation of its "founder," Mahāvīra. The Jina himself is known as the twenty-fourth *tīrthaṅkara*, or "ford-maker" (that is, builder of a bridge between the mundane world and the world of the spirit). He was, however, responsible for organizing the Jaina saṅgha (community), which was notable for its inclusion of both men and women and its refusal to accept caste distinctions. Although Jainism was never a missionary religion per se, it spread from its homeland in Bihar along the trade routes and eventually acquired powerful converts such as the emperor Chandragupta Maurya.

Like Buddhism, Jainism was in some measure a populist response to the elite character of Vedic religion. It was preached not in Sanskrit, which few could understand, but in *prakrits*, or local dialects. Education, which was restricted to the few in Vedicism, was encouraged as a key antidote to the suffering caused by ignorance. Jains were therefore from the beginning a highly literate community, which they remain today.

In 79 C.E., the Jaina community split into two main sects, the *Digambara* ("sky-clad," or naked) and the *śvetāmbara* ("white-clad"). As well as differing in dress, the two groups differ in their definition of the Jaina canon, which is, given this tradition's emphasis on literacy, an extensive one. They also differ in the disciplines and austerities that they recommend; the *Digambara* is the more rigorous sect.

The Jaina conception of the universe basically emphasizes change rather than stasis and rejects the



personified deities of Vedicism (the system of faith ancestral to modern Hinduism). The central theological component of the Jaina system is the *jīva*, which can be roughly translated as “soul.” *Jīvas* are immortal, but they become entangled in worldly attachments that must be shed in order for them to escape the cycle of rebirth and attain *mokṣa* (“liberation”).

The attainment of liberation is a difficult task that is pursued most diligently by Jaina monks and nuns, who strive to be *nirgrantha*, or “free from bonds.” Abandonment of all property is the first prerequisite, accompanied by the taking of vows. During parts of the year, monks wander from place to place, begging for their food, meditating, and studying. Along with abstaining from causing injury to any life-form, monks and nuns commit to a life of chastity, honesty, and service. These are also the ideals to which laypersons of the Jaina community aspire.

#### JAINISM AS A WAY OF LIFE

All Jains try to cultivate the “three jewels” of “right faith,” “right knowledge,” and “right conduct.” Among the elements of Jainism most characteristic of the Jaina lifestyle is the principle of *ahiṃsā* (nonviolence). This is translated in everyday life into total vegetarianism, a dietary habit shared by other communities in India such as those of the high-caste Hindus and Buddhists. In addition to vegetarianism, however, the Jains’ characteristic concern for the protection of all life-forms is expressed in their support for veterinary hospitals, animal shelters, and means of livelihood that do not injure life. The Jaina community in India, which is unequivocally pacifistic in terms of military matters, influenced Mohandas K. Gandhi to develop his famous methods of nonviolent noncooperation.

*Ahiṃsā* as a principle stems from the notion that all life-forms contain *jīvas*, or souls, which are striving for liberation in their own unique ways. The path of an ant or a cow, for example, is different from the path of a human but equally valuable. This basically relativistic stance is expressed in such Jaina traditions as the use of brooms to sweep the path as one walks (to avoid stepping on small life-forms) and covering one’s mouth with a cloth (to avoid inhaling insects). Because of *ahiṃsā*, agricultural occupations are essentially closed to Jains, involving as they do turning the earth, which may kill worms and other creatures dwelling in the soil. The ultimate aim of the

Jains is to live lightly on the earth, doing as little harm as possible.

Jain communities are generally quite well-to-do and support temples that are among the finest monuments of the subcontinent. Their iconography concerns key figures from the history of the Jaina tradition and various mystic symbols and designs. There are no deities in the Hindu sense, but ritual offerings are made at various Jaina sites.

Twenty-first century Jains are found primarily in the states of Gujarat and Rajasthan in western India, where they tend to live in urban environments. Despite their small numbers, they are prominent in education, the media, business, and the professions.

*Cynthia Keppley Mahmood*

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SEE ALSO: *Ahiṃsā*; Buddhist ethics; Hindu ethics; Karma; Nirvana; Vardhamāna.

## James, William

IDENTIFICATION: American philosopher

BORN: January 11, 1842, New York, New York

DIED: August 26, 1910, Chocorua, New Hampshire

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The most famous American pragmatist, James put forward an ethics founded upon humanity’s freedom of choice. His most important works include *The Principles of Psychology* (1890), *The Varieties of Religious Experience: A Study in Human Nature* (1902), *Pragmatism: A New Name for Some Old Ways of Thinking* (1907), and *A Pluralistic Universe* (1909).

From 1873 to 1907, William James taught anatomy and physiology, psychology, and then philosophy at Harvard University. The first distinguished American psychologist, he won international recognition for his philosophy of “pragmatism” and “pluralism.” James believed that ethics rests on the free choice to be moral; that is, to see life as better lived within a moral framework. That conviction, of course, can never be proved or refuted by factual evidence. Even so, the choice empowers a person to make specific ethical decisions, in defense of which a person may gather reasons. Since each person is free to make choices, a moral philosophy must be constructed from the study of widespread ethical choices.

James thought that over the course of time, certain ethical principles had taken precedence over others. These principles could be used to construct a unified moral system. Although not appealing directly to Christian (or, more broadly, religious) teachings, James nevertheless made room for explicitly religious systems. On an individual level, James thought that ethics consisted of adjudicating the conflict between duty and inclination. His solution was that individuals should perform the duties that led to a more becoming life or made life worth living.

*Paul L. Redditt*

SEE ALSO: Conversion of one’s system of beliefs; Determinism and freedom; Duty; *Human Nature and Conduct*; Morality; Peirce, Charles Sanders; Perry, R. B.; Pluralism; Pragmatism; Royce, Josiah.

## Japanese American internment

**THE EVENT:** Involuntary relocation of Japanese Americans and Japanese residents of the western United States to internment camps during World War II

**DATE:** 1942-1946

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Japanese Americans were interned en masse in concentration camp-style relocation centers, based strictly on their national origin without due process of law. Although upheld as legal by the U.S. Supreme Court, this wartime practice has since been the subject of extended moral debate and national embarrassment.

On December 7, 1941, the Japanese Empire made a surprise attack on the United States naval base at Pearl Harbor in Hawaii. This action led to a declaration of war by the United States against Japan the next day.

Before 1941, an anti-Orientalist movement existed on the West Coast of the United States. The attack on Pearl Harbor intensified this regional animosity and provided an opportunity to rid the region of this unwanted race. Suspicion ran high against the Japanese living in the United States. Many leaders were arrested, and many others endured personal attacks and violence. Both American-born (Nisei) and Japanese-born (Issei) people of Japanese descent were considered threats simply because of their national origin.

### EXECUTIVE ORDER 9066

The California Joint Immigration Committee; the U.S. Army, represented by General John L. DeWitt; the Pacific congressional delegation; and other anti-Japanese organizations recommended that President Franklin D. Roosevelt evacuate the Japanese population. On February 19, 1942, Roosevelt responded with Executive Order 9066, which authorized the secretary of war, or any military commander designated by him, to establish military areas and exclude therefrom any and all persons. DeWitt, commander of the Western Defense Command, became the person responsible for the evacuation under the executive order. This was unfortunate because he was extremely prejudiced against the Japanese.

On March 2, 1942, DeWitt issued Public Proclamation Number One, which defined the West Coast exclusion zone. The western halves of Washington, Oregon, and California became Military Area Number One. All persons of Japanese ancestry living in that area would be relocated in the interest of military necessity. This left opponents of mass evacuation defenseless and brought no opposition from public or civilian leaders, who were forced to accept military authority. It also afforded those of Japanese ancestry a brief period of voluntary relocation. Only a few thousand took this opportunity to move, and they were faced with anti-Japanese feelings wherever they went.

The Wartime Civilian Control Authority (WCCA), a military organization, and the War Relocation Authority (WRA), a civilian agency created by executive order on March 18, 1942, were established to aid



*Members of a Japanese American family sharing a barracks room at the Granada relocation center in southeastern Colorado. (National Archives)*

in the movement of the evacuees. The WRA had the authority to provide for the relocation of evacuees in appropriate places and to provide for their needs and activities. Milton S. Eisenhower was the WRA's director for the first three months. Both he and his successor, Dillon S. Myer, attempted to find a just way to relocate the Japanese Americans, which won them gratitude from that community. Millions of dollars in property and belongings were lost, however, by the Japanese Americans who were forced to relocate.

After the failure of the voluntary relocation, Eisenhower realized that some form of detention on federally managed, army-guarded land was necessary. In making the decision on internment, the WRA faced the constitutional question of whether it had the legal authority to detain American citizens without bringing charges against them. The Fifth Amendment to the Constitution guaranteed every citizen the rights of life, liberty, and property with due process

of law. The WRA thought, however, that it was justified in forgoing this amendment during wartime as a necessity for national security. The court system supported the relocation argument by virtue of the words "war necessity." Although the United States was at war with Italy and Germany, only a few people of these nationalities were detained.

By late May, 1942, almost 112,000 Japanese Americans were in assembly centers. They were forced from their homes with only what they could carry with them. Assembly centers were hastily set up at fairgrounds, racetracks, and stadiums with barbed wire placed around them. The evacuees spent between six weeks and six months at these temporary centers, until the relocation camps were completed.

#### **RELOCATION CENTERS**

A total of 117,116 people were evacuated to assembly or relocation centers or came under some

phase of the evacuation program between March 2 and October 31 of 1942. This included 151 persons transferred from the Territory of Alaska to the custody of the WCCA and 504 babies who were born to mothers in assembly areas. Another 1,875 persons were sent from the Territory of Hawaii—1,118 to relocation centers and 757 to Justice Department internment camps. More than 70,000 were American citizens.

Life in the relocation centers was difficult at first. Many families were crowded into hastily erected barracks; living conditions were poor, and supplies were short. After the relocation authorities finally had the logistics worked out, conditions gradually improved. During 1943 and 1944, violence broke out and demonstrations were conducted in the camps to protest the treatment of the internees.

Early in 1943, the situation regarding the Japanese Americans lightened somewhat. Secretary of War Henry L. Stimson announced plans to form a Japanese American combat team made up of Nisei volunteers from the mainland and Hawaii. This unit served with distinction throughout the war. Director Myer wrote a letter to Stimson asking for an immediate relaxation in the West Coast Exclusion Zone, but Stimson rejected it. On March 20, 1943, Myer took the first step in decentralizing the relocation program by authorizing project directors to issue leave permits in cases in which leave clearance had previously been granted by the Washington office.

Finally, on December 17, 1944, the War Department announced the revocation of the West Coast mass exclusion orders of 1942, and the next day Myer announced that all relocation centers would be closed by June 30, 1946. On March 20, 1946, Tule Lake Segregation Center, the last of the WRA centers, was officially closed.

After the war, the government permitted the internees to file claims for losses during internment. The ceilings were low in relationship to the property losses and certainly did not cover the personal humiliation and suffering endured by the internees. In October, 1990, after many years of debate, U.S. Attorney General Dick Thornburgh presented the first reparation checks of \$20,000 to those interned during World War II. The government finally admitted that it had been wrong.

Larry N. Sypolt

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SEE ALSO: American Civil Liberties Union; Apologizing for past wrongs; Bigotry; Concentration camps; Hiroshima and Nagasaki bombings; Loyalty; Military ethics; Reparations for past social wrongs.

## Jealousy

**DEFINITION:** Hostility toward rivalry or unfaithfulness and the predisposition to suspect rivalry or unfaithfulness; envy.

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Jealousy is often judged on aesthetic rather than explicitly moral grounds: It is deemed to be an unattractive emotion as much as or more than a strictly sinful one.

Jealousy begins at about the age of two and develops rapidly during the preschool years. An early form of jealousy is sibling rivalry, which consists of feelings of resentment toward a brother or sister. Sibling rivalry is typical between brothers and sisters in a family.

Sibling rivalry is typically higher in cases of same-sex siblings than in cases of opposite-sex siblings. It is also typically higher in cases of smaller age



differences; that is, sibling rivalry occurs more between siblings that are less than two years apart than it does between siblings that are more than three years apart. In the former case, the closeness in age probably heightens competition; siblings may prefer the same friends, the same toys, and the same activities. Sibling rivalry is also higher when the siblings have the same interests, and lower when they have different interests. In other words, sibling rivalry may be greater when two sisters are strongly inclined toward mathematics than when one is inclined toward mathematics and the other toward literature. Some sibling rivalry is typical in families, and it often is the first type of jealousy the child experiences.

Jealous feelings are typically caused by insecurity, such as when parents decrease the amount of warmth and attention they give the child and increase the number of prohibitions imposed on the child. Toddlers may show evidence of jealousy by doing such things as wedging themselves between mother and father as they are hugging, hitting a brother whom the mother just kissed, or asking "When are we taking the new baby back to the hospital?" These actions and comments reflect the small child's jealousy.

Parents can minimize the sting of jealousy and sibling rivalry by taking some specific steps. First, they can introduce firstborns early to their new role as "big sister" or "big brother." Telling the child beforehand that a new brother or sister is coming and involving the child in the pregnancy will lessen the impact of sibling rivalry. Second, parents can encourage and reward firstborns for helping in the care of the new baby. Although close supervision is necessary, even young children can be involved in the care of an infant. Third, parents can diminish jealousy and sibling rivalry by discussing the new baby as a person. Examples of helpful comments to a first child are, "She likes her bath, doesn't she?" and, "Look, he's calling you." Fourth, parents can diminish sibling rivalry and jealousy, and foster better relationships between siblings, by refraining from comparing children and, instead, recognizing and valuing each child as an individual. Thus, though some sibling rivalry may be inevitable, it can be increased or decreased by how parents handle the situation.

A later form of jealousy is sexual jealousy, which can occur in a marriage or a sexual relationship, chipping away at the foundations of trust and love that

hold the two people together. In relationships in which jealousy occurs, it is sometimes extremely difficult to resolve the problem, because explanations are turned away as untrue and even exacerbate the jealousy.

### MONOGAMY AND JEALOUSY

In the United States, the single greatest reason for sexual jealousy is the commonly held standard of sexual exclusivity in monogamous relationships. Most jealousy centers on the belief that the other person is sexually interested in or involved with another person. Typically, one partner plays the role of the jealous one and the other plays the role of the accused.

Other forms of jealousy are nonsexual. Generally, when anything threatens to weaken the relationship bond, jealousy can occur. The result is often possessiveness, which can be either reassuring or suffocating. Feelings of jealousy make a relationship less rewarding and lower the individual's self-esteem.

Jealousy in a relationship can result in several different scenarios. In some cases, the jealousy becomes pervasive, and adults wind up fighting in all related and tangential areas. In other cases, the jealousy represents a more deeply embedded conflict: The partners are in effect denying the deeper conflict by emphasizing the jealousy. In still other cases, the jealousy may play a positive role in the relationship, serving to bring the partners closer together. The beneficial effects, however, are often short-lived.

Adults sometimes act to maximize jealousy in a relationship. They may play intentional games that are aimed at increasing their partners' jealousy. Their hidden agenda in this situation may be to increase their own feelings of security by causing their partners to feel less secure. When surveyed, about 54 percent of adults describe themselves as jealous. Highly jealous people are frequently dependent. They may also harbor feelings of inadequacy and be concerned about sexual exclusiveness.

Jealousy has been successfully treated with systematic desensitization, a technique that involves encouraging the person to relax deeply and then introducing scenarios that are slightly jealousy-provoking. Then, as the person becomes adept at relaxing in these situations, additional scenarios are introduced that are slightly more jealousy-provoking. This process continues until the person has no more



feelings of jealousy. This counter-conditioning process is based on the fact that it is impossible to be jealous and highly relaxed at the same time; the two feelings are mutually exclusive.

*Lillian M. Range*

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SEE ALSO: Envy; Passions and emotions; Psychology; Sexuality and sexual ethics.

## **Jefferson, Thomas**

**IDENTIFICATION:** American philosopher and politician

**BORN:** April 13, 1743, Shadwell, Goochland (now Albemarle) County, Virginia

**DIED:** July 4, 1826, Monticello, Albemarle County, Virginia

**TYPE OF ETHICS:** Enlightenment history

**SIGNIFICANCE:** One of the Founders of the United States, Jefferson served as the nation's third president, wrote the Declaration of Independence, founded the University of Virginia, and worked both publicly and privately to increase and ensure civil rights, public education, religious liberty, and democratic government.

The oldest son of Peter Jefferson and Jane Randolph, Thomas Jefferson was born on the frontier of Vir-

ginia. He studied at the College of William and Mary and was admitted to the Virginia Bar, but he chose not to practice law. He inherited approximately 10,000 acres of land, which freed him from having to earn a living. Jefferson served as a Virginia legislator, delegate to the Continental Congress, author of the Declaration of Independence, governor of Virginia, and commissioner to France.

While governor, Jefferson championed freedom of religion and conscience, state-supported public education, and gradual emancipation. He suggested the principles, including the subsidization of public education and the prohibition of slavery, for the Northwest Ordinance, which organized the Northwest Territory. Upon Jefferson's return from France in 1789, George Washington appointed him secretary of state. Jefferson left the Washington administration and formed the opposition Democratic Republican Party during the administration of John Adams. Jefferson was elected president of the United States in 1800 and 1804. In 1803 he purchased the Louisiana Territory. A principal problem of his administrations was the defense of neutral rights on the seas during the Napoleonic Wars. He used the policy of economic coercion in that struggle.

*Robert D. Talbott*

SEE ALSO: Church-state separation; Civil rights and liberties; Declaration of Independence; Human rights; Nature, rights of; Sedition Act of 1798.

## **Jesus Christ**

**IDENTIFICATION:** Religious teacher

**BORN:** c. 6 B.C.E., Bethlehem, Judaea (now in Palestine)

**DIED:** 30 C.E., Jerusalem (now in Israel)

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Jesus Christ was the originator of Christianity, which regards him as the son of God. He taught that love is the supreme value and that sin may be redeemed through sincere repentance.

Jesus taught ethics in the context of first century Judaism, which had both the (Old Testament) Scriptures and a long tradition of interpretation. He based

his teaching on Scripture and sometimes used basic principles of reason to refute opposing interpretations.

Jesus' method and message often clashed with those of other Jewish scholars, as when he violated the detailed commandments of their venerated tradition of scriptural interpretation in order to keep the spirit of the original scriptural commandment. For this he was condemned by many Pharisees, who were teacher-scholars. In one incident, Jesus taught that eliminating human suffering on the Sabbath did not violate the spirit of the command that Israel rest on that day (Matt. 12:10-13). He condemned those who scrupulously donated one-tenth of their property to the point of counting grains of spice yet overlooked the "weightier" matters of the law, such as justice, mercy, and faithfulness (Matt. 23:22). He also condemned as hypocritical teachers who allowed religious duty to cover violations of the spirit of the law, such as those who taught that property "dedicated" to God need not be used to care for one's parents (Mark 7:11-13).

### **JESUS' MORAL PRECEPTS**

Jesus focused on attitudes as the sources of action: From the heart come sins such as theft, murder, and envy (Mark 7:21-22). Thus, murder is wrong, but so are anger and contempt. Adultery is wrong, but so is lust (Matt. 5:22, 28).

Jesus taught that love should dominate one's inward attitudes. Insofar as all morality can be summed up, it can be reduced to the command to love God and others. To Jesus, love was a commitment to the good of another regardless of that person's attitudes or actions toward one. It should extend even to one's enemies, since God loves even those who are evil. Doing to others what one would want them to do to one (Matt. 7:12), the "golden rule," requires service to others and excludes apathy and self-centeredness. The conviction that God actively loves people in this way can give believers courage and dispel anxiety (Matt. 8:26; 6:26, 30).

Jesus showed that a leader should exemplify this loving attitude by seeking to serve, not by trying to dominate or to gain wealth or fame. More than once he reproved the apostles who sought exalted positions, and he himself washed his disciples' feet as an example of humble service (John 13:5). He regarded his very life as a sacrifice for human sin that would al-

low righteousness to be graciously attributed to those who sought forgiveness from God. Humble confession and faith in God's gracious forgiveness provide access to divine mercy for moral failure.

A person who loves others and believes that God is loving can be free from concern about personal rights. The response to a slap on the cheek, a lawsuit, or the compulsion to carry another's load can be turning the other cheek, giving up more than the plaintiff asked for, and voluntarily carrying a load an extra distance (Matt. 5:38-42). After all, life is short, and someday everyone will be confronted with the absolute rule of God.

The rule of God creates paradoxes that defy conventional moral wisdom. The meek, not the assertive, will inherit the earth (Matt. 5:5). Those who try to exalt themselves will be humbled, whereas those who humble themselves will be exalted. Those who sacrifice for the good of others will find happiness themselves.

### **JESUS' WAY OF LIFE**

Jesus motivated people with rewards, but not always the sort that would appeal to a selfish person. Those who do such things as love their enemies and lend expecting nothing in return will receive a "great reward" and will be true "sons of the Most High" (Luke 6:35). Jesus also said that people will generally give back what one gives them and more; "shaken down, pressed together, and running over" (Luke 6:38). Although this should motivate people to do good, they should be willing to "take up the cross," a symbol of complete renunciation of personal or worldly gain. The mature person acts out of pure love for others and a desire to emulate a morally pure and altruistic God.

Jesus voluntarily lived in poverty, but he did not condemn ownership. He advocated the compassionate use of private wealth: Those with means should be quick to share with those in need. Herein lies a profound difference between Jesus' teaching and various types of communism, which seek to eliminate private ownership as the solution to society's fundamental problems.

Jesus rejected insurrection as a means to effect change and was a disappointment to those who sought political or military deliverance for Israel. He did not confront the Roman methods of taxation or slavery, but in the ancient world he was radical re-

garding the treatment of women, as Paul Jewett shows in *Man as Male and Female* (1975). While living in a society that treated women little better than animals, he treated women with seriousness and dignity. He allowed them to follow his itinerant band and to serve tables, a function previously reserved for men. Domestic chores provided material for a number of parables. He confronted the double standard that allowed men but not women to divorce on a pretense; furthermore, he affirmed marriage as a lifelong commitment, breakable only in the case of serious sexual sin.

Jesus' ethics were moderate in that he advocated neither asceticism nor indulgence, neither legalism nor license. Yet he was passionate about righteousness and even chased officially sanctioned profiteers out of the Jerusalem temple with a hastily improvised scourge (John 2:15). He lived and taught devotion to God as expressed in a life of self-sacrificing love.

Brian K. Morley

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## Jewish ethics

DEFINITION: Ethical traditions and systems of religious Judaism

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Jewish ethics was the first to define morality in the context of a covenant or sacred contract that is equally binding upon both humans and God, and therefore to see God as not only the source of morality but also as a subject of moral obligation. It is founded upon an understanding of moral law as something to be interpreted and debated rather than univocally pronounced and automatically followed.

Jewish ethics is based on the premise that the Jewish people are in a covenant relationship with God. This covenant demands that society be organized and personal lives be conducted in accordance with God's revelation. As a result, Jewish ethics has generally been understood to be a matter of *imitatio Dei* and to have as its characteristic form legal discourse. Thus, Jewish ethical literature moves between two poles. On one hand, it stresses adherence to a certain life-regimen as spelled out in Jewish law (*halachah*), while on the other, it calls for the cultivation through this lifestyle of character traits, attitudes, and intentions that help the individual to be more godlike.

Although the earliest literature of Rabbinic Judaism (from the first century through the seventh century) is devoted almost exclusively to developing Jewish law, the importance of proper attitude and intention is not ignored. The late Mishnaic book *Pirque Avot* ("Chapters of the Fathers"), edited in the third century, is a collection of moral aphorisms stressing the importance of honesty and selflessness in dealing with others and the need to act responsibly in the world.

These attitudes are given more formal recognition in the Talmuds (from the fifth century through the seventh century). Made up largely of real and hypothetical case law, the Talmudic literature not only illustrates how the letter of the law is to be understood and applied but also recognizes that there is a moral duty that goes beyond what the law requires. This extra-legal duty is referred to as *lifnim mishurat hadin* ("beyond the edge of the law"). In some instances (*Baba Metzia* 30b, for example), the Babylonian Talmud seems to regard such going beyond the

call of duty to be not merely supererogation but an expectation that rests on all Jews.

### MIDDLE AGES

During the Middle Ages, Jewish ethics took three different forms: the further development of Jewish law, philosophical speculation on the nature of the moral life, and the cultivation of humility and other beneficial character traits. The first was largely a result of the practical application of received Jewish law to new situations. In this connection, rabbis from the eighth century on created a large literature devoted to identifying and understanding the principles and values that were to guide them in their legal deliberations. Despite the diversity of situations, certain common principles seem to emerge from the practical application of Rabbinic law: the overriding imperative to protect human life; the importance of avoiding even the appearance of idolatry;

and the values of sexual modesty, education, and child rearing.

Philosophical speculation on the nature of morality began in earnest among Jewish scholars with the rise of philosophical schools in the Islamic world. For the most part, Jewish philosophers from the ninth century on adopted the major philosophical principles and conclusions of Islamic scholars and applied them more or less directly to Judaism. Early writers such as Saadia Gaon in his *Book of Beliefs and Opinions* stressed that God's word as given in the Hebrew Scripture and interpreted by the rabbis is the only reliable source of truth.

Since God's law is fully known and since people have free will, Saadia argues, each individual bears full responsibility for acting in accord with God's word. Subsequent Judeo-Arabic philosophers, influenced by Arabic Neoplatonism, claimed that the true reward of the soul lay in contemplating the divine.

Image not available

*Jewish men, many wearing prayer shawls, pray in front of the Western, or "Wailing," Wall in Jerusalem's Old City during the annual priestly blessing in April, 2004. The wall is the holiest site in Judaism and many Jews believe in making pilgrimages to Jerusalem three times a year. (AP/Wide World Photos)*

Adherence to Jewish law was the necessary first step in directing the soul toward a fuller apprehension of the divine. This line of thought reached its culmination in the Jewish neo-Aristotelians such as Moses ben Maimon (also known as Maimonides). In his *Eight Chapters*, Maimonides argues that actualizing the potential of the rational soul depends on proper discipline of the body and that such a discipline is precisely what is spelled out in the *halachah*.

Finally, pietistic writings attempted to instill in the readers moral sensitivity beyond mere obedience to the *halachah* and the contemplation of its principles. In some cases, these writings take the form of ethical wills, testimonies bequeathed to children by dying parents or relatives. These wills usually stress the importance of study, humility, and charity. In other cases, whole sects appeared that encouraged members to practice a life that was holier than that lived by the majority of the Jewish population. The Hasidai Ashkenaz of thirteenth century northern Germany is such a group. Its view of the moral life is spelled out in *Sefer Hasidim*. Similar ideas seemed to have influenced the Hasidic movement that sprang up in Eastern Europe during the mid-eighteenth century. Many early Hasidic stories presume that true virtue stems from the intention of the soul and at times may even run counter to the formal demands of *halachah*. The ethical writings of Hasidism have influenced such modern Jewish moral philosophers as Martin Buber, Abraham Joshua Heschel, and Elie Wiesel.

### MODERN JUDAISM

In modern times, Jewish ethical speculation has again drawn heavily on the philosophical currents of the day. Modern Jewish movements (Orthodoxy, Conservative Judaism, and Reform Judaism), which have their roots in nineteenth century Germany, have been heavily influenced by the writings of Immanuel Kant. Modern Jewish thought has argued that simply following the letter of Jewish law out of habit is not sufficient. Instead, one must choose to abide by the *halachah* purely for its own sake or because it is one's duty to conform to God's will. More recently, Reform and Conservative rabbis in particular have struggled to identify the rational and universal ideals behind the *halachah* as a basis for approaching ethical dilemmas posed by new technologies.

*Peter J. Haas*

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SEE ALSO: Anti-Semitism; Buber, Martin; Ethical monotheism; Hasidism; Hebrew Bible; *I and Thou*; Moses; Religion; Talmud; Ten Commandments; Torah.

## Jihad

**DEFINITION:** Arabic term for a holy war fought in behalf of Islam as a religious duty

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** In the late twentieth century the jihad began gaining increased international attention as Muslim groups and individuals used arms to oppose Israel, the West, and even other Muslims.

Islam is an exclusivist religion, and its followers are obligated to protect its principles against adversaries and to broaden the religion's boundaries. Such efforts have drawn many communities into armed conflict. During the centuries of expansion after the founding of Islam in the seventh century, the new religion spread across North Africa, into Spain, Yugoslavia, and eastern and central Asia, and as far east as



Indonesia. While Islam's spread into Mesopotamia and Persia resulted in Muslim military control and many willing converts to the religion, its spread into India resulted in conflict. There Hinduism was put on the defensive, and Buddhism was all but obliterated.

In 732 Charles Martel thwarted Islam's drive into Western Europe at the Battle of Tours. More important, the Christian Crusades of the eleventh and twelfth centuries pitted European Christians against Muslims in Palestine, and resulted in continued Muslim hegemony there. In that struggle jihad became an ethical obligation, in effect, a sixth principle, or "pillar" of Islam. During the fall of the Byzantine Empire in 1453, the capital city, Constantinople, fell to Muslims and became the seat of the Ottoman Empire until that empire's own fall after World War I. During the subsequent spread of Western European colonial rule into the Middle East, Muslim lands came under the control of non-Muslim countries. Nevertheless, Muslim scholars concluded that unless Islam was prohibited jihad was not permissible.

In 1948, Middle Eastern Muslims opposed the creation of the modern state of Israel in what was then called Palestine. Their efforts to recapture Israel in the so-called Six-Day War in 1967 ended in an embarrassing defeat. Chief among their losses was control over Jerusalem, the site of the third holiest sanctuary in Islam. Muslim militants called faithful Muslims to jihad to regain control over the city and other land taken by Israel. Israel's supporters were then portrayed as suitable targets for jihad. Some Muslims hailed the terrorist attacks on the Pentagon and World Trade Center on September 11, 2001, as appropriate recompense for American actions hostile to Islam. The U.S.-led war in Iraq begun in 2003 simply fueled that fire for many Muslims.

Muslims have long warred against one another. One Muslim reaction to European colonialism was to attempt to copy Western powers by adopting technology and by establishing Western-type democratic states that tolerate all religions. In Iran that attempt met disaster in the overthrow of the government of the shah and establishment of a strict Muslim state governed according to the Qur'an. The Taliban established the same type of government in Afghanistan, and many observers thought that similar developments could occur in other Muslim countries.

*Paul L. Redditt*

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## Journalistic entrapment

DEFINITION: Use of an undercover investigation to lure subjects into compromising or illegal acts they would not otherwise commit

TYPE OF ETHICS: Media ethics

SIGNIFICANCE: Reporters investigating wrongdoing may inadvertently or intentionally corrupt innocent people or cause the commission of crimes that would not otherwise have occurred.

Investigative journalism was propelled into prominence during the 1970's as a result of the Watergate scandal uncovered by *The Washington Post*, the leaking of the Pentagon Papers to *The New York Times*, and the general adversarial tone that characterized the relationship between government and the media throughout the Vietnam War. In subsequent years, technological advancements and the proliferation of broadcast shows that relied on videotape footage to document undercover findings swelled both the number and the scope of such investigations. Issues subject to such treatments have included home and commercial lending practices, nursing home care, governmental corruption, abortion practices, and military information confirmation.

The Federal Bureau of Investigation (FBI) and other law enforcement agencies frequently use un-

dercover operations to expose criminal wrongdoing. Their activities, unlike those in journalism, are subject to explicit guidelines and legal restrictions that help to establish the line between legitimate investigative work and coercing or abetting in the commission of a crime. For journalists, however, that line is largely one of interpretation because of the broad latitude and significant freedoms offered by the First Amendment. It is incumbent upon journalists, therefore, to wrestle with a number of ethical considerations, such as the morality of devising an enticement for illegal activity and the awareness that reporters themselves may become, if even indirectly, agents of wrongdoing.

Industry misgivings about the practice exist, as revealed in the Pulitzer Prize committee's reluctance to recognize stories that rely on undercover investigations because of their deceptive nature. The usage continues, however, because of the journalistic belief that news organizations have an overriding obligation to distribute information to a democratic society and a moral responsibility to consider society's needs, thereby providing the greatest good for the greatest number of people. This approach, with its emphasis on consequences, accepts the belief that the end justifies the means. Therefore, the media's "watchdog role" in preserving and protecting the public interest—a good and moral end—is justified in its aggressive pursuit of certain undercover investigations. Because the journalism profession also professes a strong commitment to accuracy and truthfulness, however, any use of deception must be carefully weighed.

### INTEGRITY OF THE PRESS

Recognizing that integrity is its greatest asset, the press is especially vigilant in upholding standards that do not erode or detract from its credibility, including the use of deception. Because codes of ethics among the media are more advisory than mandatory, however, much of the decision is left to interpretation by individual journalists who adjudge the specifics of individual situations. The long-standing reliance on consequential reasoning has typically emphasized the social benefit derived from an undercover investigation. For example, a series entitled "Abortion Profiteers" by the *Chicago Sun-Times* in November, 1978, relied on information obtained by reporters who, obscuring their identity as journalists, went to

work for several outpatient abortion clinics where gross negligence as well as medical misconduct had been reported. The articles resulted in a number of new state laws regulating outpatient abortion clinics, the closing of two of the four clinics under investigation (one of them permanently), and the imprisonment of one doctor. Several other doctors left the state.

It was agreed by the editors and reporters involved that the overwhelming benefit to the community of such an investigation outweighed the price of the deception. Another case involving a different publication, however, reveals that a positive outcome is not the only measure in weighing the ethical considerations of going undercover. In 1988, *Newsday* conceived and planned—but did not execute—an undercover investigation designed to confirm the suspected practice of real estate "steering," a method of maintaining racially segregated neighborhoods by directing potential buyers only to those areas already populated by people of the same race. After a year of preliminary work, management decided that the operation was logistically untenable and that the same information could be obtained through other methods, such as interviews with buyers and real estate records. Anthony Marro, the editor at the time, also questioned the existence of probable cause, wondering if the appropriate level of presumed bad conduct merited the use of entrapment techniques.

The Society of Professional Journalists, whose code of ethics is widely invoked by individual journalists and news organizations, in 1993 introduced a new approach to ethical decision making that combined the long-used consequential reasoning with an effort to examine a number of other factors, such as the characteristics of the situation, as well as journalistic values, loyalties, and professional principles. In addition, the new code set forth a number of conditions, all of which must be met to justify deceptive information-gathering strategies:

1. The information sought must be of profound importance.
2. Other alternatives have been exhausted.
3. The reporter is willing to make public the deception.
4. Excellence has been pursued through full allocation of the news organization's resources.
5. The harm prevented by the deception outweighs the harm of the deception.

6. Conscious, thoughtful, moral, ethical, and professional deliberations have been made.

In addition, the revised code outlined specific rationalizations that do not meet ethical standards and may not be used to justify the use of deception. These include

1. Winning a prize.
2. Beating the competition.
3. Saving costs or time.
4. Others have “already done it.”
5. The subjects, themselves, are unethical.

Out of concern for their role as protectors of the public interest, journalists avoid concrete rules regarding the use of deception and undercover operations. They maintain the right to use such tactics ethically and morally on a situational basis when a greater good is served and when other methods have been exhausted.

*Regina Howard Yaroch*

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SEE ALSO: Internet chat rooms; Journalistic ethics; News sources; Photojournalism; Tabloid journalism.

## **Journalistic ethics**

**DEFINITION:** Formal and informal professional codes of conduct governing the practice of journalism

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** Journalistic ethics seeks to balance the public’s right to know with the moral responsibility of individual journalists to be truthful, objective, and fair both in their reporting and in their work to uncover and develop information. Moreover, because the First Amendment dictates that the press be virtually unregulated by the government and legal system, there is a greater than average need for journalists to regulate themselves.

Unlike doctors and lawyers, journalists do not control who may practice in their field or police their own ranks; neither do they prescribe a body of knowledge with which those entering the field must be familiar. In this sense, journalists do not fit within the traditional definition of a “profession.” Nevertheless, responsible journalists—like members of these other professions—do adhere to a set of occupational principles, many of which are addressed in the ethical code (the “Code”) of Sigma Delta Chi, the Society of Professional Journalists.

#### **RESPONSIBILITY AND FREEDOM OF THE PRESS**

The first three sections of the professional code concern what many journalists regard as their occupational imperative: to observe a constitutional mandate to serve the public’s right to know. Such a right is not, in fact, explicitly stated in the Constitution and has been discounted by such eminent legal authorities as former Chief Justice Warren Burger. Other media critics point to abuses—such as invasion of privacy and interference with the right to a fair trial—stemming from overzealous pursuit of the journalistic mission. Still, courts have consistently upheld the media’s First Amendment rights, which are regarded as so central to the nation’s democratic principles that they can overcome—as they did during the 1971 “Pentagon Papers” case, *United States v. New York Times Company*—a countervailing concern as compelling as national security.

The Pentagon Papers case illustrates the code’s precept that “[journalists] will make constant effort to assure that the public’s business is conducted in public and that public records are open to public in-

spection.” Other, less august, journalistic exercises, such as traffic reports and celebrity gossip, illustrate not so much the public’s right to know as its need or desire to know. In such contexts, there is perhaps less justification for the kind of aggressive, sometimes invasive techniques employed by journalists.

### ACCURACY, FAIRNESS, AND OBJECTIVITY

It would seem fundamental—and the professional code takes it for granted—that one of a journalist’s primary duties is to report truth rather than falsehoods. Yet the news business has always been plagued with so-called “yellow journalism,” which distorts or exaggerates facts in order to create sensationalism and attract consumers. In this sense, the blatant jingoism of William Randolph Hearst’s papers during the 1890’s is not unrelated to attempts on the part of modern television broadcasters to dramatize news through fictionalized “reenactments.” Public skepticism about television news rose to new levels during the 2004 U.S. Presidential campaign, when CBS News was accused of using falsified documents to cast doubt on President Bush’s service record in the National Guard during the 1970’s.

Another method by which journalists can take liberties with the truth is through misattribution or misquotation. Although the plaintiff in *Westmoreland v. Columbia Broadcasting System* (1984), General William C. Westmoreland, commander of United States troops in Vietnam during the late 1960’s, ultimately lost his libel action against CBS, the defendant clearly played fast and loose with the truth by deliberately misrepresenting a damaging cable regarding the deadly Tet offensive as Westmoreland’s. In 1990, however, the Supreme Court permitted psychoanalyst Jeffrey Masson to proceed with his lawsuit against *New Yorker* magazine writer Janet Malcolm because her allegedly purposeful misquotation of him (for example, that he intended to turn the Freud Archives into “a place of sex, women, fun”) could be libel.

Ironically, it was Malcolm herself, in her book about the relationship between convicted murderer Jeffrey MacDonald and his journalist/chronicler Joe McGinniss, who pinpointed one of the primary reasons that journalists sometimes violate the ethical imperative of fairness emphasized in the code: “The moral ambiguity of journalism lies not in its texts but in the relationships out of which they arise—relationships that are invariably and inescapably lopsided.”

Malcolm’s contention is that McGinniss insinuated himself into MacDonald’s confidence in order to obtain exclusive information and then betrayed him by writing a damning portrait of him. Seen in this light, MacDonald is just as culpable as the reporter who fails to protect the confidentiality of his sources. If this evaluation is accurate—and if Jeffrey Masson’s allegations about Malcolm are accurate—then clearly both McGinniss and Malcolm have violated the code’s tenet that “Journalists at all times will show respect for the dignity, privacy, rights and well-being of people encountered in the course of gathering and presenting the news.”

Just as MacDonald and Malcolm could be accused of not playing fair, they could also stand accused of bias, of failing to observe the journalistic objectivity that the code requires. They could, alternatively, be seen to be overcompensating for the intimate access they had to their respective subjects. The code states that “Journalists must be free of obligation to any interest other than the public’s right to know.” The most obvious interpretation of this precept is that journalists should not compromise their integrity by accepting payoffs. It can also be seen, however, to apply to situations such as McGinniss’s and Malcolm’s and to journalist-celebrities, who can themselves influence and even become the stories they cover.

Most ethical principles espoused in the code are simply restatements of common sense and courtesy. Because of the media’s ability to influence and shape society, however, it is of particular importance that purveyors of news take seriously not only their First Amendment rights but also their moral obligations.

*Carl Rollyson*

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SEE ALSO: Accuracy in Media; Libel; News sources; Pentagon Papers; Privacy; Tabloid journalism.

## Judicial conduct code

**DEFINITION:** Ethical rules adopted in most American jurisdictions to govern the conduct of judges

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The Model Code of Judicial Conduct seeks to preserve the integrity and independence of judges by prohibiting them from being influ-

enced by family, social, political, or other relationships in the conduct of their official business.

Since the early twentieth century the American Bar Association (ABA) has attempted to develop guidelines for judicial conduct. The ABA adopted the Canons of Judicial Ethics in 1924 and the Model Code of Judicial Conduct in 1972. The ABA substantially amended this code in 1990, and a significant number of states adopted the amended code to regulate the conduct of judges in their jurisdictions.

In some cases the code requires that judges disqualify themselves from participation in cases in which their impartiality might reasonably be questioned. In addition, the code prohibits conduct that might otherwise be classified as private or personal when such conduct risks undermining the integrity of the judiciary. For example, judges are prohibited from belonging to organizations that practice inappropriate discrimination on the basis of race, sex, religion, or national origin. In general, the code requires that judges conduct their nonjudicial affairs in such a way as to minimize conflicts with their judicial obligations.

*Timothy L. Hall*

SEE ALSO: Adversary system; American Inns of Court; Attorney misconduct; Jurisprudence; Law; Legal ethics; Professional ethics; Supreme Court, U.S.

### The Ethics of Socializing

Questions about the ethical conduct of judges in the United States reached the highest level in early 2003, when Supreme Court justice Antonin Scalia drew criticism for spending too much time socializing with power brokers and other high-level government officials. In the past, Supreme Court justices commonly acted as legal advisers to presidents. However, during the late twentieth century, greater sensitivity to the need for maintaining the separation of powers effectively ended that practice. Journalists, legal experts, and members of special interest groups all began questioning the propriety of justices becoming too friendly with people who might have important interests in cases that reach the Supreme Court. Justice Scalia was criticized especially strongly for spending too much time socialized with Vice President Dick Cheney. The Sierra Club was especially uneasy about Scalia's going on a hunting trip with Cheney only three weeks after the Supreme Court agreed to hear a case concerning Cheney's energy task force. It was believed that the negative attention that Scalia was drawing caused judges at all levels throughout the United States to review their own conduct.

## Jung, Carl

**IDENTIFICATION:** Swiss psychologist

**BORN:** July 26, 1875, Kesswil, Switzerland

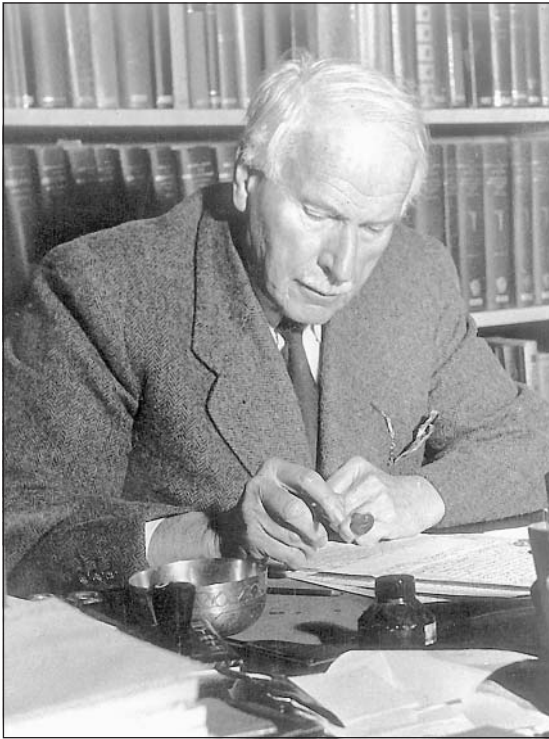
**DIED:** June 6, 1961, Küsnacht, Switzerland

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** The founder of analytical psychology, Jung approached ethical questions as medical problems concerning the mind. He believed mental health could be cultivated by bringing disturbing elements of the unconscious self to consciousness.

Jung studied medicine in Basel and psychiatry in Zurich. He collaborated for a time with Sigmund Freud but founded his own school of analytical psychology





Carl Jung. (Library of Congress)

in 1914. Jung's theory of the conscious personality, or ego, differentiates between the extroverted, or outgoing, personality, and the introverted, or inward-turning type. Both types of conscious personality are influenced by the unconscious self, which has two levels: the personal and the collective.

The personal unconscious includes knowledge that is too obvious to become conscious, together with repressed ideas and emotions that are too painful for conscious thought. The personal unconscious grows through individual experience, but the way it grows, Jung believed, is conditioned by the collective unconscious, which is common to all people.

The personal unconscious is found to include elements such as the old wise man and the earth mother, which appear, with variations, in dreams and myths all over the world. Jung called these elements archetypes and considered them inherited structures of the collective unconscious that condition the ways in which experience enters consciousness.

SEE ALSO: Freud, Sigmund; Psychology; Psychopharmacology.

## Jurisprudence

DEFINITION: Philosophy of law

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: Jurisprudence is concerned with the nature and derivation of legal principles. It seeks both to understand why specific laws exist in specific forms, and to ascertain how they should be changed to better conform with a given social system or the requirements of justice.

Jurisprudence is the science of law; namely, that science that seeks to ascertain the principles on which legal rules are based, in order to not only classify those rules in their proper order and to show their relationships, but also to settle the manner in which new or doubtful cases should be brought under the appropriate rules. When a new or doubtful case arises out of two or more equally applicable rules, it is the function of jurisprudence to consider the ultimate effect if each rule were to be applied to an indefinite number of similar cases and to choose the rule that, when so applied, would produce the greatest advantage to the community.

Jurisprudence forms the basis for precedents, which provide the foundation for most judicial decision making, since most judges use the doctrine of *stare decisis* ("let the decision stand") to make future decisions based on precedents formed from past decisions. Jurisprudence, defined as the philosophy of law, deals with the legal reasoning behind the making of law and the decisions that judges make. Therefore, it has an overwhelming impact on society.

According to the nineteenth century English philosopher John Austin, there are two basic philosophies of jurisprudential reasoning, or patterns of jurisprudential thought. These philosophies of jurisprudential reasoning are analytical jurisprudence (known as positive law) and normative jurisprudence. Analytical jurisprudence studies the law as it actually is. It seeks to interpret, clarify, classify, and arrange in a legally systematic order actual legal concepts and doctrines. According to the analytical theory of jurisprudence, concepts of morality are totally distinct from one another. To legal positivists, such as Austin, the law is a matter of what is simply laid down, or posited, by the legislature, regardless of its moral status. A speed limit is an example of a positive law.

The other school, or pattern of jurisprudential thought, is normative jurisprudence, which concerns what the law should be. It subjects legal doctrines to moral evaluation and criticism in the name of social reform and justice. According to this theory, concepts of law and justice are equally related. For example, laws related to the constitutional principles that ban the use of cruel and unusual punishment, unreasonable searches and seizures, and denial of equal protection under the law, which cry out for moral interpretation, are more likely to be solved under the theory of normative jurisprudence than they are under the theory of analytical jurisprudence. One example of this can be found in *Brown v. Board of Education* (1954), which overturned the 1896 *Plessy v. Ferguson* decision.

The doctrine of *stare decisis* and the theory of analytical jurisprudence would have upheld the decision that the separate-but-equal theory of segregation was constitutional. Upon much criticism and examination of the moral and ethical issues involved in segregation, however, the U.S. Supreme Court overturned precedent, declaring that the U.S. Constitution is color-blind and that all U.S. citizens are entitled to equal protection before the law, regardless of the color of their skin. Some legal philosophers will say that moral, societal, and ethical evolution cried out for the overturning of the antiabortion laws of all fifty states, as was done in *Roe v. Wade*, an example of normative jurisprudence that gave women equal rights under the law. Normative jurisprudence is much more activist than is analytical jurisprudence, and judges who practice it create more law according to the needs of the particular case than do judges who adhere to the analytical philosophy of jurisprudence.

There are several other schools of jurisprudential thought that influence judges in their reasoning, from U.S. Supreme Court justices to county court judges. They are the natural law theory, the historical conception theory of law, the sociological conception school of jurisprudence, the realist conception theory of law, the economic conception theory of law, and the critical conception school of jurisprudence. The natural law theory states that law is ordained by nature. Higher principles exist independent of human experience. Natural law exists as an ideal condition that is either inherent in human nature or is derived from a divine source. Just as ethical standards tran-

scend legal standards, natural law transcends human notions of what is right and just.

The historical school of jurisprudence defines law as an embodiment of society's customs. Historical jurisprudence asserts that customs are the chief manifestation of the law and that law evolves with social development. Sociological conception jurisprudence defines law in terms of present human conduct. The law, according to sociological jurisprudence, is the sum of what the lawbooks permit and what human nature provides. A realist conception of justice is that the law is only what is actually enforced. For example, if a speed limit is 55 miles per hour, that is technically the law. If the police do not pull people over unless they are driving 65 miles per hour, however, then, to the legal realist, the law is not 55 miles per hour but 65 miles per hour.

The economic conception of law is that the U.S. Constitution is merely an economic document that was written to ensure citizens economic freedom from the government. Therefore, every decision must be looked at in the light of how a law or statute or judicial decree will affect the economic freedom of the citizens. The critical conception of jurisprudence is involved with literary criticism and is not as publicized or as frequently used in jurisprudential decision making as are the other types of jurisprudence.

All these forms of jurisprudential reasoning are used by every judge, but most judges have a particular pattern or philosophy that guides their decision making. The ethical dilemmas involved in jurisprudence involve determining which applications of which concepts of jurisprudence allow that judge to fulfill his or her moral and vocational responsibilities to society while defining the standards that the society's members must meet when interacting with one another.

Amy Bloom

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SEE ALSO: Brandeis, Louis D.; Constitutional government; Hart, H. L. A.; Law; Supreme Court, U.S.

## Jury system

**DEFINITION:** Legal institution in which criminal or civil trials are decided by a group of citizens rather than judges or other professional court officers

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The modern American jury system is founded in the notion that a person's peers are the best equipped to judge that person's actions, and that justice is best served when it is adjudicated by fellow citizens rather than imposed from above by an agent of the government.

Some hard historical data show how important a well-functioning jury system is to the encouraging of ethical behavior. The verdict in the famous Los Angeles, California, police brutality case involving the videotaped beating of black motorist Rodney King sparked an explosion of riots that lasted five days and set new records in terms of the number of casualties and the amount of damage; there were 60 dead, 2,383 injured, at least \$1 billion in damage to property, and at least 20,000 residents lost jobs as a result of the business closings that followed. Some people argue that the riots were a rebellion that was akin to the Boston Tea Party and that it was unethical neglect of the problems of the underclass in Los Angeles that provided the powder keg that was ignited by the spark of the jury's verdict. The tragic riots focused much more attention on these problems.

Law is often complex and abstract. The jury system serves to forestall the potential injustice of a large or remote government. A jury of one's peers, to which U.S. citizens are constitutionally entitled, often prevents the law from running roughshod over people in situations that could not have been foreseen

by the legislators who, often decades earlier, created the law. At the point of application of law, the jury can work justice in the particular case. Jury nullification is the jury's refusal to apply an unethical law. A jury can see people in court and adjust its views based on the equities it observes.

A major ethical issue surrounding the jury system is how representative of the larger community a jury should be. Many people believe that the verdict leading to the riots in the King case was the result of the facts that no African Americans were on that jury and that King was African American. During the *voir dire*, lawyers for each side have a limited power to prevent some people from serving on the jury without even showing why they may not serve. Lawyers have the right to remove any juror by showing cause (for example, that a juror is related to the accused). Lawyers use many psychological profiles involving stereotypes to remove potential jurors without cause. This may be unethical, because some discriminatory stereotypes are used in this process.

### JURORS

Jurors are drawn from ordinary life. Therefore, the jury system is also a check and balance against unethical elitism in a democracy. This is why some states make jurors with extraordinary qualifications (such as a law degree) ineligible for jury duty. The jury system is used in both criminal prosecutions and civil suits. Usually, a unanimous verdict is needed to avoid a hung jury, but some states have allowed a nearly unanimous verdict to be decisive in some civil suits.

The jury system is part of an adversary system in which two sides clash and thereby, according to theory, provide the best picture of the whole truth by presenting both sides of the issue. Some countries use an inquisitorial system that uses judges or panels of authorities as investigators. The adversary system is often emotional and messy, but it provides a powerful incentive for each side to present its story. With this greater incentive comes a greater chance for the jury to hear the whole truth.

SEE ALSO: Accused, rights of; Adversary system; Erroneous convictions; Judicial conduct code; Jurisprudence; Law.

## Just war theory

**DEFINITION:** Primarily Christian philosophy offering criteria for determining when it is just to wage war and how wars should be fought

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Just war theory attempts to prevent and limit wars by providing universal guidelines for ethically correct ways to resolve conflicts between states.

Moral considerations in the conduct of war can be found in the earliest records of warfare. The first systematic attempt to set forth universal rules of warfare—based on natural law—was proposed by the Roman statesman Cicero during the first century B.C.E. During the fourth century C.E. the North African theologian St. Augustine agreed that morality was “written in the heart” and synthesized rational and biblical arguments for reconciling the evil of killing with the demands for peace and justice. The thirteenth century theologian St. Thomas Aquinas summarized the classic rationale for declaring war and articulated moral guidelines for conduct in war. Building upon this philosophical tradition, Hugo Grotius published the first comprehensive exposition of international law in 1625, providing the foundation for subsequent international agreements to limit warfare, such as the modern Geneva Conventions. By the early twenty-first century, the just war tradition had evolved into a theory resting on a few core principles.

Thomas Aquinas identified three reasons for justifying going to war. First, and most important, there must be a just cause. The principal idea here is that there are times when certain injustices, such as unprovoked attacks or human rights violations, are so egregious that to not go to war would be a greater evil. Second, only the proper authority—states, not individuals—can declare war. Third, just wars are waged only with right intentions, such as the desire for just peace or promoting a greater good.

Three other bases for a just war have been added to those articulated by Thomas Aquinas. First, in order not to waste lives recklessly, a war should have a reasonable chance of success. Second, the principle of proportionality should apply; it states that the

harm caused by war should not exceed the harm that provokes it. Finally, war should be a last resort, taken only when nonviolent means fail.

### ACCEPTABLE CONDUCT IN WAR

The numerous guidelines for acceptable conduct in war can be grouped into two basic categories. The principle of discrimination specifies the legitimate targets of war and provides guidelines for the proper treatment of noncombatants and the defenseless. Pertinent to this principle, the “doctrine of double effect” states that killing civilians is excusable if military action against a genuine military target leads to unavoidable civilian loss—so-called “collateral damage”—and civilians themselves are not specifically targeted. The second major principle is a second kind of proportionality. The general idea here is to minimize destruction and suffering, especially by limiting the types of weapons used.

Just war theory holds that only wars fought for proper reasons and waged in the right way are just. Satisfying these criteria, however, is rarely clear-cut. Perhaps the best that just war theory can offer is to determine the degree to which any given war is just.

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**SEE ALSO:** Augustine, Saint; Conscientious objection; Grotius, Hugo; Holy war; Jihad; Limited war; Military ethics; Peacekeeping missions; Realpolitik; War.



## Justice

**DEFINITION:** Fundamental moral principle or ideal according to which each person should receive the treatment he or she deserves

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** A concept of justice or moral desert is arguably the foundation of ethical judgment, and it underpins all legal and social systems in which a punishment or reward is designed to fit the actions or character of the person receiving it.

Such words as fairness, equality, honesty, equity, integrity, and lawfulness, which are sometimes used as synonyms for justice, indicate the social order that is connoted by the term. In common speech, justice indicates both right relationships among people and a correct social norm—that is, one that establishes a course of expected conduct.

The roots of the modern Western view of justice can be traced to the Hebrew Bible, on one hand, and to Greek philosophy, on the other. Many social reformers, in particular, have been influenced by the Hebrew prophets. Thus, for example, the Martin Luther King, Jr., memorial in Montgomery, Alabama, is inscribed with the words of the eighth century B.C.E. prophet Amos: “. . . until justice rolls down like waters, and righteousness like a mighty stream” (Amos 5:24). In the Hebrew Bible, justice (*tsedaqah*) is a quality of God. God delights in it and wishes it for his people. The laws of God make clear his nature and his will. If the people do as he has commanded, then they too will be just. Thus, *tsedaqah* indicates a right relationship between the people and God. It indicates proper balance or right order. The fruits of justice are peace and abundance. The Hebrew prophets especially emphasized the social dimension of *tsedaqah* by claiming that a right relationship with God is possible only when people act justly toward one another. According to the prophet Amos, this meant that God would not revoke punishment from a society that allowed the righteous to be sold for silver and the poor to be trampled into the dust of the earth (Amos 2:6-7).

### EARLY WESTERN PHILOSOPHERS

The oldest surviving Western writings that examine the nature of justice are those of the Greek philosopher Plato. Although Plato raised questions con-

cerning justice (*dikaio syne*) in several dialogues, his fullest treatment of the subject is found in the *Republic*. In that work, one of the characters, Thrasymachus, defines justice as the interest of the stronger—namely the ruling class—as expressed in society’s laws. As in the case of the Hebrew prophets, justice in this context indicates correct relationships among people. Since according to Thrasymachus the activity of rulers is governed by self-interest, however, and the obedience of the subjects is dictated by their weaker position, for him just subjects are those who obey the rulers of the state. Thus, Thrasymachus closely identifies justice with civil power, and since the rulers formulate the laws of the state, he also equates justice with civil lawfulness.

Socrates, the protagonist of the *Republic*, however, counters by claiming that justice is not only good for rulers but is also good “for its own sake.” He does this, first, by arguing that rulers do not always act in their own self-interest. According to Socrates, states exist precisely because people are not self-sufficient. In an ideal state, the rulers would be those who would act always for the good of the state, at all times putting its interests ahead of their own. The good unites the state, while the bad divides it. A good state, like a good person, contains the four cardinal virtues of wisdom, bravery, temperance, and justice. Justice, for Socrates, means that each person in the state performs his or her proper function. Thus, justice provides the right balance or harmony among the parts. To Socrates, the unjust person is dominated by the appetites and emotions, whereas the just person is controlled by reason. The unjust state would be governed by a despot; the just state would be ruled by a philosopher-king.

The views of justice advocated by Thrasymachus and Socrates have been represented many times in the history of Western philosophy. The positive law theory of justice holds that justice depends on authority, agreement, or convention. For example, the social contract advocated by Thomas Hobbes in *Leviathan* (1651) closely connects justice with civil law. Hobbes imagined life without laws to be akin to a war in which each person seeks his or her own advantage, “a war as if of every man against every man.” Out of their fear of anarchy and in order to preserve themselves, then, people agree in common to hand power over to the state, or Leviathan, which has coercive power and can enforce its laws. A just person, ac-



According to Hobbes, is one who follows the laws of the state.

Like Socrates, John Locke held to a natural rights theory of justice. In *Concerning the True Original Extent and End of Civil Government*, he wrote that the law of nature taught that all people were equal and independent, and that “no one ought to harm another in his life, health, liberty or possessions.” It was the duty of the state to protect people’s natural rights. While Locke agreed with Hobbes in thinking that people willfully entered into a compact and thus formed the state, sovereignty, he thought, ultimately remained with the people. The purpose of the laws and the duty of rulers should be to represent and execute the will of the people. If the legislative or executive powers should betray their trust, they then should be counted as unjust and should be deposed.

One of the characters of the *Republic*, Glaucon, hints at but does not elaborate on a third view of justice; namely, that it is a social convention. According to this view, as developed by advocates such as David Hume and John Stuart Mill, justice is what promotes the welfare of society. It depends upon society, and it is a social product rather than a natural right. Justice is the basis of rights and laws, which are either just or unjust insofar as they promote the social good. Thus, this view of justice is sometimes called the social good theory of justice, and its proponents are perhaps most concerned with questions of how to perceive and identify the common good.

*James M. Dawsey*

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- SEE ALSO: Fairness; Hobbes, Thomas; *Leviathan*; Locke, John; Platonic ethics; *Republic*; Social justice and responsibility.

# K

## Kabbala

**DEFINITION:** Tradition of esoteric Jewish mysticism  
**TYPE OF ETHICS:** Religious ethics  
**SIGNIFICANCE:** The Kabbala, an occult formulation of the doctrines of the Jewish religion, is intended to supply a focus in contemplation, leading to a state of mystical awareness.

The Kabbala, an occult body of mystical teachings in the Jewish religion, focuses primarily on the notions of creation, revelation, and redemption. These teachings were usually surrounded by secrecy, and they were transmitted orally or in a highly veiled literature that proceeds by hints rather than by explicit declarations. The secrecy surrounding the Kabbala stems from the belief that its ideas were too subtle for the average mind. The Kabbalists, moreover, believed that their doctrines endowed certain individuals with mystical powers by which they might control nature itself. Those who sought to study the Kabbala were, therefore, screened to be certain that they would not invoke their powers too casually or for dishonorable ends. Only a chosen few in each generation were worthy of being the recipients of the wisdom of the Kabbala.

Sources of the Kabbala have been traced not only to the doctrines and literature of Judaism but also to a wide variety of cultures with which the Jewish people had come into contact in their dispersion. These influences include Persian, Neoplatonic, and neo-Pythagorean elements entering Judaism during the Hellenistic period. Christian and Gnostic themes were introduced somewhat later, as were borrowings from Muslim sectarianism following the emergence of Islam. This mixture of elements explains the difficulty that scholars have found in elucidating the Kabbala's sources. The Kabbala itself became one of the spiritual sources of the popular mysticism known as Hasidism, which flourished in the eighteenth and nineteenth centuries, especially in eastern Europe.

### THE DOCTRINE OF CREATION

All Jewish mysticism has attempted to reinterpret the literal account of creation rendered in the book of Genesis. The mystics maintain that the account in Genesis does not sufficiently emphasize the transcendence of God. The reinterpretation has generally taken form as a demiurgic theory. In such a theory, God himself, who is boundless, infinite, and transcendent, did not perform the material act of creating the world. This was the work of a lesser spirit, or demiurge, who was brought into existence by God for this particular purpose. As the conception of God's transcendence developed, one demiurge seemed insufficient to express the sense of imposing distance between divinity and the material world. The remoteness of God from the world was intensified, therefore, by adding other intermediaries and thus forming a chain from God to matter in links of increasing materiality.

A second problem in the biblical account of creation, according to the Jewish mystics, concerns matter. If God is accepted as infinite, all must be contained within God. The question then arises, however, whether matter exists outside God. This issue was finally resolved by a theory that God, prior to creation, was actually infinite. To make room for creation, however, he voluntarily contracted or limited himself. Some excess of spiritual substance overflowed into the space from which God had removed himself, and this excess, or emanation, provided both the demiurgic intermediaries and the matter out of which the world was created. Because all substance is thus ultimately an overflowing of God's substance, Kabbala is a pantheistic doctrine (the doctrine or belief that God is not a personality, but that all laws, forces, and manifestations of the self-existing universe are God). The completed series of emanations also served the purpose of providing the route by which the human ascending spirit might reach the heights of divinity.

**THE DOCTRINE OF REVELATION**

After the first destruction of the Temple at Jerusalem, and particularly after its second destruction, the scriptures served as a focus for the religious devotion of the Jews. Their state no longer existed; their culture had been destroyed. All that remained was their belief in God and his word. If the Jewish religion were to endure, it seemed necessary that not only the content of revelation but also even its physical form should be considered inviolate and unchangeable. The level on which mystics interpreted revelation to serve their purpose was highly symbolical. To make this interpretation possible, the Kabbalists developed letter and number symbolism of great variety, complexity, and obscurity.

**THE DOCTRINE OF REDEMPTION**

The Kabbalists maintained and even intensified the traditional Jewish view of redemption. In the Kabbalistic view, salvation of the individual was of little significance. It entered only as a means to the greater end of the salvation of humankind. This would come about through the agency of a messiah and the Davidic line, who would lead the Jews in triumph to the Holy Land and inaugurate a reign of truth, justice, and mercy. The ideal of salvation is thus the establishment of an earthly paradise of human life, raised to its highest humanity. Other elements clouded this doctrine at various times in the history of mystical messianism. In general, however, the Kabbalistic view of redemption was an extreme form of traditional messianism. Attempts to calculate the exact date of the coming of the messiah were widespread. The coincidence of various calculations in fixing on dates close to each other inspired a wave of messianic movements.

*Genevieve Slomski*

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SEE ALSO: Hasidism; Jewish ethics; Messianism; Talmud; Torah.

**Kant, Immanuel**

IDENTIFICATION: German philosopher

BORN: April 22, 1724, Königsberg, Prussia (now Kaliningrad, Russia)

DIED: February 12, 1804, Königsberg, Prussia (now Kaliningrad, Russia)

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: In *Foundations of the Metaphysics of Morals* (*Grundlegung zur Metaphysik der Sitten*, 1785), *The Metaphysics of Morals* (1797), and especially the *Three Critiques* (1781-1790), Kant synthesized rationalism and empiricism into a single philosophical system that stood as the culmination of Enlightenment thought. He argued for the existence of a universal and objective moral law, the categorical imperative, which had the form of law as such and therefore transcended any individual human concern or value.

Late in his life, after his revolutionary work in epistemology, Kant first presented his mature moral philosophy in *Foundations of the Metaphysics of Morals*. Here, Kant developed his influential idea that human beings as rational agents are "autonomous," or have the capacity for moral self-government. For Kant, autonomy means that, as rational beings, people set their own standards of conduct, as distinct from the demands made by their desires, and are able to decide and act on these standards. On the basis of a complex argument, Kant concluded that autonomy is possible only if the will is guided by a supreme principle of morality that he called the "categorical imperative." Kant viewed this imperative as the product of reason

and as the basis for determining moral duties. He expressed it in three basic formulations.

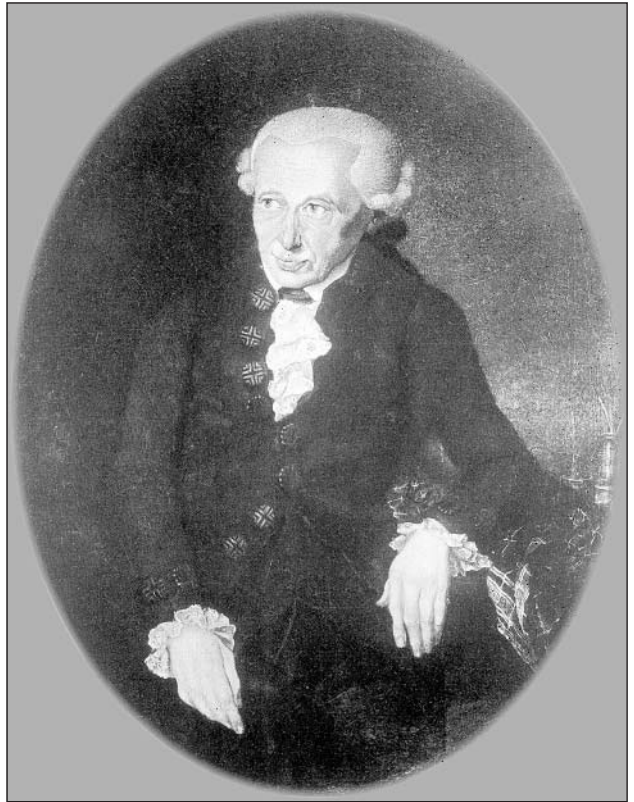
### THE FORMULA OF UNIVERSAL LAW

“Act only according to that maxim by which you can at the same time will that it should become a universal law.” Kant defined a maxim as a subjective principle on which a person intends to act, and a universal law as a principle that applies to everyone. Therefore, his formula of universal law demands that one act only on maxims that one can rationally will that everyone adopt. Kant provided the following example of how to use the formula: Suppose that a person must borrow money for a personal need and knows that he is unable to repay it. Is it morally permissible for him to act on the maxim of falsely promising to pay back a loan in order to get the loan? The formula tells that the person may act on the maxim if he can rationally will its universalization. The person cannot rationally will this because it would mean that people would no longer trust promises to repay loans, including his own. Kant added that the immorality of the maxim is clear in that the person really wants people to keep their promises so that he can be an exception to the rule for this one occasion.

### THE FORMULA OF HUMANITY

“Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only.” For Kant, “humanity” refers to people’s uniquely human characteristics, their rational characteristics, including autonomy and the capacity to understand the world and to form and pursue life-plans. Thus, his formula of humanity demands that people always act so that they respect themselves and others as beings with a rational nature.

In *Foundations of the Metaphysics of Morals*, Kant used the formula of humanity to argue for a variety of duties to oneself and others. According to Kant, respect for rational nature in oneself implies that one ought not to destroy or deny one’s intellectual and moral capacities through suicide, drug abuse, lying, self-deception, or servility. It also implies that one must further one’s own rational nature by developing one’s natural talents and striving to be-



*Immanuel Kant.* (Library of Congress)

come virtuous. Respect for rational nature in others requires that one not harm them and that one uphold their individual liberty, but Kant discussed these duties as part of his legal and political philosophy. More exclusive ethical duties to others include the duty to contribute to the flourishing of rational nature in others through beneficence and the duty to refrain from arrogance, defamation, ridicule, and other activities that deny people’s humanity.

### THE FORMULA OF THE REALM OF ENDS

“All maxims . . . ought to harmonize with a possible realm of ends.” This formula shows that the two previous formulas are interconnected. (Kant held them all to be equivalent, but this has not been widely accepted.) Kant described the realm of ends as a harmony between human beings, resulting from each acting only on maxims that can become universal laws. It is a harmony of ends in that its members, by acting only on universalizable maxims, act only on maxims that can meet everyone’s consent; thus,

they respect one another as rational self-determining agents, or ends in themselves. It is also a harmony of ends in that people will seek to further one another's individual ends.

### MORAL VISION

Kant held that people must mirror the realm of ends in their moral choices and actions, and that it is humanity's duty to bring about this ideal. He viewed the French Revolution and the Enlightenment as steps in the right direction; argued for a worldwide league of democratic states as a further step toward the realm of ends; and claimed, moreover, that the religious institutions of his time must embrace the ideal, setting aside their historically evolved differences. Kant maintained that moral philosophy must not formulate new duties, but should only clarify the moral principle operative in "common moral reason" in order to help ordinary persons more adequately resist immoral desires. Kant's clarification went beyond these confines, however, and it ended with an inspiring moral vision of the realm of ends as the purpose of history, the kingdom of God on Earth, and the ultimate individual and collective vocation.

*Harry van der Linden*

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SEE ALSO: Autonomy; Consistency; Deontological ethics; Duty; Enlightenment ethics; *Foundations of the Metaphysics of Morals*; Kantian ethics; Post-Enlightenment ethics; Practical reason; Transcendentalism.

## Kantian ethics

DEFINITION: Moral system put forward by, or modeled after that of, Immanuel Kant

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: Kantian ethics are concerned with the determination of an absolute and universal moral law and with the realization or modeling of an ideal society characterized by the mutual respect and harmonious coexistence of all moral agents.

The term "Kantian ethics" is commonly used to refer to the ethics of Immanuel Kant, as set forth in his *Foundations of the Metaphysics of Morals* and other moral writings of the 1780's and 1790's. The term is also frequently used to refer to later moral theories that are similar to Kant's ethics but contain modifications in response to its perceived shortcomings. Three important examples are the moral theories of Hermann Cohen, John Rawls, and Jürgen Habermas.

### IMMANUEL KANT

The ultimate purpose of moral rules, Kant argued, is to make possible his ideal society, the "realm of ends," which has two main aspects: All its members respect one another as self-determining agents who pursue different individual ends, and they seek to promote one another's ends. Kant believed that this



moral ideal would evolve if everyone followed the fundamental principle of his ethics: the “categorical imperative.” This imperative demands that one act only on those personal policies of conduct (“maxims”) that one can rationally will to become universal laws or principles that guide everyone’s conduct. According to Kant, obedience to the categorical imperative implies respect for others as self-determining beings with different individual ends; in acting only on maxims that can become universal laws, one acts only on principles to which others can rationally consent, and thus one upholds their right to legislate their own moral rules and pursue their own individual ends.

Kant also argued that general obedience to the categorical imperative would bring about universal mutual promotion of individual ends (as the other aspect of the realm of ends) because the imperative prohibits refusing to assist others. The reason for this prohibition is that one cannot rationally will that everyone adopt a maxim of not assisting others in the pursuit of their individual ends, for in such a world one would lack the assistance of others as a means for realizing one’s own happiness.

Attempts to overcome the shortcomings of Kant’s ethics, while preserving its strengths, have led to such influential examples of Kantian ethics as the moral theories of Hermann Cohen, John Rawls, and Jürgen Habermas. The most significant shortcomings are the following: The categorical imperative does not offer a sufficient criterion for determining universal laws, Kant failed to provide an adequate justification of the categorical imperative, he described moral agents as isolated legislators of universal laws, and he failed to address satisfactorily how the realm of ends can be institutionalized.

#### **HERMANN COHEN**

During the later part of the nineteenth century, Kant’s philosophy regained in Germany the great influence it had had during his own lifetime. This resurgence is known as neo-Kantianism, and one of its most important representatives is Hermann Cohen, who transformed Kant’s ideal of the realm of ends into a democratic socialist ideal. Cohen held that human agents can only arrive at universal laws, or approximations thereof, if all people become decision makers or co-legislators in their institutions. Thus, Cohen argued that the realm of ends requires for its

realization not only political democracy, as Kant himself claimed, but also democracy in the workplace. Moreover, Cohen held that workplace democracy, in order to be effective, requires workers’ ownership of productive property. Cohen also maintained that these democratic socialist proposals were necessary for realizing the aspect of the realm of ends that all of its members promote one another’s individual ends.

#### **JOHN RAWLS**

A second main philosophical movement of renewed interest in Kant’s ethics and corresponding attempts to improve his ethics occurred during the 1970’s and 1980’s. The American philosopher John Rawls and the German philosopher Jürgen Habermas are the two major figures of this movement. Rawls’s primary concern is to argue for principles of justice that create a political society in accord with the realm of ends. More specifically, he argues for an extensive liberal welfare state based on the principles of justice that all persons must have equal political and civil liberties and that social and economic inequalities must be corrected to the greatest benefit of the least advantaged. Rawls holds that rational agents will opt for these principles of justice once their situation of choice, the “original position,” is made impartial by a “veil of ignorance” that makes them temporarily forget about all the specific facts concerning themselves and their society. Whether this innovative transformation of the categorical imperative—the veil forces one to opt for principles that are acceptable to all—justifies Rawls’s two principles of justice, and whether it can more generally be used to justify and explicate Kantian moral rules, are questions that have generated much debate.

#### **JÜRGEN HABERMAS**

The basic principle of the “discourse ethics” of Jürgen Habermas is a clear modification of the categorical imperative. The principle is that for a norm to be valid it must be accepted in a practical discussion by all those who are affected by the norm. The participants in the practical discourse must then also foresee the consequences of the general observance of the norm for the realization of the particular interests of each of them. This view that moral norms must be constructed by communities engaged in free practical discourse implies that the good society must be

fundamentally democratic; unlike Cohen and Rawls, however, Habermas has been somewhat vague and hesitant about the specific institutional ramifications of his Kantian ethics.

Harry van der Linden

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SEE ALSO: Autonomy; Consistency; Deontological ethics; Enlightenment ethics; *Foundations of the Metaphysics of Morals*; Kant, Immanuel; Post-Enlightenment ethics; Rawls, John; *Theory of Justice*, A.

## Karma

DEFINITION: Spiritual and ethical force generated by a person's actions

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: In Eastern religious traditions, karma is the motive force determining the transmigration of souls in successive incarnations: One's next life will be better or worse depending on the

good or evil of one's actions in this life. In modern Western culture, the term is used in a more general and secular sense to mean good luck or fortune earned through good deeds, or bad luck which is deserved as a result of malfeasance.

The word karma is a Sanskrit term meaning "action," "deed," or "work." By extension, it also came to mean the results of one's deeds and the law of retribution according to which one reaps what one sows.

The term karma does not appear in its extended sense in the oldest hymns of the Hindu scriptures. Nevertheless, the idea does appear that evil deeds have consequences that one would want to avoid. Furthermore, a person could obtain forgiveness from the god Varuṇa. The early hymns also taught continued personal existence beyond death, sometimes in an undifferentiated state, but sometimes with good men going to Heaven and others to a sort of hell.

In the Upaniṣads (composed roughly between the eighth and fifth centuries B.C.E.), Hindu speculation arrived at the conclusion that if one did not reap all that one had sown in this lifetime, one would inherit those uncompensated aftereffects in a future life. The cycle of rebirths came to be understood as the condition from which salvation was necessary. Furthermore, the law of karma was held to operate automatically; it was independent of the efforts of any god.

In its fully developed form, the law of karma is held to explain such phenomena as premature death (the result of misdeeds committed earlier in one's life or in a previous life), child prodigies (the child continues to develop skills already learned in a previous life), and differences in socioeconomic status (karma determines the caste into which one is born). In a moral universe, everything that happens to a person is earned; nothing is accidental or in any other way undeserved. In short, one determines one's own fate, in this and future lives.

Over time, Hindus developed several paths by which to escape the cycle of rebirth. The most important were enlightenment, work, love and devotion, and meditation, which also could be a method employed in other paths. The *Bhagavadgītā* (variously dated between the fifth and first centuries B.C.E.) dealt with the relationship between karma and one's caste duty. Simply put, it was the duty of each person to fulfill his or her role, even if the person found that role distasteful. Failure to do so would entangle one

more tightly in the cycle of rebirth. Actions undertaken out of a desire for reward would also lead to rebirth. Hence, the ideal was to perform one's duties to society without desiring to reap the benefits of one's actions. Such detached behavior would build up no karma, particularly if it were combined with other methods of salvation. Thus, one could escape from the cycle of rebirth.

### KARMA IN BUDDHIST ETHICS

Buddhism retained from Hinduism the ideas of karma and reincarnation but denied the existence of a permanent soul that could be reincarnated. Instead, Theravāda Buddhists argued that everything in the phenomenal world was temporary, passing in and out of existence every instant. Furthermore, nothing originated from itself; rather, everything originated from something that had existed previously. This transitoriness was not random, however; discrete streams of karma held one's flashes of existence together in a continuum and separate from other streams of karma. An analogy often used by Buddhists was the passing of a flame from one candle to another. In that process, the second flame is neither identical to nor completely different from the first. Thus, a "person" could commit good or bad deeds and experience the rewards or punishments appropriate to each. Furthermore, over time a person could "use up" all acquired karma and pass into nirvana.

Buddhists were not oblivious to the logical difficulties implicit in this view. On one hand, if things passed completely out of existence before being replaced by others, it would appear that anything could cause anything, a conclusion that Buddhists denied. On the other hand, if something connected the flashes of existence, that something would at least resemble a permanent soul. Various Buddhist schools debated the nature of that resemblance, with several Mahāyānist thinkers returning to monistic thinking.

Buddhists generally hold that three factors regulate the acquiring of karma: the intention of the person committing an act; physical actions, including speech; and the abiding effects of the action. A person's karma may be changed by subsequent good deeds performed by the person or (in popular Buddhism) by someone else (for example, a monk or a Buddha) acting on that person's behalf.

### KARMA IN JAIN ETHICS

Jainism held that the life force, or *jīva*, within a person is pure and intelligent but can be clouded by karma, which Jains (like some Hindu schools) understood as a subtle form of matter that attaches itself to the *jīva*. Virtuous acts color the *jīva* only slightly, while vices darken and weigh it down. Even the unintentional harming of a lower form of life results in the accumulation of karma. Hence, Jains are strict vegetarians and make every effort to avoid stepping on or breathing in even the tiniest insects. Release from rebirth is possible only if one ceases to acquire new karma and removes the karma already present by means of physical austerity and meditative concentration.

Paul L. Redditt

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SEE ALSO: *Bhagavadgītā*; Bodhidharma; Buddha; Buddhist ethics; Caste system, Hindu; Fatalism; Hindu ethics; Jain ethics; Śaṅkara; Vedānta.

## Keller, Helen

**IDENTIFICATION:** American social activist  
**BORN:** June 27, 1880, Tuscumbia, Alabama  
**DIED:** June 1, 1968, Westport, Connecticut  
**TYPE OF ETHICS:** Civil rights  
**SIGNIFICANCE:** One of the most influential women of the twentieth century, Keller published many books and devoted her life to helping blind and deaf people.

At the age of eighteen months, Helen Keller suffered a severe illness that left her blind and deaf. She could not communicate with other people. When Helen was eight years old, her parents hired a teacher, Anne Sullivan, from the Perkins Institution for the Blind. Sullivan taught Helen a manual alphabet and finger-spelled the names of various objects. Within two years, Helen learned to read and write in braille. At age ten, Helen learned to speak by feeling the vibrations of Sullivan's vocal cords.

In 1890, Anne Sullivan accompanied Helen Keller to Radcliffe College. Four years later, Helen graduated cum laude and began writing essays on the rights of the disabled. She lectured worldwide and gained the support of famous people on improving the rights of people with disabilities. Her publications include *The Story of My Life* (1903), *The World I Live In* (1908), *Out of the Dark* (1913), *Helen Keller's Journal* (1938), and *Teacher: Anne Sullivan Macy* (1955). Helen Keller was an activist for the rights of people with disabilities until her death in 1968.

*Noreen A. Grice*

**SEE ALSO:** Americans with Disabilities Act; Disability rights; United Nations Declaration on the Rights of Disabled Persons.

## Kevorkian, Jack

**IDENTIFICATION:** American pathologist  
**BORN:** May 26, 1928, Pontiac, Michigan  
**TYPE OF ETHICS:** Bioethics  
**SIGNIFICANCE:** A medical doctor who has advocated the creation of a medical specialty ("obitriary") for suicide assistance, organ harvesting, and experimentation on the moribund, Kevorkian per-

sonally assisted in the suicide of scores of terminally ill patients. Media coverage of his actions and ideas galvanized public debate on the issue of physician-assisted suicide.

Jack Kevorkian's career-long focus on death—from trying to ascertain its onset in patients' eyes to trying to salvage some benefit from it—has alienated him from the medical establishment. Kevorkian advocated cadaver blood transfusions and lobbied along with death-row inmates for execution by lethal injection because it would be more merciful and would permit organ donation and experimentation under irreversible anesthesia. Kevorkian wrote various journal articles promoting his controversial ideas, but his objectives were repeatedly frustrated, and he turned his attention to patients who desired euthanasia.

### No Regrets

In a telephone interview with a Pontiac, Michigan, reporter in April, 2004, Dr. Jack Kevorkian said, "There is no doubt that I expect to die in prison." Although he reaffirmed a promise that he had made earlier in affidavits, that he would assist in no more suicides if he were to be released, he expressed no regrets for what he had done or what had happened to him, saying, "I knew what I was doing."

In response to a letter-writing campaign to secure Kevorkian's early release, prosecutor David Gorcyca, who had led Oakland County's successful prosecution of Kevorkian in 1999, said that Kevorkian should be treated no differently than any other convicted prisoner. "He flouted the law and baited, no, begged me, on national TV to prosecute him. . . . Now he has to suffer the penalty."

*Source: Detroit Free Press, April 11, 2004.*

In 1989, Kevorkian developed a saline drip by means of which a severely disabled person could activate a lethal drug, and he marketed this machine on talk shows. Kevorkian later developed another "suicide machine" that used carbon monoxide, which he used after his medical license was revoked and he no longer had access to prescription drugs. On Novem-

Image not available

*Jack Kevorkian with his "suicide machine." (AP/Wide World Photos)*

ber 22, 1998, CBS's *60 Minutes* aired a video tape of Kevorkian injecting a patient named Thomas Youk with a lethal drug. The broadcast triggered renewed debate not only about the legality and morality of assisted suicide, but about journalistic ethics as well. Three days later, Kevorkian was arrested and charged with murder. He was convicted of second-degree murder in 1999 and sentenced to ten to twenty-five years in prison.

Kevorkian assisted in the deaths of at least 130 people. The media attention and controversy surrounding him throughout the 1990's made his name a household word. Besides questioning the propriety of assisted suicide, critics condemn Kevorkian's lack of medical experience with living patients; his brief relationships with the suicides; and the fact that many of the suicides were not terminally ill but merely in pain or afraid of advancing physical or mental disability, and possibly depressed. The number of people contacting him for assistance or openly endorsing his actions, however, demonstrates substantial dis-

satisfaction with available options for the terminally and chronically ill.

*Ileana Dominguez-Urban  
Updated by the editors*

SEE ALSO: Abortion; Bioethics; Death and dying; Dilemmas, moral; Euthanasia; Homicide; Right to die; Suicide; Suicide assistance.

## **Kierkegaard, Søren**

IDENTIFICATION: Danish philosopher and theologian

BORN: May 5, 1813, Copenhagen, Denmark

DIED: November 11, 1855, Copenhagen, Denmark

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Widely regarded as the founder of existentialism, Kierkegaard focused throughout his writings on the situation of the concrete individual who must choose how to live without the ben-



efit of objective criteria upon which to base that choice. His most famous works include *Either/Or: A Fragment of Life* (Enten-Eller, 1843), *Fear and Trembling* (Frygt og Bæven, 1843), and *Concluding Unscientific Postscript* (Afsluttende uvidenskabelig Efterskrift, 1846).

In a span of only thirteen years, from 1842 to 1855, Søren Kierkegaard authored a richly varied, challenging, and copious body of works. These include philosophical and theological treatises, novels, literary criticism, psychological investigations, social analysis, devotional literature, polemical pamphlets, and a literary autobiography. Despite the diverse character of his writings, many of the same themes and concerns run through all of them. In particular, Kierkegaard was concerned by what he saw as the growing tendency to discount the significance of the individual person's existence and to focus instead on large-scale social and historical phenomena. He regarded this trend as closely related to the tendency to overvalue knowledge and undervalue ethical endeavor.

#### PSEUDONYMOUS AUTHORSHIP

Most of the best-known of Kierkegaard's writings were published not under his own name but under those of his fictional creations. These were not mere pen names to keep secret Kierkegaard's role as author. Instead, Kierkegaard presented the main options for human existence by creating ideally consistent representatives of the "stages on life's way" and then letting them speak for themselves. That way, the reader does not simply learn about the various forms of existence as a removed observer. Rather, the reader imaginatively enters into the worlds of the various pseudonyms and gets a feel for what it is to exist as they exist.

Kierkegaard identifies three main forms, or stages, of existence: the aesthetic, the ethical, and the religious. His classic presentation of the aesthetic and ethical stages is his first major work, *Either/Or*. The first volume of this monumental book contains a variety of essays by an unknown aesthete who lives for pleasure, amusement, stimulation, and, above all, the avoidance of boredom. The volume ends on a dark note, with the copied pages of another aesthete describing the cynical seduction and abandonment of a young woman. The second volume, depicting ethical existence, consists of two very lengthy letters

from a lower-court judge and family man, Judge William, to the aesthete of volume I encouraging the aesthete to change his ways and adopt an ethical form of existence. By placing these two volumes before his readers, Kierkegaard sought to force a choice: either choose to live for pleasure, amusement, success, and so forth, or choose to devote yourself to doing the right thing and fulfilling your duties. The point is not simply to learn about these forms of existence but to choose which to live. By using pseudonyms and disappearing from the scene, Kierkegaard refuses to tell the reader which way he or she should choose.

Kierkegaard considerably complicates the issue of existential choice in subsequent pseudonymous works. In *Fear and Trembling*, the pseudonymous author, John of Silence, intensely examines the story of Abraham and Isaac from the book of Genesis. Abraham's readiness to sacrifice his son at the command of God shows the difference between ethical and religious existence, a difference that Judge William had effectively denied. Subsequent pseudonymous works, notably *Philosophical Fragments* (*Philosophiske Smuler*, 1844) and *Concluding Unscientific Postscript* by Johannes Climacus, distinguish between two types of religious existence: the immanent, in which the divine is believed to be within each person; and the transcendent, which views fallen humans as radically alienated from the divine and in need of divine assistance to gain salvation. Climacus identifies this latter form of religion as the Christian. While Climacus denies that he himself is a Christian, he is fascinated by Christianity and stresses the paradoxical nature of its central claims. He sharply criticizes modern philosophical and theological attempts to diminish that paradoxicality so as to assimilate Christianity to comfortable ways of thinking and being.

#### NON-PSEUDONYMOUS WRITINGS

At the last moment before its publication, Kierkegaard added a brief statement to the end of *Concluding Unscientific Postscript* admitting responsibility for the whole pseudonymous authorship and explaining his unusual form of writing. He expected at this point to stop writing and become a pastor, a position for which he was already fully trained. Instead, he commenced a second and distinctive career as an author. Most of the works in this "second authorship" were written under his own name and from an explicitly Christian point of view. In *Works of*

Love, he develops a Christian ethic that is grounded in Jesus' command to love one's neighbor.

By showing how radical this ethical demand is, Kierkegaard set the stage for an increasingly acrimonious confrontation with the Danish Lutheran Church. In the writings from the last years of his life, Kierkegaard asserted that the Danish church systematically diluted Christianity as part of an implicit deal with the social status quo: In return for good pay and high social status for pastors, "official Christianity" (which Kierkegaard referred to as "Christendom") legitimates the social order and avoids causing the sorts of disturbances occasioned by the radical demands of genuine Christianity. While Kierkegaard first stated these charges in books such as *Practice in Christianity*, he eventually addressed a broader audience by writing letters to the editor of a major Copenhagen newspaper and then producing a publication of his own, *The Instant*. Shortly after publishing the ninth issue of *The Instant* and at the height of his battle with the Danish Lutheran Church, Kierkegaard fell ill and was taken to a hospital, where he died some weeks later.

George Connell

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SEE ALSO: Altruism; Communitarianism; *Either/Or*; Existentialism; Love; Subjectivism; Unamuno y Jugo, Miguel de; Value.

## al-Kindī

IDENTIFICATION: Arab philosopher

BORN: c. 800, Kufa, south of Karbala, Iraq

DIED: 866, Baghdad, Iraq

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The first major Arab philosopher, Al-Kindī provided the first systematic philosophical expression of ethics and moral psychology in Arabic, and he was influential in Islamic and medieval European philosophy.

Al-Kindī, "the philosopher of the Arabs," argued that the soul is immaterial and is analogous to divine substance. The appetites and passions have their source in the material body and can lead a person into excessive love of physical pleasures. To avoid that development, the soul must be purified through the quest for truth and the rigorous study of philosophy. As the soul is thus further actualized, it can come to rule rationally over the lower faculties. If the virtuous soul has not been sufficiently purified here in the lower world, it will require further purification in the sphere of the moon and in those spheres beyond the moon before it is sufficiently cleansed to be able to partake in the intellectual apprehension of God (the bliss toward which all people should aim).

Al-Kindī drew upon the work of Neoplatonic and Pythagorean predecessors and, as is common for later Islamicate thinkers such as al-Fārābī, intermingled the metaphysics and moral psychology of both Plato and Aristotle. His work was important in medieval European attempts to understand Aristotle's *De Anima*.

Thomas Gaskill

SEE ALSO: Fārābī, al-; Islamic ethics.

## King, Martin Luther, Jr.

**IDENTIFICATION:** American civil rights leader

**BORN:** January 15, 1929, Atlanta, Georgia

**DIED:** April 4, 1968, Memphis, Tennessee

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** As founding president of the Southern Christian Leadership Conference (SCLC), a post he held from 1957 until he died in 1968, King was the major American spokesperson for nonviolent social change and racial equality. He was recipient of the 1964 Nobel Peace Prize.

Influenced chiefly by the Indian liberator Mohandas K. Gandhi and the southern black evangelical tradition, King combined nonviolent activism and Christian theology in his ethic of social change. He maintained throughout his public career that he was not seeking to change only laws but also attitudes, so that people of all races and classes could live in the Beloved Community, a concept borrowed from social gospel advocate Walter Rauschenbusch.

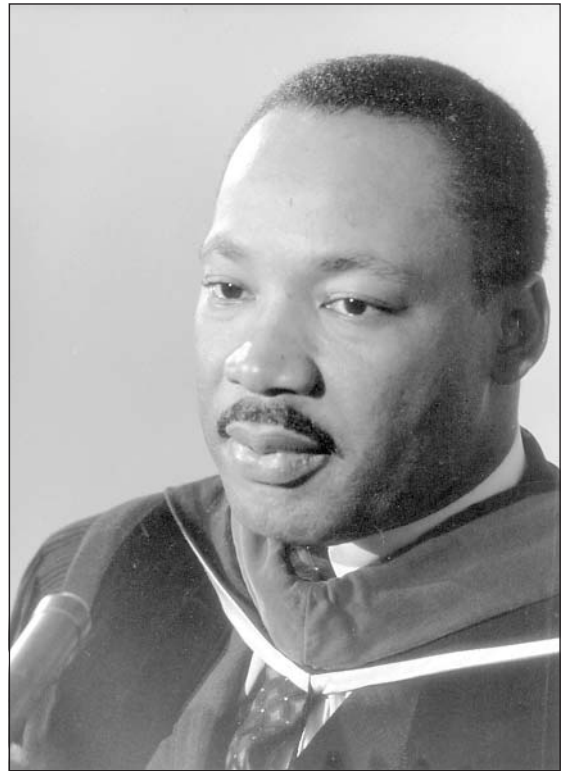
Central to King's philosophy was an ethic of love drawn largely from traditional Christian morality and combined with a strong reformist mission. King openly challenged the acquiescence of both blacks and whites. It was time for change, he believed, because the status quo was perpetuating wrong behavior that was harming all races, but meaningful change would come only by ethical means. "Returning hate for hate," he affirmed, "multiplies hate, adding deeper darkness to a night already devoid of stars. Darkness cannot drive out darkness; only love can do that."

### THE LOVE ETHIC AND THE HIGHER LAW

By love, King meant more than a positive feeling. Drawing upon the rich linguistic heritage of the Greeks, he defined love not in terms of *eros* (romantic love) or even *philos* (brotherly love), but *agape*, a word used in the New Testament to mean unselfish, redemptive love. Like Gandhi, King believed that love is a potent force in human relations, capable of effecting reform without crushing the opponent. The real "enemy" in this view is not a group of people but a system that exploits both the oppressor and the oppressed. People should love their enemies, he said, because "love is the only force capable of transforming an enemy into a friend."

After years of studying the ideas of Rauschenbusch, Reinhold Niebuhr, Karl Marx, Gandhi, Jean-Paul Sartre, and others, King developed a synthesis of Christianity and Gandhian nonviolence that satisfied his longing for a method "that would eliminate social evil." He found in Gandhi's thought what he could not find elsewhere, and the result was a synthesis: "Christ furnished the spirit and the motivation and Gandhi furnished the method."

Ambiguities had to be resolved in real situations. One that King often faced was the question of breaking segregationist laws without appearing to oppose rule under law, a particularly frustrating issue in the Birmingham campaign of 1963. Jailed for defying a federal injunction, he was criticized by several local clergymen who characterized him as an outside agitator. Although he rarely responded to criticism, this time he felt compelled to answer in what is called his "Letter from a Birmingham Jail." Of all people, he felt, clergymen should most readily understand that his actions were consistent with the prophetic tradition of leaving one's home to carry God's message.



Martin Luther King, Jr. (Library of Congress)

He could not be an outsider, because “injustice anywhere is a threat to justice everywhere”; he was violating the injunction on the same grounds used in the thirteenth century by Saint Thomas Aquinas to denounce laws that were contrary to God’s higher law. “A just law is a man-made code that squares with the moral law or the law of God.” Ethics and the legal codes that enforce public morality were thus linked to the moral order of creation.

### ELEMENTS OF NONVIOLENT ETHICS

The higher moral law was one of the four main components of King’s social ethics. The second, the principle of reconciliation, went beyond law to the level of community. To damage society permanently was contradictory, in his view. Just as God in Christian theology is a reconciler, so the social reformer must seek reconciliation. All sides in the confrontation must emerge with dignity and confidence that their interests will be protected in the new society.

Third, King believed that resistance by public officials or private citizens to social justice was only the surface manifestation of deeper evil. Reforms could not in themselves destroy that evil. For every pharaoh lying dead on the seashore—in a popular analogy to the Old Testament Exodus from Egypt—others will arise. The final victory over evil lies in the eschatological future. In that sense, King’s social ethic combined a vision of the final victory of good with the necessity of confronting specific societal flaws with confidence that even partial victories are important.

No ethical principle was more basic to King’s nonviolent ethics than was the concept of redemptive suffering. He knew that even the most limited gains in the Civil Rights movement would come with difficulty. Freedom would never be granted voluntarily. It had to be taken, and suffering would often result. Making frequent allusions in sermons and speeches to Christ’s suffering on the cross, King compared the nonviolent struggle against racism to the redemptive suffering of the Judeo-Christian tradition. Suffering in a righteous cause would expose evil to public consciousness, as Gandhi had done with British oppression in India, and offer an alternative model of behavior. “Recognizing the necessity for suffering,” wrote King, “I have tried to make of it a virtue.” This did not

mean that King invited martyrdom, but it did suggest an approach to morality that recognized the persistence of evil despite dedicated opposition.

King’s ethics demanded adherence to nonviolence based on the prophetic tradition. Although he was not primarily an original thinker, King infused nonviolent theory with a new intellectual integrity and created an effective grassroots movement to apply and test its viability in social reform efforts, international relations, and personal living. The nonviolent social ethics he articulated required discipline and the willingness to suffer for a good higher than that of one’s personal safety or comfort.

*Thomas R. Peake*

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SEE ALSO: Bigotry; Christian ethics; Civil disobedience; Civil rights and liberties; Civil Rights movement; Evers, Medgar; Gandhi, Mohandas K.; Jackson, Jesse; Mandela, Nelson; Nonviolence.



## Knights of Labor

**IDENTIFICATION:** Universal national labor union working to promote social reform

**DATE:** Founded in December, 1869

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The Knights of Labor was the first national union to seek economic justice for unskilled labor by promoting a classless society in which each worker would also be an entrepreneur.

Established originally as a secret league, the Knights of Labor experienced tremendous growth when it became an open organization during the 1880's through the efforts of Terence Powderly, its grand master workman from 1879 to 1893. With the exception of professional workers, the Knights melded all labor, regardless of sex, race, creed, national origin, or skill level, into a single disciplined army that would check the power of concentrated wealth that, according to the Knights, was degrading labor.

The Knights of Labor believed that labor could regain its moral worth if it received a proper share of the wealth that it created and adequate leisure time to enjoy the blessings of a civilized society. The Knights sought to check the power of corporations through legislation to secure safe working conditions, equal pay for the sexes, an eight-hour day, a national banking system, public lands for settlers, weekly pay in full, the substitution of arbitration for strikes, and the abolition of contract labor and child labor. The Knights declined after 1886 when many skilled workers who desired less utopian reform joined the newly organized American Federation of Labor.

*Stephen D. Livesay*

**SEE ALSO:** American Federation of Labor; Executive Order 10988; International Labour Organisation; National Labor Union.

## Kohlberg, Lawrence

**IDENTIFICATION:** American psychologist

**BORN:** October 25, 1927, Bronxville, New York

**DIED:** c. January 17, 1987, Boston, Massachusetts

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** In *Essays on Moral Development* (1981), Kohlberg put forward an influential theory of moral development based on the premise that morality is a cognitive ability that develops in stages. Application of Kohlberg's model has been controversial, because it lends itself to categorizing specific individuals or entire classes of people, such as women or the uneducated, as morally inferior to others based on the stage of development they are deemed to occupy.

While serving as professor of education and social psychology at Harvard University, Kohlberg refined his theory of moral development. He forced a rethinking of traditional ideas on moral development by asserting that one's maturity in moral decisions develops as one thinks about moral issues and decisions. With cognitive growth, moral reasoning appears, and moral reasoning allows children to gain control over their moral decision-making process. From approximately four years of age through adulthood, a person experiences six stages of development that are divided into three levels.

Because it is a cognitive developmental process, moral reasoning is taught using scenarios of moral dilemmas, causing students to justify the morality of their choices. Upon reaching cognitive maturity, a person will use reason to fashion an ethic of justice that is consistent with universal principles of justice and use it to satisfy the moral dilemma. For Kohlberg, moral judgment is the key ingredient in morality, taking precedence over other noncognitive factors. Some critics, notably Carol Gilligan, have challenged Kohlberg's system on the grounds that it seems to privilege values—such as detached, objective justice—more likely to be found in men, while it denigrates the moral values—such as caring and a desire to find solutions to moral problems that will benefit all parties—more commonly found in women in contemporary patriarchal society.

*Stephen D. Livesay*

*Updated by the editors*

**SEE ALSO:** Dilemmas, moral; Feminist ethics; Is/ought distinction; Justice; Moral education.



## Kosovo

**IDENTIFICATION:** Province in southwestern Serbia

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** In 1999, the North Atlantic Treaty Organization (NATO) conducted a massive bombing campaign against strategic targets throughout Serbia in order to force the Serbian government to stop its military operations against ethnic Albanians living in Kosovo.

During the 1990's, the province of Kosovo had a population of about two million people, of whom more than 90 percent were ethnic Albanians. Ethnic conflict between Serbs and Albanians in the province had roots deep in the past. After the Turkish Ottoman Empire conquered Serbia in the fifteenth century, its forces drove many Serbs out of the southwestern por-

tion of the country and allowed Albanians to settle there. After Kosovo won its independence from the Ottoman Empire early in the twentieth century, Serbia, with the support of the European powers, annexed it as a province. From 1918 into the twenty-first century, Serbia remained part of the federation of Yugoslavia.

With the fall of communism throughout Eastern Europe during the late 1980's and early 1990's, nationalistic Serbs demanded an end to Kosovo's autonomous status. Albanians, in contrast, called for either full independence or annexation to neighboring Albania. In 1989, the Serbian government, led by strongman Slobodan Milošević placed Kosovo under military rule and abolished its parliament. The province's Albanian leaders then declared independence and established an underground government. Meanwhile, the Yugoslav federation was breaking apart,



Image not available

*Orthodox Christians in Podgorica, Montenegro, march in March, 2004, to pay tribute to Serb victims of ethnic violence in neighboring Kosovo. (AP/Wide World Photos)*

and by 1992 only two republics, Serbia and Montenegro, remained in the federation.

#### **INTERVENTION TO STOP ETHNIC VIOLENCE**

In 1995, thousands of Serb refugees from Croatia moved into Kosovo. Militant Albanian separatists formed the Kosovo Liberation Army (KLA) and began conducting guerrilla operations against Serb forces. In March, 1998, Milošević ordered a massive crackdown against Albanian separatists. By December, Serbian troops were destroying Albanian villages. During that year, more than 400,000 Albanians became refugees, most of them fleeing to Albania.

U.S. president Bill Clinton and many European leaders accused the Serbian government of practicing “ethnic cleansing.” In late 1998, Western leaders threatened Milošević with a campaign of air strikes unless his government would agree to a peaceful settlement. Milošević refused to make adequate concessions. On March 24, 1999, NATO forces began to

bomb bridges, roads, and additional targets of military value. Milošević responded with intensified attacks on Albanian villages, which in turn led to more bombings. On June 2, a special International Criminal Tribunal announced indictments of Milošević and four other Serbian officials for war crimes.

On June 3, Milošević finally agreed to negotiate an end to the fighting, and six days later, the two sides agreed to terms for a settlement. The next day, the United Nations Security Council authorized a fifty-thousand-man peacekeeping force to supervise the return of an estimated 780,000 Albanian and Serb refugees. However, ethnic fighting in Kosovo continued. Over the next several years, the KLA made revenge attacks against Serbs and other non-Albanians, creating new refugees. Although the NATO operation of 1999 had successfully stopped an instance of ethnic cleansing, it also demonstrated the inherent difficulties and frustrations associated with attempts by outsiders to end long-standing ethnic conflicts.

*Thomas Tandy Lewis*

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SEE ALSO: Bosnia; Concentration camps; Ethnic cleansing; Peacekeeping missions; Refugees and stateless people; War crimes trials.

## Ku Klux Klan

**IDENTIFICATION:** White supremacist organization dedicated to racial segregation and the subjugation of people of color and other minorities

**DATE:** Founded in 1866

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** Persistent conflicts over the Ku Klux Klan highlight the tension between the competing moral principles of freedom of speech and assembly on one hand and racial tolerance on the other.

Few ethicists celebrate or condone the activities of the Ku Klux Klan; there is, however, a legal debate about how best to control these activities without unduly infringing on individual freedom.

The Klan initially appeared toward the end of 1865 as a social club for former Confederate soldiers, who adopted the hooded sheet as their uniform. Members of the Klan wore masks to disguise their identity. The Klan gained notoriety during the Reconstruction period (1865-1877) for harassing recently freed African Americans who tried to exercise their newly won privilege of voting. Cross-burning on the property of the African Americans and their white Republican political allies was one form of harassment that the Klan practiced; whipping was another. By 1877, when conservative white Democrats had wrested control of southern state governments from the coalition of African Americans and white Republicans, Klan activity had subsided. By 1900, when African Americans had been effectively deprived of the right to vote in most southern states, the Klan had effectively disappeared as an organization; it had lost its reason for being.

**THE SECOND KLAN**

In 1915, a new national organization was formed, which took the name and the distinctive costume of the old Ku Klux Klan. The leadership of this new organization viewed Jews, Roman Catholics, and immigrants as posing a danger to America that was equal to, if not greater than, that presented by African Americans. Although the Klan in the South did take part in outrages against African Americans in the immediate post-World War I years, the principal targets of the Klan in the North and the Midwest were the Roman Catholic Church, Jews, and all immigrants from southern and eastern Europe. It also claimed to enforce the traditional small-town virtues of alcoholic abstinence and Victorian sexual morality against all deviants. During this time, the Klan received much backing from Protestant ministers. It spread rapidly for a while throughout the Midwest and the Northwest but went into a sharp decline after the leader of the Indiana Klan was convicted, in 1926, of the rape of a young white woman. During the Great Depression (1929-1941), what remained of the Klan was eclipsed in importance by various other hate groups.

### **THE THIRD KLAN AND THE HATE SPEECH VS. FREE SPEECH DEBATE**

There was a revival of the Ku Klux Klan during the 1950's and 1960's in the South. This revival was sparked by the 1954 Supreme Court decision *Brown v. Board of Education*, which mandated racial integration of the schools, and by the African American drive for voting rights in Mississippi and Alabama during the early 1960's. Many police officials condoned or cooperated with the Klan. The Klan was implicated in the deaths of three civil rights workers in Mississippi in 1964, military officer Lemuel Penn in 1964, and white civil rights worker Viola Liuzzo in 1965. After 1954, three main Klan organizations were formed: the Knights of the Ku Klux Klan; the United Klans of America; and the Invisible Empire, Knights of the Ku Klux Klan.

Toward the end of the 1960's, Klan influence in the South began to wane. Vigorous prosecution of Klan crimes by the Federal Bureau of Investigation, under federal civil rights statutes, reduced its power. As African Americans, protected by federal registrars after the passage of the Voting Rights Act of 1965, more and more came to exercise their right to

vote, the once-common collusion between the Klan and local police became somewhat less frequent.

The Ku Klux Klan spread to the North during the 1970's and 1980's, as racial tensions spread across the country. The possibility that white males might lose jobs or promotions as a result of affirmative action policies was one Klan selling point. Klansmen practiced violence and intimidation, not only against African Americans but also, for a while, against post-1975 Indochinese refugee fishermen who had settled in the Gulf Coast states. Many Klansmen also opposed Mexican immigration; hostility to the Roman Catholic Church, however, was no longer emphasized.

**FADING POPULARITY OF THE KLAN**

During the 1980's, the reputation of the Ku Klux Klan was probably worse than it had ever been. The association of the Klan with acts of violence was one mark against it. Other elements that limited the spread of Klan ideas were the adoption by the Klan of anti-Semitism and the organization's close association with the neo-Nazi movement. Condemnation of the Klan appeared even in the pages of the conservative religious magazine *Christianity Today*; the author of the article was appalled not only by the Klan's hatred of African Americans but also by its insistence that Jesus Christ was not a Jew. The Klan and its rituals seemed more and more limited to the South, although hate groups with similar ideas did arise in the North. When ex-Klansman David Duke ran for the offices of Louisiana state legislator, senator from Louisiana, and governor of Louisiana, in 1989, 1990, and 1991, respectively, he soft-pedaled his past activity in the Klan; he won only the first election.

**THE KLAN AND THE ISSUE OF FREE SPEECH**

In June, 1990, two white youths in St. Paul, Minnesota, burned a cross at the home of an African American family that had moved into a previously all-white neighborhood; the city of St. Paul immediately passed a law banning cross-burning. In June, 1992, this law was overturned by the U.S. Supreme Court. In Georgia, a law banning the wearing of masks—a traditional practice among Klansmen—was struck down by the courts in May, 1990, as a violation of the Klan's right to free speech.

At that time, controversy erupted in the racially tense town of Kansas City, Missouri, when the Mis-

souri Knights of the Ku Klux Klan tried to broadcast a program on local cable television. Mayor Emmanuel Cleaver, an African American man, opposed this idea as likely to cause trouble; so did many other people in Kansas City. In June, 1988, the city passed a law that would have kept the Klan off cable television. In May, 1989, however, a federal district court ruled against the city. Despairing of a Supreme Court victory, the city eventually allowed the Klan the right to broadcast in Kansas City; the first episode of the Klan cable program was broadcast on April 3, 1990.

Among white liberals, the issue of whether the Klan should be allowed free speech proved to be divisive during the 1980's. Some urged that the white-sheeted hate group's right to propagate its views be curbed. Other liberals, such as Nat Hentoff, while by no means accepting Klan viewpoints, insisted that the First Amendment to the Constitution guaranteed the right to propagate even views that most people consider to be evil.

When Klan activity led to violence and intimidation, the courts during the 1980's sometimes assessed penalties against it. In Alabama, when an African American woman's young son was killed by Klansmen during the early 1980's, a white civil rights lawyer, Morris Dees, successfully sued the Alabama branch of the United Klans of America. The courts, by holding the organization responsible for the murder, effectively bankrupted the organization. In 1983, a court decision ordered the Klan to cease its harassment of Vietnamese refugee fishermen who plied their trade off the Gulf Coast of Texas.

*Paul D. Mageli*

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SEE ALSO: Bigotry; First Amendment; Hate crime and hate speech; Jesus Christ; Lynching; Racism; Segregation.

## Kūkai

IDENTIFICATION: Japanese Buddhist monk

BORN: Saeki Mao; July 27, 774, Byōbugaura, Sanuki Province, Japan

DIED: April 22, 835, Mt. Kōya, Japan

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Kūkai founded the Shingon school of Japanese Buddhism, teaching that there are ten

rungs on the ladder of spiritual development that leads to true Buddhahood.

Kūkai entered university studies in Confucian classics at age eighteen but converted to Buddhism and in 804 made a two-year trip to China to learn about esoteric Buddhism. Its “secrets,” which were transmitted from master to pupil, were available to anyone dedicated enough to master them. Kūkai subsumed all types of Buddhism under a ladder of ten spiritual rungs: the physical rung of food and sex; morality typical of lay Buddhism; deliverance from underworlds; realization that there is no soul; attainment of Theravādist disinterest; sharing the secret of liberation with others; meditation on the emptiness of things; seeing the true way of salvation; perceiving the Buddhahood of everything; and enlightenment.

Philosophically, Kūkai’s system was monistic, with the ultimate Buddha manifesting in the form of Mahāvairochana (Japanese, Dainichi), the Great Sun. Other Buddhas and bodhisattvas were emanations. A person uncovers his or her innate Buddhahood through meditating, repeating formulas, and performing hand gestures. Despite the esoteric nature of his rituals, Kūkai’s Buddhism appealed to the laity. Some Shingon adherents believe that he exists in the Heaven of the Satisfied, from which he will return with Maitreya, the future Buddha, and many people make pilgrimages to his tomb. After Kūkai’s death, the Japanese bestowed on him the title Kōbō Daishi (Great Teacher of Karma).

*Paul L. Redditt*

SEE ALSO: Buddha; Buddhist ethics; Four noble truths.



# L

## Labor-Management Relations Act

**IDENTIFICATION:** Federal law that attempted to check the power given to labor unions under the National Labor Relations Act of 1935 by specifying a set of unfair union practices

**DATE:** Became law on August 22, 1947

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The Labor-Management Relations Act sought to limit the power of labor partly to find a balance between labor interests and business interests and partly out of political fears that linked labor unions with communism.

After the passage of the National Labor Relations Act (Wagner Act) in 1935, manufacturers began a decade-long media blitz to convince the public and Congress of the evils of the new state of industrial relations. Manufacturers extolled the virtues of the free enterprise system and blamed the Wagner Act for allowing an unregulated growth of organized labor and producing the social and industrial unrest of post-World War II America. Probusiness Republicans turned the Democrats out of office in 1946 and promptly amended the Wagner Act, detailing six unfair labor practices and monitoring officials of labor organizations.

Changes in the law included outlawing the closed shop, prohibiting unions from participating in secondary strikes, allowing for an eighty-day injunction for emergency disputes, and requiring union officials to renounce any Communist Party affiliation or belief. This legislation provided a necessary balance between the interests of business and labor and proved the viability of the American system of government to keep its traditional economic institutions intact while meeting the current needs of all of its people.

**SEE ALSO:** American Federation of Labor; Executive Order 10988; National Labor Relations Act.

## Land mines

**DEFINITION:** Antipersonnel and antivehicle weapons buried below the surface of the ground that explode when disturbed

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Difficult to detect and disarm, unexploded land mines can continue to pose threats to humans and animals for decades after military conflicts end.

During the twentieth century, victim-triggered land mines became increasingly popular with military strategists, partly because technological advances facilitated both the mass production and the ease of delivery of the weapons. A single aircraft pilot, for example, could create an extensive minefield by dropping thousands of land mines in one overhead pass, peppering fields, hills, and streambeds. Military strategists used antipersonnel mines to defend borders in regions where they lacked sufficient troops to provide human defenses, or to channel enemy troops into more strategic zones. In some cases, civilians themselves mined the lands around their homes to protect themselves from enemies intent on “ethnic cleansing.”

Long after a military conflict ends, the land mines that are laid down during the fighting retain the ability to detonate and kill. Local residents often do not know the locations or boundaries of nearby minefields. Sometimes, refugees returning to their homes must travel along paths containing hidden mines. Because land mines cannot discriminate between combatants and civilians, they often kill or injure more people engaged in ordinary pursuits—such as trekking home, farming, or foraging—than they have killed or injured during the conflicts in which they are deployed. Typically, an unwitting farmer or child steps on a mine and is badly injured; if no one hears the explosion, the victim may bleed to death before help arrives. Even if a victim survives an initial blast, a systemic infection from the mud and flesh driven

into the victim's body may prove fatal. Survivors need surgeons trained to amputate limbs, medicine to control their pain, prostheses to replace their missing limbs, and physical therapy to regain their physical functions. Civilians—especially children—living near minefields must be educated as to where it is unsafe to work or play.

After the Vietnam War, a groundswell of moral outrage against the use of land mines occurred, culminating in the Ottawa Treaty of 1999. That treaty prohibits the production, use, transfer, and stockpiling of antipersonnel mines. However, at the beginning of the twenty-first century, neither the United States, Russia, nor China had signed the document.

The primary virtue of an international ban is that antipersonnel land mines now belong to a category of unacceptable weapons. The stigma associated with

deploying such weapons means that their use is much less likely in the future. It also legitimizes requests for support of programs for land-mine victims and their families.

The loss of limbs and lives, the ruin of lands, and the social and economic disruption of entire communities are global problems. Humanitarians argue that military groups responsible for placement of the mines should be held accountable, since the indiscriminate, disproportionate, and persistent nature of antipersonnel mines violates international conventions regarding acceptable weapons. Accountability implies that reparations for damages should be paid. In general, governmental responses have been inadequate with respect to postconflict problems caused by land mines, especially in developing countries.

*Tanja Bekhuis*

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SEE ALSO: Chemical warfare; Child soldiers; Ethnic cleansing; Human Rights Watch; Limited war; Mercenary soldiers; Military ethics; Scorched-earth policies; War; War crimes trials.

## Language

**DEFINITION:** Any systematic means of communication or representation employing signs with conventionalized meanings

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The relationship of language to meaning and truth is a central concern for many philosophers, and the need to ground meaningful inquiry in a specific theory of language is no less pressing in ethics than in the other philosophical disciplines. Moreover, the rise of deconstruction and related disciplines has led many thinkers to endow the everyday use of language with a new and unprecedented level of ethical significance.

*Mohammad Saber, an Afghan boy who lost both legs when he stepped on a land mine while collecting scraps of firewood for his family. According to a United Nations agency, as many as ten million land mines remained buried in Afghanistan during the late 1990's. (AP/Wide World Photos)*

Since the modern division of ethics into normative ethics and metaethics, the latter study has concentrated almost exclusively on the meaning of ethical terminology, its nature, and the rules of its interrelationships. The concern of ethics with language is scarcely a modern phenomenon, and even in the dialogues of Plato, Socrates challenges his interlocutors with demands for precision in their use of terms such as good, just, right, piety, and virtue.

As modern metaethics analyzes contemporary language, there are vital divisions in ethical thought that depend entirely on particular approaches to ethical language. Moral (or ethical) realism maintains that ethical statements make truth claims and that ethical terms signify real properties and relationships. In addition, ethical information is seen as enjoying an objectivity that transcends culture, class, gender, and other categories.

Realism has suffered, however, under the criteria utilized by the school of logical positivism for verifiability, confirmation, and so forth in the twentieth century. In the wake of the decline of positivism, a renewed interest in moral realism has appeared, but serious problems remain regarding the relation of the moral to the nonmoral and regarding the explanatory role that moral propositions have in understanding the world. In regard to the latter, it is clearly the case that one can understand certain events and individuals in history better by understanding their morality, but it is not certain that one need know more than the empirical fact that those individuals simply believed in a particular moral code and acted upon it.

### NONCOGNITIVISM

Noncognitivism has arisen as a way around imputing facticity and truth-value to moral statements. The three forms of noncognitivist ethics are emotivism, imperativism, and emoto-imperativism.

Emotivism constitutes a grouping of theories that are metaevaluative in nature. Throughout the full range of axiology (the study of values), those theories deny that moral, aesthetic, economic, or other sorts of evaluations convey information or are susceptible of truth-value analysis.

Emotivism portrays ethical statements as mere emotional utterances, in line with the attempt of logical positivism to eliminate truth claims from all nonempirical statements. Early emotivists included

philosophers such as A. J. Ayer, Charles L. Stevenson, John L. Austin, and, later, Paul Edwards and Margaret MacDonald.

R. M. Hare's theory of prescriptivism has been claimed by many thinkers, including C. L. Stevenson, to be a form of near-emotivism, although this analysis is in dispute.

Imperativism espouses the position that all ethical language is imperative in character. Obviously, much ethical language is overtly and undeniably imperative—for example, "Thou shalt not kill" or "Remember thou keep holy the Lord's Day." In imperativist theory, however, even ethical statements that have the outward form of factual claims are only disguised commands: "Murder is evil" equates to "Do not commit murder," and "Theft is blameworthy" amounts to "Don't steal." Furthermore, because they are commands, they have no informational import and are not susceptible of any truth-claims, since a command can never be true or false.

Since there was no inherent contradiction between the emotivistic and the imperativistic interpretations, a third school evolved that combined both theories into a single supertheory. Emoto-imperativism maintains that any ethical utterance is actually an emotional response, a command, or both simultaneously. Thus, "murder is immoral" can be rendered as "Murder—ugh!," "Do not murder," or "Murder—ugh!—do not commit it."

On the cognitive side of the debate, ethical naturalism interpreted ethical language in terms of nonmoral empirical meanings. A clear example of ethical naturalism is Thomas Hobbes's assertion that to say that a thing is good has the simple meaning that the speaker likes that thing. As one of several alternative theories, one might hold "good" to mean that which would be desired for its own sake by any normal person with knowledge and experience of it, as Jeremy Bentham asserted.

G. E. Moore's discovery of the naturalistic fallacy has been seen by many as fatally undermining ethical naturalism, and that is certainly the case if there is any attempt in the particular ethical theory to imply a conjunction of the specific empirical content of the good and the notion that the good is "that which one ought to do." Without this prescriptive linkage, however, the naturalistic fallacy leaves ethical naturalism unscathed.

**INTUITIONISM**

Intuitionism has a long history in ethics, dating back at least to the moral philosophy of Lord Shaftesbury, but in modern ethical thought, it has especially been viewed as a possible solution to the metaethical enigmas surrounding ethical language.

The heart of intuitionism holds that ethical statements can be justified without being derived from other types of statements. This noninferential justification of moral judgments has often led intuitionists to call them “self-evident,” but in any case, the clear import of modern intuitionism has been to avoid many of the epistemological pitfalls that have beset other theories of ethical language. Some intuitionists have gone so far as to assert a faculty of moral intuition as a source for all ethical judgments.

Despite the concern of ancient and medieval ethical philosophy with precision of language, it is modern philosophy that has made language one of the central concerns of ethics. Undoubtedly, David Hume’s is/ought problem has been the source of much of this concern.

“Hume’s Law”—the rule that one cannot deduce a prescriptive conclusion from descriptive premises—had the necessary effect of radically cleaving the empirical sphere of facts from the sphere of values. This radical divorcement of is and ought forced a search for new meanings in ethical language, together with the search for an epistemology of ethics that confines ethical terminology within the parameters of general philosophy of language, logic, and truth theory.

*Patrick M. O’Neil*

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SEE ALSO: Deconstruction; Derrida, Jacques; Emotivist ethics; Epistemological ethics; Fact/value distinction; Hare, R. M.; Is/ought distinction; Moral realism; Naturalistic fallacy; Postmodernism; Value.

**Laozi**

IDENTIFICATION: Chinese philosopher

BORN: 604 B.C.E., Quren, State of Chu, China

DIED: Sixth century B.C.E., place unknown

TYPE OF ETHICS: Classical history

SIGNIFICANCE: One of the three principal teachers of what later became known as Daoism, and supposed author of the *Dao De Jing*, Laozi (“Old Master Lao,” or Lao Tze in Wade-Giles) is commonly considered to be the founder of the Daoist religion. Daoism calls on its adherents to achieve order in society and harmony in personal life by withdrawing from society, ceasing to strive, and seeking contentment without worldly fame.

Basic facts about the life of Laozi are difficult to verify. Although he is traditionally believed to have lived in the sixth century B.C.E., the earliest information regarding his life and work is found in the works of a Chinese historian of the second century B.C.E. According to this source, Laozi was a native of a small village in the south of China in a state then called Chu, which corresponds roughly to the modern-day region of eastern Henan.

It is said that Laozi served as an official historian to the royal house of Zhou and became well known for his versatile learning. He has been associated with the Li clan, a family whose existence is historical fact, but it seems that this connection was created

during the Han Dynasty, several centuries after Laozi supposedly lived. At this time, the Li clan decided to adopt him as their ancestor, a practice that was common among noble families who wished to relate themselves to heroes of China's past. Some scholars contend that Laozi is a wholly fictitious person, posited by later generations of his followers who wished to ascribe various writings of Daoism to a single source.

### DAO DE JING

The document attributed to Laozi, the *Dao De Jing*, or the *Way and Its Power*, is the oldest text of the Chinese mystical tradition. Known also as the *Laozi* after its alleged author, it is a short text of about five thousand Chinese characters. The work is probably not as old as tradition holds it to be. It was most likely compiled from various aphorisms that emerged during China's Warring States period, around 250 B.C.E. Scholars dispute whether it is the product of a single mind or simply a collection of adages drawn from several ancient sources. The *Dao De Jing* can be read in various ways: as a philosophical handbook on how to live prudently in the world, as a discourse on the ways of politics, as a treatise on military strategy, and as a religious tract. Chinese scholars have written hundreds of commentaries on it. A body of popular belief and religious ritual emerged from it that continues to be practiced as one of the major religions of China today.

Laozi believed that genuine knowledge of and insight into the nature of things could be obtained only through mystic intuition. He maintained that all things were composed of two opposite aspects, a kind of unity of contradiction, and much of his teaching inverted the generally assumed order of things. He said, for example, that "the softest thing in the universe overcomes the hardest" and that "seeing the small is insight, yielding to force is strength."

### POPULAR DAOISM

The debate about Laozi's life derives from the context in which Daoist thinking gained popularity. The fourth and third centuries B.C.E., a period of anxiety caused by social disturbance and upheaval in China, fostered conditions that were particularly favorable to the development of philosophical and religious reflection. Some people saw Confucianism as the answer to the chaos. This school of thought main-

tained that social harmony derived from the fulfillment of mutual responsibilities in a clearly defined hierarchical system. Others believed that Legalism, which promoted meticulously enforced and stringent laws, was the solution for disorder.

Both of these philosophies were rejected by the Daoists. They argued that the salvation of both individuals and society could not be attained by rigorous loyalty to social codes or laws, but rather by pursuing retirement from the world as a means of mastering it. The aim, they taught, was to preserve and increase one's vital energy by recourse to various disciplines, including contemplation of the Way (Dao) as well as proper diet, breathing, and exercise. This did not exclude work, for the *Dao De Jing* assumes that work is necessary. Rather, work was to be done without rivalry, so that desire, competition, and those motivations that produce conflict would be avoided.

### LEGACY OF LAOZI

Later Daoists ascribed a religious connotation to the mystical aspects of the original doctrine of Daoism. The impersonal and infinite force beneath nature became transformed into individual finite human souls, which, after death, became powerful spirits. Many important Chinese gods (of rain, fire, medicine, agriculture, and the kitchen) arose in the Daoist school. The popular Daoism of later times increasingly emphasized magical aspects that typically became attractive when daily life seemed hopelessly difficult. Particularly drawn to this form of Daoist thinking were Chinese peasants who lived on a narrow economic margin where hard work and skill were not always sufficient to guarantee even survival. As a consequence, the average person began to associate Daoism with the world of spirits who had to be placated and appeased. Increasingly, Daoists were expected to select lucky days for such important events as funerals and weddings. A fear of death emerged. This debasement of Daoism in its popular form departs significantly from the teachings of such early philosophical Daoists as Laozi.

Margaret B. Denning

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SEE ALSO: Confucian ethics; Confucius; Daoist ethics; Zhuangzi.

## Law

**DEFINITION:** Body of rules enacted by a recognized authority that governs the conduct of the members of a given society, culture, or religion

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** There is no necessary or logical correspondence between secular law and morality, but most societies strive to a greater or lesser extent to craft their laws in such a way as to create such a correspondence. The perception that a law is unjust or immoral may be grounds to disobey that law. The laws of a given religion are generally speaking beyond question by adherents of that religion, although they may be open to interpretation.

Law is that which is laid down, ordained, or established. It is a body of rules of action prescribed by a controlling legal authority and having binding legal force. It is a written code of rules that must be obeyed by citizens, or those citizens will be subject to sanctions or legal consequences. Law is a solemn expression of the will of the supreme power of the state. Law is different from ethics. Ethics have been defined by former Supreme Court Justice Potter Stewart as "knowing the difference between what you have a right to do and what is the right thing to do."

Ethics involve following not only the letter of the law but also its spirit. Ethics are not codified in books. They are that which is moral. Ethics deal not only with conduct but also with motives and character.

Ethics constitute a higher standard than that of law; law dictates the minimum standards of behavior required of a person by society, whereas ethics go beyond what is required. Law comes from principles of morality; morality does not descend from law. Morality is that which pertains to character; it governs conduct not by legislative action or by force but by conscience and a desire to adhere to general principles of right conduct. Morality is a strict belief or conviction in the mind that is independent of legal proof or positive law. Law is essential to preserve society; ethics and morality are essential to sustain it at a higher level.

### ETHICS, LAW, AND MORALITY

Ethics are concerned with human values. Often, these values are reflected in jurisprudence and in laws. Legal theory has always concerned itself with morality. Two legal philosophers who wrote a great deal concerning the relationship between law and ethics were Saint Thomas Aquinas, who founded the natural law theory of jurisprudence, and John Austin, who helped establish legal positivism. There are two very different views of law, but both men stressed that law is subject to criticism from a moral point of view, and both believed that there are standards by which it may be properly judged.

Thomas Aquinas, in his *Treatise on Law*, says that "Law is nothing else than an ordinance of reason for the common good, promulgated by him who has the care of the community." He views law as something that is established for the good of all. Austin, however, sees the law as a social element that can be used for good or bad, and that can be exploited as a power tool by those in authority. Austin appears to be more realistic in his assessment of the possibility of the use of law by some to suppress others, since history has demonstrated that law is capable of doing good but has great capacity for evil. It can settle disputes and provide security, and it can lead to and enforce slavery. Law does not necessarily serve the common good and is not necessarily designed to do so. Austin recognizes that law can be good, if it is just and is derived from the laws of nature, as opposed to the laws that are framed by humankind. He says, "unjust hu-

man laws are a perversion of the ideal of law, which is given by right reason and the law of nature.”

Thomas Aquinas taught that human laws are just when they serve the common good. Laws that distribute burdens fairly, show no disrespect for God, and do not exceed the lawmaker’s authority are good laws. When laws fail to satisfy these conditions, however, they are unjust. Then, according to Thomas Aquinas, they do not “bind in conscience.” One is morally bound to obey just laws but not unjust laws. Unjust laws should be obeyed only when circumstances warrant it or “in order to avoid scandal or disturbance.” Human law does not automatically merit respect, and its legitimate claim to obedience depends on moral and ethical considerations that are independent of human law.

### THE MORAL BASIS OF LAW

The role of law in enforcing morality is another ethical dilemma in the relationship between law and ethics. Conduct, the immorality of which involves serious rights violations (such as rape and murder), is obviously a proper object of state regulation and laws. The real conflict between law and ethics, however, involves state regulation of conduct that is not unjust or harmful in the sense of committing serious rights violations, but instead is regarded as immoral by the public, such as laws that prohibit sodomy between private consenting adults or laws criminalizing cohabitation. Should the mere fact that the majority of society’s members and their elected representatives view such conduct as immoral serve as sufficient ground for making such conduct against the law?

Democratic societies such as the United States are supposed to allow the majority to have its way. Sometimes, however, liberty-maximizing societies will not be pure democracies and will place severe limits on the will of the majority in order to protect the rights of the individual, as does the Bill of Rights of the U.S. Constitution. Thus, a full moral discussion of the legitimacy of using the law to regulate private behavior that is judged to be immoral by a majority of citizens will mandate, at the very least, a moral theory of justified state coercion, and a moral theory of basic rights will be accorded to citizens in a just society. John Stuart Mill, in his treatise *On Liberty*, claims that the only purpose that justifies a society in coercing any of its members is to prevent harm to others.

Law has an interaction with moral opinion. Laws governing sexual conduct and drug usage confront the ethical issues head-on. What are the rights of the individual in relationship to society? What rights may the collective social body claim to the individual? When people form a society, how are the respective rights of both the individual and society at large to be structured? The general consensus is that both the individual and the society at large have rights that each must recognize, yet what those rights are and what boundaries restrict their invocation are matters of continuing struggle.

The struggle expresses itself in a number of ways, the most significant of which is the conflict between the individual conscience and the law. Should morality be legislated and enforced by law? When law and conscience conflict, which one should be obeyed? Laws seem to originate from moral convictions. Since it is morally wrong to take someone else’s life without justification, murder is illegal. It is by no means clear, however, that all moral convictions of a society, even those of a majority in a democracy, should be enforced by judicial sanctions. Should moral opposition to prostitution and abortion, for example, result in laws prohibiting such activity?

Which moral convictions should be incorporated into the legal code? Who decides which moral convictions are allowed to be incorporated into law: judges, the people, or both? Should the law concern itself with traditionally private immorality (such as homosexual acts) unless the behavior is offensive to public order and decency or exposes to the ordinary citizen something that is offensive or injurious? Is an established code of morality essential to preserving social order, even at the expense of private acts? Should individual liberty and personal choice be limited simply by the moral feelings and convictions of others?

### PRINCIPLES OF LAW AND ETHICS

Many great legal philosophers have debated these ideas. H. L. A. Hart, professor of jurisprudence at Oxford University, in 1959 published a detailed view of his theory of the relationship of law and morality in his treatise *Law, Liberty, and Morality*, in which he concluded that there was almost no legitimacy in making certain conduct illegal or criminal unless the conduct was harmful to others. The immorality of an

action was not sufficient to make it illegal. Hart believed that “there must be a realm of private morality and immorality which is not the law’s business.”

Several principles are often used in the legal enforcement of morality as justification for limiting the freedom of individuals. There are the “harm” principles, which state, as did John Stuart Mill, that behavior should be prohibited only if it harms someone. There is the “offense” principle, which states that behavior should be coercively prohibited if it is publicly offensive to others, and there is the “principle of legal moralism,” which holds that behavior should be punished simply because it is immoral. This perception that it is the responsibility of the law to enforce morality is used to justify the regulation of sexual and reproductive conduct, such as homosexuality and abortion. Joel Feinberg, in his essay “Hard Cases for the Harm Principle” (1973), holds that in order to characterize the kind of behavior that society is justified in controlling, the harm principle must be supplemented with a carefully drafted version of the offense principle.

There is a conflict between the individual conscience and the law. If one person believes that abortions are always morally wrong, but the law permits abortions under any circumstance, should that person attempt to prohibit women from obtaining legally permissible abortions? When the conscience and the law conflict, which takes priority? Conscience is an individual’s convictions regarding what actions are right and wrong, morally good or bad. When a person’s moral convictions lead him or her to object to abortion, or to a particular military position taken by the country, that person is also opposed to legal sanctions of abortion or that military position. A law is a rule of conduct prescribed by a properly constituted governing authority, enforced by sanctions, and justified by a mandate to legislate for the public benefit. A law is a rule of conduct that is “on the books.”

Given these principles of conscience and law, a fundamental question arises. When a person is morally convinced that he or she ought to do one thing, yet a legally constituted authority directs otherwise, what is that person to do when the two courses of action are at odds with each other?

People faced with these choices can obey the law; follow their consciences and suffer the legal consequences because they conflict with the law; or follow neither of the previous choices, thus choosing to obey

the law or follow personal conscience as the particular circumstances require. The third alternative seems to require specifying principles in terms of which the decision is made in any given instance to obey the law or follow one’s conscience.

Another set of moral questions about the law is derived from the realization that law is not only a set of rules used to govern society but also a profession. Lawyers, people trained in the law who give legal advice and assistance in legal matters, have certain responsibilities as advocates that may at least appear to conflict with larger responsibilities as a whole. For example, if a defense lawyer makes the best defense for his client and obtains freedom for him, even when he is both guilty and a danger to society, the ethical question is whether this is morally justifiable. As the defendant’s advocate, the lawyer must work for the client’s best interests. As a citizen, however, does the lawyer not owe the best interests of society concern and attention as well? Some people would argue that it is the job of the adversary system to aim at justice and the common good, and that the lawyer’s job is merely to play a part in the system, aiming not at justice but rather at vigorous advocacy of the side to which the lawyer has been assigned. Is this a valid moral defense or simply a retreat from social responsibility?

### CONCEPTS OF JURISPRUDENCE

Several different philosophies guide the rule of law as interpreted by the judiciary system, as opposed to the laws that are created by legislatures and elected officials. These are the patterns of jurisprudence, or legal reasoning, which create legal standards of behavior that are as important as the statutes themselves, because they set precedents for others to follow in the enforcement of the law.

There are legal philosophers who are deeply skeptical of both doctrinal analysis and moral evaluation of the law, who see those approaches to law as so infected by prejudices in the status quo as to make them little more than covert political activity. These writers often follow the lead of “legal realism,” which can be defined as the idea that law is simply a prediction of what the courts will decide, and suggest bringing such advocacy into the open and accepting an overtly political conception of the courts and the law, law being simply the exercise of power. The jurisprudential movement known as the “economic analysis of law,”

which encourages judges to decide cases in such a way as to ensure that economic freedom and wealth are protected and expanded, is a free-market version of the realist philosophy.

“Critical legal study,” which advocates interpreting the law in ways that will assist the disadvantaged and exploited, is a socialist version of the same perspective. None of these versions, however, can exist without moral values and moral theory, because it is impossible to justify the importance of caring about whether a person has been exploited or oppressed unless moral values and moral theory have been imposed. After all, exploitation is simply a kind of unjust treatment. Thus, it appears that normative jurisprudence, the moral evaluation of law and the legal profession, will have important tasks to perform as long as human beings seek to regulate their conduct through the use of law.

Normative jurisprudence deals with the appraisal of law and the moral issues that law generates. Human law can be made and changed by deliberate decisions. What direction should those decisions take? Law claims the authority to lay down rules and enforce them. Are its claims warranted? Can people legitimately refuse to comply? Things are done in the name of the law that are not normally justifiable; people interfere in other people’s lives, depriving them of goods, liberty, even life itself. How, if at all, can these practices be defended?

“Analytical jurisprudence” is the form of jurisprudence that questions the fundamental nature of law. What is law? How is it part of a system? How can a decision be made according to the law when the law is unclear? How is the law like or unlike moral standards? Analytical and normative questions concerning law are closely related.

### LAW AND MORALITY

The law speaks of rights and responsibilities; duties and obligations; fairness, justice, and justification: Does this mean that the law inevitably contains or satisfies moral standards? Ideas about the essential nature of law have emphasized either its connections with or its separation from morality: Which view is right? Law is a social fact. Laws are commands. By its very nature, however, law is connected with morality. There are legal obligations that are moral obligations, but not all moral obligations are legal obligations, and the constant ethical struggle and changes

in the law represent attempts to determine which obligations should be legal obligations and should be sanctioned by law enforcement and the courts. Are there proper limits to the reach of the law? Are there areas of human conduct that are, in principle, properly beyond legal sanction? Is there a point at which it is correct to say that, notwithstanding the morality and the social preferences and spiritual values and the sensibilities of the public, the suppression of certain actions by law is not the business of the government and must be left up to each individual to determine what is moral and ethical conduct?

From time to time, the facts of a particular legal case raise issues that force people to go beyond precedent, beyond statute, and even beyond the task of constitutional interpretation. The facts of a case may take one to that area where law and philosophy intersect, where one finds lawyers thinking like philosophers and philosophers reasoning like lawyers. As the ethical issues and underlying principles that form American law and jurisprudence evolve, it becomes ever clearer that these cases play a very important role in what American society is to be and what values and standards of conduct it will set for its citizens. In trying to answer such difficult questions, the profession of law and the discipline of philosophy have much to offer each other as they combine to form and reflect the ethical, legal, and economic standards of American society.

Amy E. Bloom

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SEE ALSO: Adversary system; Conscience; Due process; Hammurabi's code; Hart, H. L. A.; Jurisprudence; Legal ethics; Morality; Punishment.

## Lawyer for the situation

**DEFINITION:** Lawyer representing multiple parties engaged in a joint endeavor or seeking an amicable settlement who is not partisan for any of those parties

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Advocacy of a counsel for the situation, rather than a counsel for a given party thereto, represents one side in an ongoing debate over the scope of ethically proper relationships between lawyers and clients.

During the 1916 confirmation hearings on Louis D. Brandeis's nomination to the Supreme Court, opponents alleged that Brandeis was an unscrupulous lawyer who was unfit for the high court. Another Boston lawyer, Sherman Whipple, testified about his 1907 conversation with Brandeis on a bankruptcy matter in

which the bankrupt party believed that Brandeis had favored his creditors. Brandeis informed Whipple that he had not represented the bankrupt party personally but had agreed to act fairly and equitably in everyone's interests. Asked whom he represented, Brandeis had replied that he "was counsel for the situation."

In contrast, the prevailing ethical model of a partisan advocate acting zealously and with absolute loyalty to a single client frowns upon a lawyer with divided loyalties, since no one "may serve two masters." Proponents, such as Yale law professor Geoffrey C. Hazard, Jr., argue that a lawyer for the situation can often act more efficiently, with less acrimony, and with a greater insight than is possible with separate representation. Lawyers often represent family members and business associates with largely harmonious interests when relations among them are cooperative rather than adversarial. Although tensions remain, the concept's official recognition has increased since it was publicized in 1916. The 1983 Model Rules of Professional Conduct recognize that a lawyer may "act as intermediary between clients" under strict limitations.

*Ileana Dominguez-Urban*

SEE ALSO: Adversary system; Brandeis, Louis D.; Law; Legal ethics.

## Laziness

**DEFINITION:** Disinclination toward physical or mental exertion

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The deadly sin of sloth is a species of laziness connoting disinclination to do the will of God or work toward salvation. Laziness more generally may have moral consequences if it is a persistent character trait, but it may also name a passing mood, in which case it is generally thought to be morally neutral.

*Acedia* ("sloth") was one of the seven deadly sins of medieval ethical tracts, which were termed deadly not because they were necessarily mortal, or unforgivable, but because they were deemed singularly attractive. *Acedia* is a lack of diligence in the love of



God, which may in turn lead to a lack of diligence in performing good works and an inclination toward inactivity.

The idea that idleness is inherently sinful is a post-Reformation one that is tied to the notion that economic prosperity is a sign that a person is one of God's elect. The popular moral literature of the eighteenth and nineteenth centuries is exemplified by William Hogarth's industrious apprentice, who marries the boss's daughter, and the idle apprentice, who is hanged at Tyburn.

The concept of laziness as a character defect is almost absent from early twenty-first century ethical thought; lazy behavior is viewed as the product of physical or mental illness. Disinclination toward exertion frequently accompanies depression, a complex of physiological and mental symptoms triggered by the perception that the situation is hopeless and effort will not change it. To the extent that it avoids futile effort, such inactivity is biologically adaptive.

Attitudes toward inactivity vary widely from culture to culture. The Western attitude that effort expended toward accumulating goods in excess of what is needed for survival is virtuous is far from universal, and the contempt of nineteenth century Europeans for "lazy, shiftless natives" reflects a narrow moral outlook. Avoidance of effort within a social context is damaging in a cooperative enterprise (such as marriage), however, because it deprives others of the fruits of their labors, and is generally censured.

*Martha Sherwood-Pike*

SEE ALSO: Anger; Envy; Gluttony; Greed; Lust; Pride; Sin.

## Leadership

**DEFINITION:** Responsibility for making decisions that direct the actions of others

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Persons in positions of leadership have special responsibilities to behave ethically, both because their actions may have important consequences for the lives of others, and because they are expected to adhere to higher standards than those whom they lead.

There has always been a concern in society regarding leadership and ethics. Perhaps this is due to the recognition of the importance between the two concepts if society is to improve and bring about a certain amount of justice to individuals. Failure in an attempt to develop ethical forms of leadership may have disastrous consequences throughout the world. Individuals, countries, and future generations might suffer immeasurably as a result of leaders who avoid ethical issue. One need only look at the havoc brought throughout the world as a result of authoritarian political leaders of the twentieth century who showed little or no concern for the concept of ethical behavior.

The early twenty-first century has seen many examples of unethical behavior within the American business world that have contributed to public loss of confidence in the national economic system. The negative ramifications of this loss of confidence were felt by investors throughout the world. However, one can also find examples of beneficial results of other leaders who obviously were motivated by ethics. It is thus evident that ethics plays an important role in society. Attempting to practice ethical conduct obviously has its rewards, but unethical conduct has its faults.

### IMPORTANCE OF LEADERSHIP

The ties between leadership and ethics are important for a number of reasons. For example leaders are often evaluated on the basis of their perceived ethical judgments. A simple lack of ethics therefore could result in poor evaluations by the leaders' followers. Ethics are also important because of the expectations that followers have of their leaders. Ethical behavior is something that leaders must understand as an unwritten requirement for their positions of authority. To enter into leadership positions without such an expectation contradicts an inherent requirement of the position. A lack of ethical behavior on the part of leaders may bring about negative effects on society, such as mistrust in organizations or general mistrust of a particular culture. This mistrust could also affect other parts of the organization or other entities with which it has contact over time.

Although it is generally hoped that all individuals in American society behave ethically, society expects higher standards of behavior from its leaders than it does from their followers. This is true for several reasons. For example, leaders within the public arena

take oaths of office, pledging faithfully to obey and execute the law. Also, the actions of leaders, both public and private, typically affect larger numbers of people than the actions of ordinary people. When leaders engage in unethical conduct, they may hurt much larger numbers of people than nonleaders can hurt. Finally, leaders are usually expected to set examples for those who are led by them.

Laudatory though ethical behavior is, it does not come without costs. There may be a political cost. For example, judges who dismiss criminal cases because of the improper conduct of the police may not be reelected when citizens in their communities next have the opportunity to vote for judicial offices. There also may be financial costs, including possible loss of jobs. Such losses might negatively affect not only the politician, but also the politician's family. There may also be personal costs in the form of social ostracism by former friends as well as one's neighbors.

Leaders are also often faced with moral dilemmas when they face difficult public issues. This often comes about when they realize that even though their actions may be legal, they may be considered by some to be unethical. For example, abortion or artificial birth control may be viewed as unethical by a certain prominent religious group in this country. Nevertheless, both types of activity are legal in the United States. No matter what the political leader does about these activities, some group will be opposed to the particular public action.

A number of characteristics associated with leaders may affect their image as ethical. For example, a perception of honesty in a leader would tend to enhance that person's favorable image. In addition, a leader who works for the betterment of the majority, yet adequately protects individual minority rights, may also be perceived as ethical. Finally, leaders whose efforts result in improved societies without enriching the leaders might be considered ethical.

Potential future leaders may be made aware of the importance of ethical issues by a number of sources. For example, they should realize what happens to leaders who do not measure up to accepted ethical codes. Any ethical failings that result in leaders being dismissed from office should make other leaders understand what might happen to them if they behave similarly. Leaders can also be informed about attitudes toward particular activities in terms of their relationship to ethical conduct as a result of public

opinion surveys. How one's behavior is projected in the media may also serve a guide to better ethical behavior.

*William E. Kelly*

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SEE ALSO: Corporate responsibility; Dictatorship; Dilemmas, moral; Messianism; Milgram experiment; Obedience; Paternalism; Power; Role models.

## **League of Nations**

**IDENTIFICATION:** Council of world powers created to promote international cooperation, peace, and security

**DATES:** Began formal operations January 10, 1920; officially dissolved April 18, 1946

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** The League of Nations was the first organization of its kind in modern history. Its effort to prevent war failed, but the experience of the league in the interwar period provided important lessons for the world's major governments in creating the United Nations as a successor organization.

The idea of a league of nations gained currency during World War I in large part because of the enormous human losses caused by the war and the belief of many leaders that only an international organization could prevent the recurrence of such a terrible cataclysm. Woodrow Wilson is credited with promoting the idea of the league, because of the call in his Fourteen Points for the creation of "a general association of nations." There were others, how-

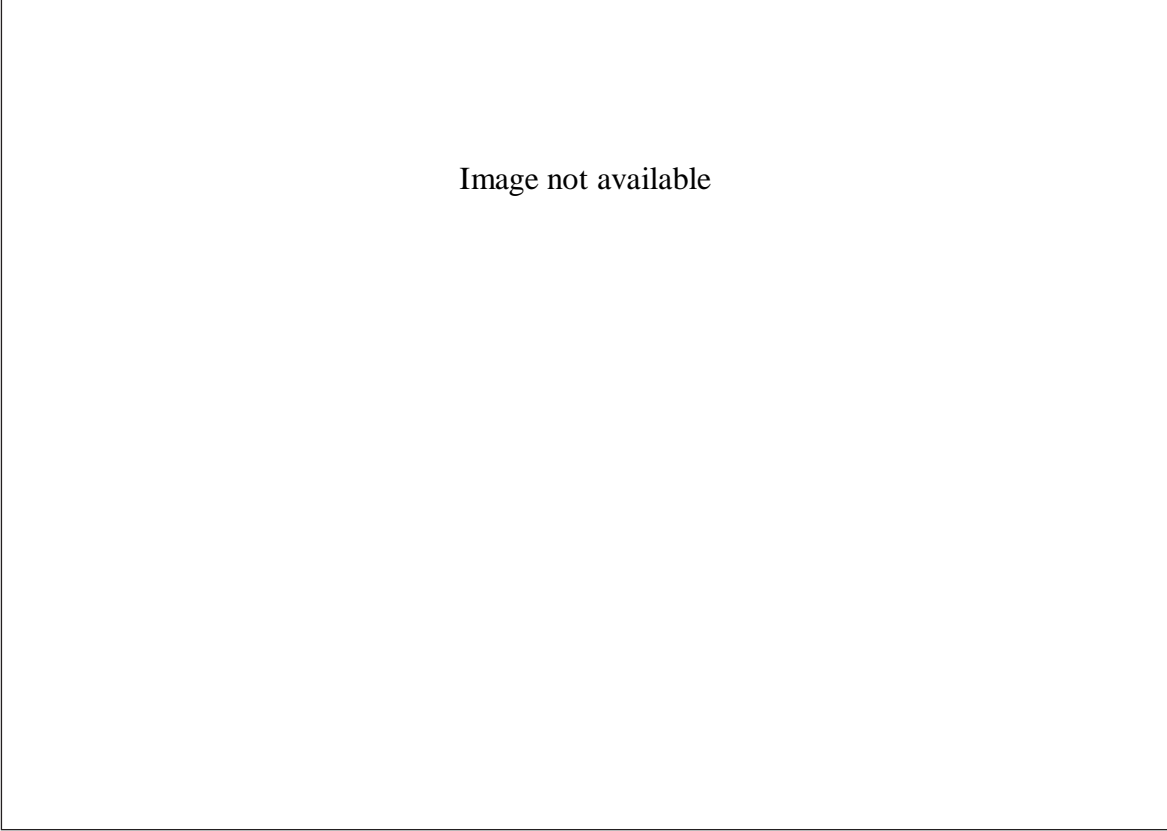


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*U.S. president Woodrow Wilson boards the ship taking him to Europe, where he helped persuade delegates to the Paris Peace Conference to create the League of Nations. However, despite Wilson's championing of the League, the United States never joined the international organization. (AP/Wide World Photos)*

ever, whose influence generated support for an international association of peace-loving states, notably President William H. Taft in the United States, Sir Edward Grey and Lord Robert Cecil in Great Britain, and Field Marshall J. C. Smuts in South Africa. In several allied and neutral countries during World War I, organizations were formed to enlist support for a postwar world organization. Nevertheless, special credit does belong to Wilson because of his leadership at the Paris Peace Conference in 1919 in drafting the Covenant of the League of Nations. The League covenant was incorporated into the Treaty of Versailles, which was adopted at Paris in 1919.

The central purpose of the league was to promote international peace and security. It sought to achieve this end by means of a variety of techniques, of which the most notable was a system for the peaceful settlement of disputes between states and for taking col-

lective action against those nations that committed aggressive war. Other important objectives of the league were economic and social cooperation, disarmament, and national self-determination.

#### **ORGANIZATION OF THE LEAGUE**

There were three principal organs of the league: an assembly in which each member was represented; a council that was to be composed of representatives of the United States, Great Britain, France, Italy, and Japan as permanent members plus four others elected by the General Assembly; and a permanent Secretariat headed by a Secretary General. The assembly met annually beginning in September. Assembly decisions required a unanimous vote, thus giving every member a veto. In practice, members who disagreed with the majority often abstained, permitting many decisions to be taken by consensus. During the life of

the league, sixty-three states were members, seventeen members withdrew from the assembly, and one, the Soviet Union, was expelled.

Because the United States declined to join the league, it never joined the council. The number of elected members was increased first to six and later to nine. The council generally met four times a year. While the scope of discussion in the assembly encompassed any issue of international affairs, the council confined its discussion to political problems. Decisions in the council required a unanimous vote, though if the subject was a dispute that was likely to lead to conflict, the parties in contention could not participate in the vote.

The principal purpose of the league was to resolve disputes between states and keep the peace. This responsibility was spelled out in Articles 10 to 17 of the covenant, which embodied what has become known as the idea of collective security. According to Article 10, each member undertook "to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League." Members were to settle their disputes peacefully, and under the provision of Article 16, league members were committed to join in common action against any state that went to war without observing the procedures for peaceful settlement specified in the covenant. Economic sanctions were to be the principal, though not necessarily exclusive, form of sanctions used to bring an aggressor state to heel.

### LEGACY OF THE LEAGUE

Although the league is remembered primarily for its political activities, it also made major contributions of a social, scientific, economic, and humanitarian nature. These include work in controlling drug trafficking, protection of women, child welfare, abolition of slavery, and support for refugees. In the political realm, the league is considered to have been a failure, as indicated by the outbreak of World War II less than two decades after World War I.

In fact, the political contributions of the league were significant. Some of its major successes came during the 1920's: settlement of the Swedish-Finnish dispute over the Aland Islands, settlement of the Polish-German frontier dispute in Upper Silesia, and prevention of war between Greece and Bulgaria in 1925. Germany's entrance into the league in 1926

was an important step in the reconstruction of Europe. That step was linked to the signing of treaties known as the Locarno Pact, which guaranteed the inviolability of the Franco-German frontier and the demilitarization of the Rhineland.

The league's political accomplishments were, however, outweighed by its failures, particularly during the 1930's. A major blow to the league's prestige resulted from its inability to act against Japan when that country invaded Manchuria in September, 1931. The Lytton Commission, created by the League Council, determined that Japan was guilty of aggression. The only consequence of the league's investigation was Japan's withdrawal from the organization. The league's first major test of collective security was a failure.

Even more fateful for the league were the half-hearted economic sanctions imposed upon Italy to stop Benito Mussolini's invasion of Ethiopia in 1935. Because oil was not included in the embargo, the sanctions failed to stop the Italian dictator, and in July the assembly abandoned the sanctions. This blow to League prestige proved to be fatal. Within the next three years, Nazi Germany embarked upon a campaign of aggression that the league was powerless to stop. The Rhineland was remilitarized in violation of the Versailles Treaty (1936), Austria was annexed (1938), Czechoslovakia was occupied (1938-1939), and Poland was invaded (1939). The expulsion of the Soviet Union for its war against Finland was the league's last action, but that action reflected the organization's impotence rather than its efficacy.

### FAILURE

Several explanations have been advanced to account for the political failure of the League of Nations. The first was the absence of the United States as a member. Without American involvement, economic and military sanctions were very difficult to institute. Second, the decision-making rules of the league made it difficult for the organization to take strong and decisive measures. Third, there were legal loopholes in the covenant that permitted members to evade their responsibilities. Fourth, the league lacked teeth; that is, it did not have military forces at its disposal to use against an aggressor. Fifth, the great powers that dominated the league were unwilling to subordinate their national interests to their commitments under the covenant.

Students of international organization are still divided in their general evaluation of the league: Did it fail because it was too weak or did it attempt to accomplish more than was possible in a world of sovereign states? Whatever the answer, there was enough faith in the principles of the league to make a second effort. The United Nations was organized in such a way as to overcome what many believed to be the flaws of the league. The Security Council of the United Nations has enforcement power that the League of Nations never possessed.

*Joseph L. Noguee*

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SEE ALSO: Conflict resolution; International justice; International law; Treaty of Versailles; United Nations.

## League of Women Voters

IDENTIFICATION: American voter education and advocacy organization

DATE: Founded in 1920

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: The League of Women Voters was founded on the principle that democratic government requires political responsibility on the part of its citizenry. It therefore encourages all mem-

bers of the public to become as informed and politically active as possible.

The League of Women Voters is a direct descendant of the women's suffrage movement. At its jubilee convention in 1919, the National American Women's Suffrage Association, which was the leading women's suffrage organization, voted to dissolve itself because of the final ratification of the Nineteenth Amendment and to form a new body to be known as the League of Women Voters. The amendment enfranchised women in all federal elections. Ratification was completed in 1920, and the league was formally launched at a convention in Chicago.

Although many of the league's organizational principles and bylaws were not clear at that point, the new organization was based on several principles that have been maintained throughout its history. The purpose of the league was to educate the public in general and women in particular regarding public issues by preparing and distributing information and encouraging political participation. Until 1946, the center of the league's internal organization lay in relatively autonomous state associations similar to those that had been so successful during the struggle for women's suffrage. There was considerable disunity. In 1946, the league reorganized itself into a membership association of individuals rather than a federation of state associations. By 1992, it had some 125,000 members in 1,350 chapters all over the United States.

The major thrust of the league's activities continues to be voter education. At the local level, league chapters study issues, distribute information, and sponsor "candidates' nights" at which local political candidates appear and discuss the issues and their candidacies. At the national level, the League of Women Voters has been very active in arranging presidential campaign debates and in attempting to establish debating rules that enhance the quality and educational value of the discussion. The league, although nonpartisan, has never shied away from taking positions on national issues; for example, the league supported American foreign aid during the 1940's and 1950's, and the recognition of China during the 1960's. The league continues to be a force for the rational study of public issues and for moderation in politics.

*Robert Jacobs*



SEE ALSO: Campaign finance reform; Civil rights and liberties; Democracy; Equal Rights Amendment; Suffrage; Welfare programs.

## Legal ethics

**DEFINITION:** Standards of moral and professional behavior governing members of the legal professions

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** American legal ethics evolved with the growth of the country, resulting finally in the American Bar Association's 1983 Model Rules of Professional Conduct.

Ethics are a mixture of honesty, decency, manners, and etiquette. They are not rules or laws imposed by others; rather, they are personal, internal mechanisms arrived at through self-evaluation and self-knowledge. Legal ethics are also internal individual beliefs. In the narrowest sense, legal ethics concern professional conduct. More broadly, they encompass the moral lives of lawyers and their behavior toward clients, courts, and colleagues. Legal ethics are fraught with the potential for conflict, as members of the legal profession can find themselves with conflicting loyalties.

Lawyers are taught that loyalty to a client should be foremost; personal interests and the interests of others should be relegated to second place. Lawyers should counsel their clients on the best way to use the law to their advantage and, if necessary, how to escape or mitigate its effect. Conflict often arises between the public trust a lawyer owes as an officer of the court and the loyalty owed the client. A lawyer may have to make a decision whether to report a client's improper behavior to the court and put public trust first or to counsel the client to cease and put the client first. In some cases, conscientiously and loyally representing a client may lead to civil disobedience or to the public impression that a lawyer is unethical and unprincipled.

### ETHICS AND COMMON LAW

In addition to being personal, legal ethics derive from discussion and meeting with other members of the legal profession and agreement as to what is expected and accepted behavior. This tradition is found

in English common law. King Edward I of England decreed in 1292 that the Court of Common Pleas was to choose lawyers and students to take part in court business and that these individuals were to live together under the supervision of the court. Also in the thirteenth century, the Inns of Court were established. True inns, they became places for people studying and practicing the law to live and work together under the supervision of judges. From this community, through discussion, came a set of professional mores guiding those engaged in the law and setting certain ethical behaviors and standards. American law and ethics followed the English pattern for a time.

As the United States expanded westward, however, and as the nation's commercial enterprises diversified, new types of knowledge and expertise were needed. This knowledge had to come from experience rather than from books or from the court itself. At the same time, the tradition of spending evenings with colleagues at the end of a day in court—a time for discussing mutually accepted rules and self-government—was becoming a thing of the past. Because there was less internal pressure to be faithful to established legal principles, ethical problems began to arise more frequently, and there was a growing movement urging the state to begin regulating the practice of law. Yet the rapidly increasing complexity of American law made it obvious to many observers that those who knew the legal system best—the lawyers themselves—would have to be the ones to develop new ethical guidelines or rules of professional conduct. In 1836, one of the first extensive considerations of American legal ethics was published by University of Maryland professor David Hoffman. His *Fifty Resolutions in Regard to Professional Ethics* dealt with etiquette and ethics and attempted to discourage behavior that would reflect badly on the legal profession.

### WRITTEN RULES

Pennsylvania judge George Sharswood's written lectures on professional deportment, *The Aims and Duties of the Profession of the Law* (1854), noted the differences between professional and personal ethics and served as the basis for the Code of Professional Ethics, enacted by the Alabama state bar in 1887. Alabama's was the first state bar to enact such a code. The American Bar Association's Canons of Professional Ethics, also drawing heavily on Sharswood,

were promulgated in 1908. By 1920 the canons had been adopted by all but thirteen of the state bar associations, although not without modification.

The canons were detailed, dealing with the positive obligations of a lawyer, such as the duty to represent the poor and indigent. They were largely hortatory in nature, intended as professional rules rather than public laws. By 1969 the original thirty-two canons had grown to forty-seven, supported by more than fourteen hundred interpreting opinions, often lacking coherence and consistency.

The American Bar Association (ABA) recognized the shortcomings of the canons. It sought rules that would exhort lawyers to uphold the highest standards of justice upon which the country's legal system was based, that would weed out those whose standards could damage the reputation of all, and that would provide standards for new lawyers. The Code of Professional Responsibility was therefore adopted, amended as needed, by all state bar associations except California, which adopted its own similar rules. The code had three parts: canons, expressing standards of professional conduct; ethical considerations, setting aspirational objectives toward which all should strive; and disciplinary rules, setting the minimum standards of conduct to avoid disciplinary action. Supreme Court decisions in the 1970's that addressed legal advertising and fees, as well as continuing problems with the ethical considerations, necessitated a new document.

In 1983 the American Bar Association produced the final version of the Model Rules of Professional Conduct. By the early 1990's most state bar associations had adopted the model rules, sometimes with substantial revision. The model rules focus more on mandatory guidelines for the legal profession than on moral considerations.

Bar association grievance committees have the ability to investigate complaints and, if necessary, refer the complaint to the court for further action. Disbarment may be recommended if a lawyer is found untrustworthy to advise and act for clients or if the lawyer's conduct reflects on the dignity and reputation of the court and the legal profession. Disciplinary codes cannot replace ethics and personal ethical behavior. They can only make it difficult for those guilty of unethical behavior to continue in the practice of law.

*Elizabeth Algren Shaw*

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SEE ALSO: Adversary system; American Inns of Court; Attorney-client privilege; Attorney misconduct; Code of Professional Responsibility; Codes of civility; Judicial conduct code; Jurisprudence; Law; Personal injury attorneys.

## Leibniz, Gottfried Wilhelm

IDENTIFICATION: German philosopher

BORN: July 1, 1646, Leipzig, Saxony (now in Germany)

DIED: November 14, 1716, Hanover (now in Germany)

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: A leading Protestant philosopher of the Enlightenment, Leibniz attempted, in such works as *Theodicy: Essays on the Goodness of God, the Freedom of Man, and the Origin of Evil*

(*Essais de Théodicée sur la bonté de Dieu, la liberté de l'homme et l'origine du mal*, 1710) and *New Essays Concerning Human Understanding* (*Nouveaux essais sur l'entendement humain*, written 1704; published 1765), to reconcile faith and reason.

A “universal genius”—mathematician, scientist, diplomat, historian, ecumenist, and philosopher—Leibniz was “the pathfinder of the German Enlightenment.” For the last forty years of his life, he worked for the House of Hanover, principally as the royal librarian. A devout Lutheran, Leibniz, in an age of increasing determinism and materialism, strove to envision a worldview that was rational, hopeful, and spiritual. Reality for Leibniz was composed of an infinite number of individual spiritual substances (“monads,” from the Greek word meaning “one”), arranged in an ascending order of consciousness from nearly nothing to God (“the Supreme Monad”). Created by God, this is “the best of all possible worlds,” since in it an infinite being chose to honor the limitations of finitude. So-called evils (material, mental, or moral) contribute to the ultimate good of the universe. This intelligent and benevolent world is rational, and all things in it exhibit a pre-established harmony, or “unity.” Such a universe invites ethical action that is both personal and social, both thoughtful and charitable.

C. George Fry

SEE ALSO: Enlightenment ethics; Idealist ethics; Religion.

## Lemkin, Raphael

IDENTIFICATION: Polish legal scholar and political activist

BORN: June 24, 1900, Bezvodne, Russian Empire (now in Belarus)

DIED: August 28, 1959, New York, New York

TYPE OF ETHICS: Human rights

SIGNIFICANCE: Lemkin is credited with coining the word “genocide”; his vigorous efforts to have genocide recognized as a crime under international law facilitated the passage of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide in 1948.

Raphael Lemkin began formulating his legal theories about the annihilation of national, religious, and racial groups when he was a law student in post-World War I Poland. Sensitized to organized mass persecution as a young Jewish child in Imperial Russia, he developed an intellectual interest in government-condoned killing as a university student, when he learned that there was no legal basis for prosecuting the perpetrators of the 1915 massacre of Armenians in Turkey. Lemkin’s formal support for the codification of laws against acts of mass killing began in 1933 when he unsuccessfully urged adoption of an international treaty that was to punish acts of mass killing, at a meeting of the Legal Council of the League of Nations in Madrid, Spain.

Lemkin spent the ensuing years in private legal practice and was forced to flee Poland in 1939, when Germany invaded the country. After immigrating to the United States, Lemkin taught at several universities and served as a legal expert for the U.S. War Department. Profoundly influenced by the cruelty of the Nazi wartime policies in occupied Europe, Lemkin continued to write and solidify his ideas on the codification of punishment for crimes against humanity. He also served as a legal consultant to the chief U.S. prosecutor at the Nuremberg Trials.

Lemkin defined the word “genocide,” which combines the Greek word *genos* (race) and the Latin *cide* (killing), as a deliberate destruction of a racial, ethnic, religious, or political group. He first used the word in his 1944 book, *Axis Rule in Occupied Europe*.

Myrna L. Goodman

SEE ALSO: Genocide, frustration-aggression theory of; Genocide and democide; Holocaust; Rwanda genocide; United Nations Convention on the Prevention and Punishment of the Crime of Genocide; Wiesel, Elie.

## Lenin, Vladimir Ilich

IDENTIFICATION: Russian political leader

BORN: Vladimir Ilich Ulyanov; April 22, 1870, Simbirsk, Russia

DIED: January 21, 1924, Gorki, Soviet Union

TYPE OF ETHICS: Modern history

**SIGNIFICANCE:** One of the most influential political figures of the twentieth century, Lenin founded the Soviet Union, creating a national government based on the theories of Karl Marx and setting an example for others to do likewise.

V. I. Ulyanov Lenin was one of the most influential political leaders of modern history. His significance was both theoretical and practical. His two more significant theoretical contributions revolved around his theory of imperialism and his conception of the Communist Party. His practical contribution was as the maker and sustainer of one of the great revolutions of modern history.

### LENINISM IN THEORY

Lenin's theory of "imperialism, the highest stage of capitalism," attempted to address the principal problem confronting Marxism during the last years of the nineteenth century and the early years of the twentieth century. Simply put, the advanced industrial powers appeared to have avoided many of the debilitating contradictions that Marx had predicted would cause the final crisis in the fourth stage in his theory of the historical process—capitalism. Marx believed that the anticipated crisis of capitalism would inevitably trigger a worker revolution, thereby advancing history to its fifth and culminating stage of history—socialism. Conversely, however, without the crisis of capitalism, there could be no revolution.

Drawing upon the thought of several other European Marxist and English liberal theorists, Lenin posited that the advanced industrial economies had temporarily avoided the contradictions central to Marxist theory by expanding their economies to engulf the entire globe. In doing so, the capitalists had been able to secure cheap labor and raw materials, as well as markets for products and outlets for surplus capital. This process had allowed the capitalists to derive "superprofits," which had, in turn, been partly used to bribe the workers in the advanced industrial countries and thereby postpone the inevitable crisis and revolution. Lenin referred to this expansion of the industrial economies to a global scale as "imperialism."

Lenin went on to maintain, however, that imperialism could not last in perpetuity but would inevitably be overcome by its own contradictions and give way to socialism as Marx had originally predicted. In

the broadest sense, Lenin argued that once the industrial economies had expanded to engulf the entire world, the contradictions that Marx had anticipated would eventually be activated. Monopolies and states would violently compete for global domination, with weaker competitors being driven from the field. Lenin further theorized that the imperial states would fight wars for the distribution of colonies and semicolonies, conflicts that would devastate both winners and losers.

Ultimately, the decline in superprofits and the costly international conflicts would force the capital-



*Vladimir Ilich Lenin.* (Library of Congress)



ists to withdraw first some, and eventually all, of the material and political concessions made earlier to the workers in the advanced industrial countries. This, combined with the suffering caused by the imperialist wars, would yield a dramatic increase in societal tension. Thus, the final crisis of capitalism would emerge, resulting in the eventual but inevitable overthrow of capitalism by the workers of the industrial states and the entry into history's culminating stage of socialism.

Lenin's other principal theoretical contribution to the Marxist movement was his conception of the Communist Party and its role as an agent to advance the historical process. Marx had expressed optimism that the workers of the advanced industrial countries would acquire both the impetus and organizational skills necessary to make the proletariat revolution merely by experiencing the deteriorating socioeconomic conditions within mature capitalist systems. Lenin, however, disagreed. He acknowledged that the workers would be aware of their increasingly miserable conditions and would, periodically and spontaneously, rise in revolt against their oppressors. Lenin maintained, however, that this nonrational impulse to revolt was not, in itself, motivated or guided by any understanding of the historical significance of the action.

For Lenin, only the "conscious" individuals in society, those who had studied the flow of history as interpreted by Marx and his successors, could understand where their particular society had been and currently was in the flow of history. Only these conscious people were capable of understanding where society was inevitably going and, perhaps most important, assessing the current revolutionary tasks confronting their society as it traversed the road of history. On this basis Lenin defined the Communist Party as composed of those individuals who had gained "consciousness" and were prepared to dedicate their lives on a full-time basis to promoting the revolution and advancing the historical process.

Lenin charged the party with the task of preparing for the moment when the impulse for a spontaneous outburst by the masses against local conditions fully ripened. When that outburst finally occurred, the party would seize the leadership of the revolt and channel it into action that would meaningfully advance the historical process. In short, the party alone was incapable of successfully making a revolution,

while the masses alone, without guidance from the party, would similarly be incapable of taking historically meaningful action. Together, however, the masses, led by the party, would be the agents of history.

### PLANNING COMMUNISM

Based upon these considerations, Lenin posited two missions for the party. The long-range mission was to educate the masses so that they might eventually acquire consciousness. Until that long-term goal was achieved, the immediate task of the party was to lead the masses. Since only the party knew what was appropriate policy and proper action for the unconscious masses, the party had a responsibility to guide or, if necessary, coerce the masses into proper action. Thus, although the means to move the masses along lines determined to be appropriate by the party might be manipulative, ruthless, or cruel, in Lenin's eyes, the party knew what was ultimately in the best interests of society. In short, for Lenin, the goal of future societal fulfillment via entry into the stage of socialism justified whatever means were deemed necessary to advance society in that direction.

Finally, since Lenin conceived of the party as being critical to historically significant action, he felt that the party's decision-making process must not be paralyzed by internal division and indecisiveness. To avoid that danger, Lenin argued that the party must employ the decision-making principle of "democratic-centralism." Lenin believed that all party members shared a common commitment to advancing the historical process under the leadership of the party. Thus, Lenin maintained that, with respect to specific policy questions confronting the party, the members of the party should be free to exchange opinions frankly prior to a decision having been made. Once a final decision was made by the party leadership, however, Lenin required all party members to defer to their common commitment to the party as the instrument of history, unreservedly accept that decision, and enthusiastically work toward its implementation. Any further dissent regarding the announced decision would constitute a breach of party discipline. Henceforth, discussion could center only on the manner in which the decision would be implemented.

While Lenin hoped that the principle of democratic-centralism would unite diversity of opinion and freedom of expression with resolute, united action, in



fact, the principle was fraught with difficulties. In reality, any decision and its manner of implementation are much more closely intertwined than the principle of democratic-centralism allowed. Moreover, while in principle the party rules provided for the democratic election of its leadership, in reality leadership recruitment into the party hierarchy soon came to be based upon co-option by the incumbents. Overall, in practice, the democratic element of democratic-centralism yielded to the centralizing component.

Finally, connecting his conception of the party with his theory of imperialism, Lenin came to believe that it would be easier to start a revolution in the less industrially developed countries than in the advanced capitalist states, although he believed that the revolutionary momentum would be more difficult to sustain in these countries. This conclusion would shape Lenin's views regarding the nature and timing of the revolutionary process in Russia.

#### **LENINISM IN PRACTICE**

Armed with these theoretical concepts, Lenin made his practical contribution to history—as the maker of the Bolshevik Revolution and the founder of the Soviet Union. In Lenin's eyes, World War I, the first of the anticipated imperialist wars, offered a unique opportunity to advance the historical process internationally. He believed that if the Russian proletariat could seize power, that act would have profound consequences for the entire international system. He argued that Russia was a semicolony, exploited by the advanced industrial powers. Thus, a successful Russian proletariat takeover would disrupt the entire global economy upon which imperialism was based. Moreover, a successful revolution in Russia would signal the overthrow of what many in Europe regarded as the system's most reactionary state.

Finally, in the largest sense, a successful takeover by Russian workers would provide a heroic example for the workers of the advanced industrial economies to emulate. In short, a revolution in Russia, even a democratic one, would serve as the "spark" that would ignite the pyres of revolution in the advanced industrial countries and yield a quantum leap in the historical process. Based upon these considerations, Lenin moved decisively to capitalize upon the revolutionary situation in Russia in 1917; in the autumn, he employed the party to seize power on behalf of the Russian workers.

It soon became obvious that the proletariat of the developed industrial countries would fail to advance history by following the Russian example, overthrowing the existing capitalist order, and resolutely moving toward the final Marxist stage of socialism. Prior to taking power, Lenin had suggested that under these circumstances the Russian workers should launch a revolutionary war designed to liberate the European workers from their capitalist overlords. After taking power, however, Lenin realistically recognized that the new Soviet state lacked the resources to launch such a war of liberation. Moreover, to do so would jeopardize the revolutionary gains that had already been made. Therefore, Lenin decided that the foremost priority for the new Soviet regime would be to protect the revolutionary gains already made in Russia; only insofar as those gains would not be jeopardized would the Soviet Union attempt to spread revolution abroad.

Within Russia itself, however, retaining power was far from certain. The new Soviet regime was immediately confronted by a series of challenges emanating from both within and outside Soviet-controlled territory. Externally, the Soviets were threatened by counterrevolutionaries, national separatists, and the troops of foreign powers. Internally, a variety of noncommunist elements challenged the authority of the Communist Party of the Soviet Union (CPSU).

#### **WAR COMMUNISM**

To defeat these challenges, Lenin launched what became known as the period of War Communism. Between 1918 and 1921, he orchestrated a series of campaigns at various levels that were designed to suppress ruthlessly all internal challenges to the monopoly rule of the CPSU, while simultaneously increasingly centralizing the party itself at the expense of interparty democracy. Similarly, Lenin aggressively mobilized Russia's economic resources, although at the expense of such early policies as worker control over industry. Finally, Lenin oversaw the formation of the Red Army and, under his overall leadership, that instrument was used to crush the counterrevolutionaries and national separatists. In the eyes of many party members, however, many of the measures taken during the period of War Communism constituted an abandonment of the ideals of the revolution and were justifiable only as temporary expedi-

ents necessary to retain communist control in Russia. Finally, by late 1920, it appeared that the enemies of the Soviet regime had been routed and that the CPSU had successfully retained power.

Organized elements within the party now began to emerge, calling themselves by such names as the Workers Opposition and the Democratic Centralists, arguing that with the passage of the initial period of threat to the revolution, the party could now turn its attention to realizing the ideals of the revolution, ideals that had been compromised during the period of War Communism. Indeed, the issue of the future of the party and the revolution came to a head at the Tenth CPSU Congress in 1921. Here, Lenin not only successfully defeated the platforms presented by the party dissenters but also resolutely moved to drive them from the party hierarchy and permanently ban factionalism from the party.

#### CRUSHING OPPOSITION

Fatefully for the future of the CPSU, Lenin opted to sustain and intensify the bureaucratic, centralized, and authoritarian character that the party had increasingly assumed during the period of War Communism. Moreover, he intensified the campaign to crush any opposition to the CPSU monopoly rule over the Soviet Union. Finally, under Lenin's leadership, the party continued its relentless campaign to penetrate and exercise control over all elements of Soviet society. Thus, although with the inauguration of the New Economic Policy in 1921 the regime retreated from some of the extreme economic measures taken during the period of War Communism, the foundations and character of the Soviet sociopolitical, totalitarian system were firmly established by Lenin and his lieutenants.

Although, in his final months of life, Lenin may have had some regrets concerning the direction that the Soviet Union and the CPSU had taken under his leadership, everything that Lenin did during these formative years was consistent with the theoretical approach that he had formulated prior to the takeover in 1917. The ends—the advancement of the historical process—justified any means utilized in pursuit of that goal. Lenin's goal had been to make and consolidate a revolution in Russia led exclusively by the Communist Party. With enormous determination and ruthlessness, Lenin had succeeded in attaining his objective.

*Howard M. Hensel*

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SEE ALSO: Class struggle; Communism; Marx, Karl; Marxism; Socialism; Stalin, Joseph.

## Leopold, Aldo

- IDENTIFICATION: American scientist and writer  
 BORN: January 11, 1887, Burlington, Iowa  
 DIED: April 21, 1948, near Baraboo, Sauk County, Wisconsin  
 TYPE OF ETHICS: Environmental ethics  
 SIGNIFICANCE: Leopold was responsible for the establishment of the first U.S. Wilderness Area. His *A Sand County Almanac* (1949) put forward the "Land Ethic," which placed humanity within, rather than in charge of, the ecosystem.

Aldo Leopold's boyhood was dominated by sports and natural history. After completing one year of postgraduate work in forestry at Yale, Leopold spent fifteen years with the U.S. Forest Service in Arizona and New Mexico. There, he developed the idea of preserving large, ecologically undisturbed areas for ecological preservation; in 1924, he precipitated the establishment of the first U.S. forest Wilderness Area in the Gila National Forest of New Mexico. In 1933, he became professor of wildlife management at the

University of Wisconsin. In 1934 he became a member of the federal Special Committee on Wildlife Restoration. He was a founder of the Wilderness Society in 1935.

Leopold made a family project of restoring the ecosystem to its original condition on an abandoned farm he had purchased near Baraboo, Wisconsin. His posthumous publication relating to this experience, *A Sand County Almanac*, has become an environmentalist classic, and the farm has become a research center, the Leopold Reserve. Four of Leopold's five children became prominent, environmentally oriented scientists. Three of them, Starker, Luna, and Estella, became members of the National Academy of Sciences. His son Carl became an established research scientist, and his daughter Nina became director of the Leopold Reserve.

Ralph L. Langenheim, Jr.

SEE ALSO: Conservation; Deep ecology; Ecology; Environmental movement; Exploitation; Muir, John; National Park System, U.S.; Nature, rights of; Wilderness Act of 1964.

## Leviathan

IDENTIFICATION: Book by Thomas Hobbes (1588-1679)

DATE: Published in 1651

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: *Leviathan* is a rational, systematic study and justification of natural rights, sovereignty, and state absolutism. In it, Hobbes claimed logically to deduce a theory of ethics and politics from scientific and mathematically verifiable facts about human nature.

The moral language utilized by Hobbes in his *Leviathan* was expressed by the precise vocabulary of geometry, empirical science, and physics. The mathematical and scientific study of politics adopted by Hobbes did not incorporate a value-free or ethically neutral perspective. Hobbes's political ethical theory was grounded in a causal-mechanical and materialistic metaphysical theory. Hobbes's mechanistic scientific model was explanatory of all existence, since the universe consisted of interconnected matter in mo-

tion. This complex political theory and set of ethical arguments were deduced from Hobbes's pessimistic interpretation of human nature in the context of an original, or primitive, condition.

It was in this highly unstable, anarchic, and violent state of nature that individuals competitively pursued their self-interests. Hobbes depicted with bleak realism "the life of man solitary, poor, nasty, brutish, and short." The political ethics in *Leviathan* were justified primarily by the natural human egoistic motivation of fear of violent death, and secondarily by the passions for power and material possessions. Therefore, self-preservation was the most fundamental natural right and was the central reason for individuals to leave the state of nature and enter into commonwealths.

Hobbes's articulation of the normative egalitarian principle of universal natural rights was expressed in conjunction with his radical rejection of the principle of the divine right of kings. Hobbes's rejection of moral objectivism was articulated in conjunction with his moral relativism, which claimed that the diverse corporeal natures of individuals were explanatory of the multiplicity of value judgments. Moral judgments were identified by a particular individual's appetites and aversions, or mechanical movements toward or away from material objects. There was no *summum bonum*, or universal absolute common good, although the common evil to be avoided was violent death.

Hobbes expressed a political theory of authority that was justified by means of scientific, rational, and logical arguments, in lieu of traditional theories of political legitimacy based upon convention, theology, or the divine right of kings. Citizens of Hobbes's prescribed commonwealth were bound by a social contract or by the superior power of the sovereign to obey all the government's commands, regardless of the moral content of such commands or the intention of the sovereign. Hobbes's core assumption of the natural insecurity of human life was linked to his prescription of an absolute monarchy or a highly centralized parliamentary body as the most desirable form of government.

Mitchel Gerber

SEE ALSO: Hobbes, Thomas; Locke, John; Machiavelli, Niccolò; Social contract theory; *Two Treatises of Government*.

## Levinas, Emmanuel

**IDENTIFICATION:** Philosopher and Jewish adult educator

**BORN:** January 12, 1906, Kaunas, Lithuania

**DIED:** December 25, 1995, Paris, France

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Levinas argued that ethics is the basis of philosophy, and that responsibility to others is the basis of ethics.

Emmanuel Levinas found most philosophers of his day overly occupied with trying to articulate the ultimate nature of “Being”—the reality that lies beyond everyday life. In his view, philosophers should focus instead on the most important concern of everyday life: How people should relate to one another. He himself asked such questions as how can a person respond to the suffering of others, which other people deserve one’s response, and how can one balance one’s responses to different people in ways that achieve justice.

For Levinas, ethics rests on the absolute responsibility that each person has to respond to the face of the Other. In *Time and the Other* (1987) Levinas argued that humans are social beings. They know themselves through their responses to others, not through their relationships with Being or with ultimate reality. In *Totality and Infinity: An Exercise on Exteriority* (1969), he argue that one does not need to know who people “really” are in order to respond to them. In fact, he wrote that it is impossible fully to know another person, even one’s own spouse or children. The best anyone can do is to reach out toward others and grow as others continue to surprise one.

Levinas’s ethical writings for educated Jewish readers reflect his World War II experiences. In *Difficult Freedom: Essays on Judaism* (2d ed. 1976), he describes a stray dog in the German camp in which he was imprisoned. The dog was in a sense more human than his guards, for it responded to the prisoners as if they were human beings. Elsewhere, Levinas argued that he was within his rights not to forgive philosopher Martin Heidegger for his Nazi Party affiliation, because of the great crimes perpetrated by the Nazi party during the Holocaust.

*Laura Duhan Kaplan*

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**SEE ALSO:** Derrida, Jacques; Heidegger, Martin; Other, the.

## Libel

**DEFINITION:** Defamation of a person or group by means of writing or visual images

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** To be libelous, defamatory material must generally be both malicious and untrue, and it must be shown to cause actual harm. It must therefore be deemed to be morally indefensible in order to be legally prosecutable. In the United States, libel is one of the few classes of speech not protected by the First Amendment.

Libel is often confused with slander, which is oral defamation rather than written or visual defamation. One’s good reputation is usually among one’s most valuable possessions. Since libel, by definition, damages the reputation of another, it does serious harm and thus is clearly unethical.

Criminal libel is the malicious publishing of durable defamation. In common law and under most modern criminal statutes, criminal libel is a misdemeanor (an infraction usually punishable by a year or less in prison) rather than a felony (a more serious infraction punishable by more than a year in prison). Libel is also a tort, a noncontractual and noncriminal wrongdoing. Libel is thus grounds for a civil lawsuit in which one may seek to recover money to compensate for the damage that the libel has caused to one’s reputation. Truth, however, is a defense against libel, and even if the damage is caused by a false claim, if the damaged person is a public figure, then one must show malice (intent to harm) or a reckless disregard for the truth in order to prove libel. Honest mistakes do not constitute libel against public figures. Civil lawsuits against libel and punishment for criminal libel are both limited by the First Amendment of the Constitution. This was the upshot of the landmark Supreme Court

case *New York Times Co. v. Sullivan* (1964) and its progeny. This landmark case was designed to preserve the vigor and variety of public debate in a democracy, balancing democracy against serious harms to reputations in order to avoid a chilling effect on the exercise of the constitutional right of free speech.

*Sterling Harwood*

SEE ALSO: Censorship; Freedom of expression; Journalistic ethics; Lying; *New York Times Co. v. Sullivan*.

## Liberalism

**DEFINITION:** Philosophy holding that human liberty is of paramount importance and rejecting the notion that set values should control the conduct of one whose conduct affects no one else

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The impact of liberalism on ethics has been profound. According to this philosophy, ethics is a means of resolving disputes created by competing individual goals, protecting one's ability to choose one's own values, rather than serving as a standard that espouses one set of values over another.

In 1869, the British political philosopher John Stuart Mill wrote an essay entitled "On Liberty," which many have come to regard as one of the primary sources of liberalistic thought. In that essay, Mill wrote that the only freedom deserving of the name is that of pursuing one's own good in one's own way, so long as one does not attempt to deprive others of their pursuits. In the nineteenth century England in which Mill lived, there was a struggle between increasing religious strictness and the rebellion that accompanied that strictness. Mill believed that society should not impose its values on anyone, because it is in society's best interest to preserve personal liberty. This belief was based on the theory that individuals who have the freedom to be spontaneous and follow their own desires will naturally form a progressive and happy society.

### THE IDEAL OF INDIVIDUAL SOVEREIGNTY

Liberalism seeks to protect the ability of individuals to live according to their own judgments. It is neu-

tral with regard to the content of those judgments, resting on the notion that a self-governed life is good in and of itself. Thus, normative ethics in a liberal society are geared to improving the individual and resolving the disputes caused by competing desires, while at the same time maximizing individual freedom.

Moral standards prescribing what is right and wrong are inconsistent with liberalism in its purest sense, as they interfere with the ability of individuals to explore and develop their own beliefs. Accordingly, the concept of normative ethics, those prescribing good habits and duties, necessarily gives way to a sort of situational ethics. Individuals must have the freedom to decide when their conduct harms others, or the very ideal of individual sovereignty is compromised.

### CLASSICAL VS. MODERN LIBERALISM

In its early stages, liberalism was associated with a laissez-faire approach to government. This was largely because government was generally viewed as an oppressor of the individual. The form of liberalism promoting this pro-individualist theory of government is sometimes called classical liberalism. In its modern form, however, liberalism is more commonly associated with increased government involvement in societal matters. It promotes the imposition of societal mechanisms that foster both social and economic equality, with the aim of giving the individual meaningful life choices. This change in liberal philosophy is sometimes known as the Great Switch.

Some philosophers have difficulty reconciling modern liberalism with the premise of classical liberalism. For example, societal laws concerning equal treatment, compulsory education, and publicly supported social welfare programs require an interventionist state and thus interfere, to at least some extent, with individual liberty. However, such laws are seen by liberal thinkers as a necessary means to achieve the end of individual sovereignty. In other words, unless individuals are given equal opportunities, only the privileged can maximize the benefits of individual sovereignty.

### LIBERALISM AND ETHICS

According to liberalistic thought, the overarching ethical principle is that of individual freedom. Thus,



the only ethical model that is consistent with this principle is one that does not impose any particular value system. Whereas traditional ethics often praise selfless acts and condemn those motivated alone by self-interest, liberal thinkers believe that the natural selfish desires of human beings will ultimately lead to progress and happiness for all of society's members. The question thus becomes whether any principles that do not presuppose any particular vision of the good life can be found.

Philosopher Ayn Rand advocated what she called "rational" self-interest. Under this approach, the individual must adopt certain character traits, or virtues, that help one develop a rational approach to making judgments about one's own life. For example, virtues such as integrity—consistently acting in accordance with one's beliefs—and honesty ensure a rational approach to self-governance. Thus, ethics that provide for development of the self ensure that the principle of individual sovereignty has the desired result on society as a whole. In other words, ethical obligations are generally owed to the self rather than to others. The major ethical dilemma posed by liberalism is the development of a principle by which conflicting individual conduct can be resolved.

*Sharon K. O'Roke*

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SEE ALSO: Campaign finance reform; Common good; Communitarianism; Conservatism; Democracy; Libertarianism; Mill, John Stuart; Niebuhr, Reinhold; Political liberty; Rorty, Richard; *Two Treatises of Government*.

## **Libertarianism**

**DEFINITION:** Political movement advocating absolute personal liberty and the severe limitation or elimination of government

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Libertarianism treats individual autonomy as the highest good. As a result, libertarians are commonly on the left wing in terms of civil rights and on the right wing in matters of economics and public policy.

The libertarian movement consists of a diverse group of individuals who are united in the view that any social or political institution is wrong if it interferes with individuals' control over their own lives. Libertarians defend property rights, the free-market economy, and the full range of civil freedoms, including the rights to abortion, freedom of speech and the press, sexual freedom, and the use of drugs and alcohol.

Libertarianism should be placed on the political spectrum in contrast to conservatism, modern liberalism, and totalitarianism. Conservatives are generally in favor of more economic freedoms but fewer civil freedoms; conservatives typically favor anti-abortion, antidrug, antisodomy, and some censorship laws. Modern liberals are generally in favor of more civil freedoms but fewer economic freedoms; modern liberals typically favor compulsory wealth-redistribution schemes and increased regulation of business. Totalitarians reject liberty in the economic and civil realms. In contrast to these three major political movements, libertarians claim to advocate both civil and economic liberty consistently.

#### **HISTORY**

Libertarian theory has roots in the history of modern political and economic thought. It draws on ele-

ments of the classical liberal tradition in politics, as exemplified in such thinkers as John Locke. Some libertarians emphasize classical liberalism's contractarian tradition, while others emphasize its natural rights tradition. Modern philosophers Robert Nozick and John Hospers are representative of these positions. Libertarianism also draws upon the anarchist tradition of the nineteenth century. Murray Rothbard, usually acknowledged as the founder of modern libertarianism, is a major representative of this tradition.

In economics, libertarianism has drawn inspiration from the "Austrian" school of economics, most notably from the work of Ludwig von Mises and Nobel laureate F. A. Hayek, and from the "Chicago" school of economics, most notably from the work of Nobel laureates Milton Friedman and James Buchanan.

### JUSTIFICATIONS FOR LIBERTY

Libertarians disagree among themselves about how to justify the claim that liberty is the fundamental social value. Some believe that political liberty is an axiom: The value of liberty is self-evident and therefore not in need of justification. Most libertarians, however, offer arguments for liberty.

The most common argument starts with the premise that values are subjective. No individual's values are more right than any other's. The only universal points that can be made about values is that individuals have them, and in order to pursue their values, individuals need to be free of coercion by other individuals. Consequently, the only universal social principle is that the initiation of the use of force by one individual against another is wrong.

Other libertarians justify liberty via social contract arguments. Supposing a Hobbesian or Lockean state of nature, contractarians argue that rational individuals with conflicting interests would agree upon a set of legal constraints that would limit each individual's liberties only to the extent necessary to leave all other individuals at liberty. Therefore, rational individuals would voluntarily contract to institutionalize in their society the broad principle that the initiation of force is wrong.

A third group of libertarians justifies liberty by first arguing for universal and objective moral principles. Appealing to Aristotelian self-realization teleology, Lockean natural rights, or Kantian duties to

treat others as ends in themselves, such libertarians derive the conclusions that using force against individuals is immoral and, accordingly, that only political liberty is compatible with their broader moral framework.

As much as these proposed justifications of liberty differ, all libertarians reach the same conclusion: Individuals must be left free to do what they wish with their own lives and property.

### ROLE OF THE STATE

Libertarians also disagree among themselves about the extent of the role of the state in promoting liberty. The state is a coercive institution, and states have regularly used their coercive power to violate individuals' liberties through arbitrary laws, the sanctioning of various forms of slavery, compulsory taxation, compulsory military drafts, and so on. Reacting to these facts, libertarians fall into two major groups. One group, the anarchists, argues that the state is an inherently evil institution that should be abolished. The other major group, the "minarchists," allows that the state can play a limited role in promoting liberty.

Minarchist libertarians are divided into two subgroups. Some minarchists agree with the anarchists that the state is an evil, but unlike the anarchists they believe it to be a necessary evil: The state can be valuable in protecting the liberties of some individuals, but this value must be balanced against the inevitable abuses of the state's coercive power to violate individuals' liberties.

Other minarchists argue that the state is an inherently good institution, as long as its coercive power is constitutionally limited to defensive purposes and these limits are enforced strictly. In either case, minarchist libertarians agree that the state's functions should not extend beyond basic police, military, and judicial functions, and that these functions should be funded through voluntary mechanisms, not compulsory taxation. Anarchist libertarians reject any role for the state and argue that even the minarchist state functions can and should be supplied by private, voluntary protection agencies.

In the political realm, however, libertarians agree that they can set aside foundational disputes about the justification of liberty and the scope of the state in order to work together for a goal on which they do agree: the reduction of the current scope of the state.

*Stephen R. C. Hicks*

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SEE ALSO: Anarchy; Conservatism; Free enterprise; Freedom and liberty; Individualism; Liberalism; Social contract theory.

## Library Bill of Rights

**IDENTIFICATION:** Document of the American Library Association that sets forth policies on intellectual freedom meant to be followed by all U.S. libraries

**DATE:** Adopted on June 18, 1948

**TYPE OF ETHICS:** Arts and censorship

**SIGNIFICANCE:** The Library Bill of Rights is designed to protect the rights of all citizens to free and equal access to information and creative expression. Some provisions of the document may be controversial, especially the insistence (reaffirmed in 1996) that people of all ages should have access to the same materials.

The original text of the Library Bill of Rights was drawn up by Forrest Spaulding. It was adopted for the

American Library Association (ALA) at the ALA Council in San Francisco. Subsequently, the ALA Committee on Intellectual Freedom was established to recommend any steps necessary to protect the rights of library users in accordance with the Bill of Rights of the United States and the Library Bill of Rights. Through discussion and approved emendation by members of the ALA Committee on Intellectual Freedom and by the membership of the ALA, the document was adopted on June 18, 1948, and amended in 1961 and 1980.

The six basic policies that make up the Library Bill of Rights are summarized as follows: (1) library materials should be chosen for the interest and enlightenment of all people in the community; (2) libraries should provide materials that represent all points of view on issues and concerns; (3) censorship should be challenged; (4) libraries should cooperate with those concerned with resisting the abridgement of free expression and free access to ideas; (5) rights of individuals to use libraries should not be denied based on “origin, age, background, or views”; and (6) meeting rooms of libraries should be available to community groups regardless of the beliefs and affiliations of their members.

*Robin G. Hanson*

SEE ALSO: Book banning; Censorship; Computer misuse; Freedom of expression; *Index librorum prohibitorum*; Intellectual property; Pornography; Song lyrics.

## Life, meaning of

**DEFINITION:** Notion that human experience as such has a purpose, significance, or value which explains or grounds it, and which could provide guidance as to how one ought to live one’s life

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** If life were determined either to have or to lack a definite and comprehensible meaning, that determination would have profound consequences for all of ethical theory and practice.

Albert Camus’s *The Myth of Sisyphus* (1942) opens with this claim: “There is but one truly serious philosophical problem, and that is suicide.” According to

Camus, judging whether life is worth living represents the most basic of all philosophical problems. Questions about the meaning of one's life are by no means confined to philosophers. Indeed, wondering why one is here and whether anything will come from what one is doing are familiar and pervasive activities. Ethicists offer a variety of responses ranging from the religious ("God provides a meaning for life and everything else"), to the existentialist ("I can give my life meaning"), to the nihilist ("There is no ultimate meaning to life or anything").

### MEANING OF THE QUESTION

As with many philosophical inquiries, it is worthwhile to clarify the meaning of the question being asked: "What is the meaning of life?" It is easy to imagine such a question being asked by a severely depressed individual seeking psychological counseling or guidance, but this is not the context for the philosopher's concern.

The philosopher (or any reflective individual) comes to inquire about the meaning of life as a natural consequence of being self-conscious and rational. As people mature, they learn to make observations, generalize, offer explanations and predictions, and so on. Being rational means looking for explanations in terms of rules, principles, and theories, which are established by reason and by empirical methodologies. Being self-conscious involves awareness of one's rationality. Once one becomes aware of one's own rational nature and outlook, it is tempting to turn that rational outlook inward and seek an answer to the question "Why am I here?" in much the same way that one seeks an answer to the question "Why is that mountain here?" Another way of expressing the philosopher's question, then, is as follows: "Why am I self-conscious? What is the purpose of my self-awareness?"

This interpretation of the question about the meaning of life can be represented as "What is the meaning of my life?" Other questions about the meaning of life could focus on all life, or all animal life, or selected groups of human life, or all intelligent life, and so on. The philosophical question about the meaning of life, however, focuses on the meaning of an individual human life.

The reflective inquirer recognizes this principle: When one is wondering about the meaning of life, the most one can legitimately wonder about is the mean-

ing of one's own life. One is not in a position to know the meaning of another person's life or to place a value on another's life.

### TRANSCENDENTAL RESPONSES

There are two sorts of responses to the question about the meaning of an individual's life. One sort of response seeks an answer in something transcendental, or beyond this world. By far the most prevalent views of this sort are religious, and they are too numerous and varied to review here. Some nonreligious, mystical views about the meaning of life also invoke a transcendental and nonrational reality.

Transcendental explanations are not satisfying to skeptics, who ask for direct and obvious evidence of nonevident realities. The transcendental view that the meaning of an individual life (along with the sense of the whole universe) must lie outside the universe is subject to Ludwig Wittgenstein's criticism in *Tractatus Logico-Philosophicus* (1921) that things that are claimed by their very nature to be beyond the experiences of this world are among the things about which we are incapable of clear and meaningful discourse: "What we cannot speak about we must pass over in silence."

There are responses to the question about the meaning of life that do not ultimately rely on appeals to transcendental realities. In addition, there are a variety of types of nontranscendental responses. For example, positivists argue that the meaning of life is a question without an answer, because potential answers are not subject to independent verification or refutation; as a consequence, the meaning of life must remain a permanent mystery. Hedonists argue that the meaning of life is determined by the pleasures enjoyed in this life. Nihilists argue that there are no enduring values of any kind, no sense to anything, including one's own life; they often cite the prevalence of natural disasters, wars, and pettiness as evidence supporting their own view. While these responses differ widely, they share a common emphasis on the evidence of this world as that which determines what, if any, meaning attaches to life.

The most prevalent philosophical view of this type traces its history from Socrates in ancient Greece to Jean-Paul Sartre and other modern existentialists. What existentialists have in common is an emphasis on the actions of an individual in this world as the primary determinant of the meaning of that individ-



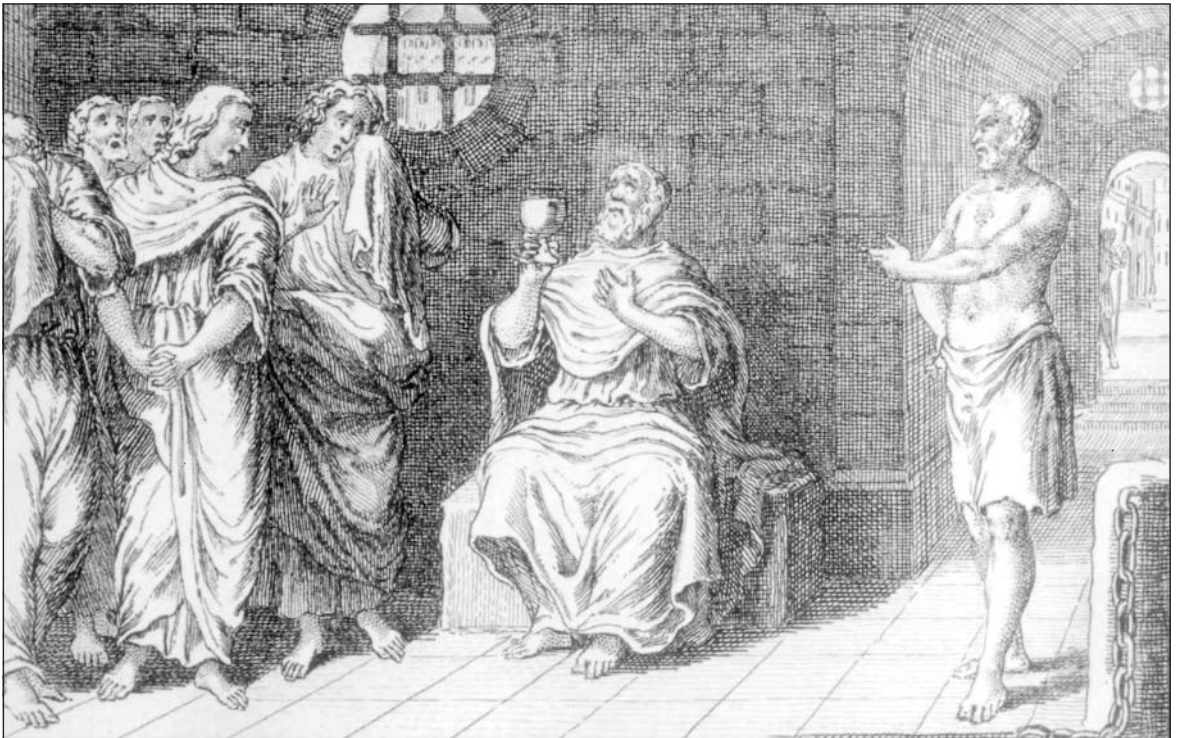
ual's life. Existentialists generally believe that how one lives one's life shows what one thinks of oneself. Because existentialists emphasize individual choices and human actions, their views are categorized as generally nontranscendental, although many existentialists accept the existence of transcendental realities.

### THE EXAMPLE OF SOCRATES

The life of Socrates is often cited as an early example of existentialism. Most of what is commonly believed about the life and death of Socrates can be traced to four Platonic dialogues: *Euthyphro*, *Apology*, *Crito*, and *Phaedo* (for example, see Romano Guardini's *The Death of Socrates*, 1970). In the *Euthyphro*, Socrates is shown inquiring into the nature of piety. The situation is that the elder Socrates meets the youth Euthyphro at the city courthouse. Socrates is there to respond to charges of impiety and corruption of youth. Euthyphro, who is there to file questionable murder charges against his father, claims to understand the true nature of piety. Socrates'

subsequent examination of Euthyphro's exaggerated claim is filled with irony and can be viewed as illustrating the character of Socrates as well as the general nature of Socratic inquiry. Socrates shows each of Euthyphro's definitions of piety to be deficient or confused, yet Euthyphro persists in his naïve belief that whatever is pleasing to the gods is holy and presumably proceeds to press charges against his father.

The *Apology* recounts the trial of Socrates. More of Socrates' irony and sharp wit are revealed, as Socrates mocks his politically powerful accusers while offering carefully reasoned defenses against each of the charges. Socrates is found guilty by a narrow majority of the 500 judges and is offered the opportunity to suggest an alternative to the death penalty proposed by the accusers. Socrates facetiously considers a series of alternative penalties, ranging from public support for his inquiries to a very minor fine, taking the opportunity once again to ridicule accusers and judges. Socrates is sentenced to death and takes the opportunity to make a final speech in which he re-



Engraving of Socrates taking hemlock by the eighteenth century French artist Louis Pierre Boitard. (Library of Congress)



peats his faith in the divine voice that warns him of exaggerations and other wrongs, imagines an after-life filled with interrogations of ancient heroes, and asks his friends to punish his sons if they claim to know things that they do not know.

The *Crito* depicts Socrates' brief stay in jail awaiting execution. Socrates refuses opportunities to escape as inconsistent with his beliefs and continues to make philosophical inquiries about the nature of justice and other issues. The death scene is depicted in the *Phaedo*. On the day that Socrates is given the poison hemlock, he is visited by a group of friends, and they discuss the meaning of life and death. Socrates' dying words to his friend Crito were: "I owe a debt to Asclepius [the Greek god of healing]; do not forget to pay it."

The Socrates that emerges from these dialogues is an individual entirely dedicated to a search for truth (especially with regard to ethical matters), determined to expose popular views as exaggerated and confused, capable of great irony and insight, and subject to the divine guidance of an inner voice. Socrates clearly reflects the basic existentialist outlook in the *Crito*: What one does shows what kind of person one is. Socrates is not the kind of person who acts against his beliefs and breaks the laws. The existentialist credo found in Socrates can be stated as follows: One's life shows what one thinks of oneself. Socrates urges people to think highly of themselves.

### THE PROBLEM OF SOCRATES

Socrates presents challenges to traditional views about justice, piety, and goodness but offers no positive account of his own about these ethical concerns other than the example of his own life. Yet Socrates' life is essentially unique—Socrates hears and obeys a divine inner voice. Socrates cannot say, "Be like me; get an inner voice." Socrates can give no account of his divine voice, and even he regards the fact that he hears this voice as mysterious.

In Friedrich Nietzsche's *Twilight of the Idols* (1889), another problem with Socrates is elaborated. On most ethical matters Socrates remained an inquiring skeptic, yet with regard to the value of life, Socrates became dogmatic, as best reflected in his dying judgment that life is worthless: "To live—that means to be sick a long time; I owe a debt to Asclepius, the savior." Nietzsche argues that the value of life can be estimated or judged neither by the living, for they

constitute an interested and biased party, nor by the dead, because they are not talking. Therefore, Nietzsche argues, the problem of determining the meaning of life is a problem of will, not one of reason.

### THE EXISTENTIALIST VIEW

The existentialist view is that each individual is responsible for beliefs held and actions selected, including whether to regard Socrates as a heroic seeker of truth, an eccentric teacher, or a corrupter of youth. Jean-Paul Sartre's *Existentialism* (1946) presents a clear explication of the fundamental tenets of existentialism, including the following: human existence precedes essence; subjectivity must be the starting point of any inquiry; some freedom of action exists; and in choosing who one becomes as an individual, one is choosing how to regard humanity. Part of the human condition is the predicament of choice—choosing one's emerging character. Sartre's existentialism carries a two-sided message: One has freedom and a burden of choice with regard to the kind of person one chooses to become. Sartre's advice is not unlike that of Socrates: Think highly of yourself. Of course, the existentialist leaves the specific interpretation of the word "highly" in the phrase "think highly" to the individual.

A recurrent theme in existentialist writings is that individuals can give meaning to their lives. While it is not possible to state precisely the particular meaning of an individual's life, it is possible to suggest what meaning an individual gave to life by an elaborate tale or story, as found in novels, for example. Indeed, the novels of Jean-Paul Sartre and Albert Camus are often cited as examples of existentialist literature, as are the works of Fyodor Dostoevski and Leo Tolstoy.

This existentialist notion that certain things (such as how one values life) show themselves or make themselves manifest is consistent with the positivist critique of ethical language as meaningless. Ludwig Wittgenstein's *Tractatus Logico-Philosophicus* makes this distinction explicit: there are things that cannot be put into words, these things make themselves manifest, and an example of something that makes itself manifest is "There are laws of nature" (ironically put in words).

The results of positivist attacks on ethical language include an eruption of all kinds of artistic endeavors meant to illustrate existentialist notions about enduring the human condition, choosing in the

face of an absurd existence, accepting the responsibilities of choice, and so on. As a consequence, there now exists a substantial body of existentialist literature, philosophy, and art, which makes this area of philosophical inquiry unique in its multidisciplinary approach to the question of what it means to be a person. The appeal of an existentialist outlook is partly the focus on one's entire life rather than on a specific aspect of life such as one's physical attributes or intellectual abilities.

Existentialists typically place great emphasis on human choice and action, shifting the focus of the question about the meaning of life from reason to will. Existentialists would accept the usefulness of high-sounding ethical pronouncements (such as "The unexamined life is not worth living" or "To thine own self be true") but would argue that how one chooses to live in accordance with those and other maxims is the crucial issue—not the maxims themselves.

An existentialist ethical view might be encapsulated in words such as these: Become a voice that comforts and encourages, a hand that guides and assists, an eye that sees and reflects, a face that does not turn away, a person whose life shows what a person can become. Ultimately, however, it is not the words that matter. What matters is the comforting, encouraging, guiding, assisting, and so on.

In summary, there are two basic ways to understand questions about the meaning of life. One can think of the meaning of life in terms of what God can make it or in terms of what one can make it oneself.

*J. Michael Spector*

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SEE ALSO: *Being and Nothingness*; Camus, Albert; Character; Dostoevski, Fyodor; Existentialism; Immortality; Life and death; Platonic ethics; Sartre, Jean-Paul; Socrates; Will.

## Life and death

**DEFINITION:** Presence or withdrawal of the ineffable motive force that differentiates animate from inanimate matter

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Decisions regarding life and death are usually thought to be the most important and most difficult of all ethical issues. Specific definitions of life and death may determine the parameters of one's legal, ethical, economic, and personal obligations.

Since humans do the defining, all life is defined from the standpoint of human life. Definitions of life reflect the complexity of human life and the various cultural contexts within which the definitions are sought. Definitions of life and death therefore symbolize the concerns of the individuals seeking a definition as well as the culture that supports their search.

Definitions of life and death not only manifest the values and concerns of individuals and society but also determine who lives in that society. If a definition of death, for example, focuses on the irreversible loss of consciousness, then those who have irreversibly lost consciousness are no longer part of that human society because they are no longer considered human. If a definition of human life makes the possession of human DNA equal to being human, then every organism with human DNA is part of that human society.

Definitions also focus on one aspect of human existence rather than another. The word "death," for example, may refer to dying, the death event, or the time after the moment of death. People who say, "I am afraid of death" usually mean that they fear dying. Others, who say they look forward to death, usually mean an afterlife. Today, many people use "death" as it is used in this article to refer to the point at which a living entity changes from a living to a nonliving state.

The focus of modern Western society is on the biological nature of life and death; therefore, its ethical concern is with the biological aspects of life and death. This concern will be the focus of this article.

### DEFINING LIFE AND DEATH

No society can exist without explicit or implicit definitions of life and death. People must know when

someone is dead. Without such knowledge, wills could not be probated, burial could not take place, leadership positions in business and politics could not be clearly defined, and life-support systems could not be removed. Without clear definitions of human life and death, one would consider a thing (a cadaver) to be a human person. To treat things as human is not only an intellectual error but also an ethical one.

Western society has had, and still has in many situations, both implicit and explicit definitions of life and death. A person who steps off a curb and is run over by a truck is alive when he or she steps off the curb and dead afterward. One can point to a living person before the event and a corpse after the event. One "knows" both life and death in this situation. Since people need official recognition of what they know intuitively, common law developed a definition of death. In common law, death as the cessation of life is determined by "a total stoppage of the circulation of the blood." People's intuitive judgment and society's legal definition were adequate until modern technologies altered the ability to extend life.

In modern industrial societies, acute death, such as occurs in a truck accident, does not happen often. Most people die slowly, die old, and balance on the edge of death for a long time. The end of life today more properly may be described as "living-dying," because it is an extensive period of time during which individuals know that they will die and usually act differently in the light of this knowledge. This "living-dying" phase of life results in experiences and relationships that never have been dealt with in cultures that do not possess the technological ability to produce such a phase of life. This phase is not present when one is run over by a truck: one moment one is alive, the next one is dead.

Things are different today not only for those in the "living-dying" phase of their life but also for those who are "patients"—those who are ill but will probably get better. A significant number of patients will recover only if they receive a living human organ to replace one of their dead ones. The ability to transplant organs such as the heart, liver, and lungs leads modern society to deal with life and death in a different way. This ability produces a culture whose new definitions of death challenge the human view of life and ultimately determine who is human and who is not.

### REDEFINING LIFE AND DEATH

Since death is basically the cessation of life, a definition of death is also a definition of life. If one examines the corpse of an individual run over by a truck, one might notice that, although the person is dead, some parts of her or him are still alive. The heart may be beating and thus may be alive. The hair, fingernails, and many cells are also alive. If someone who was unaware of the person's death examined these human parts, that person would not know whether they came from a live human or a dead human. It could be said, therefore, that human death is a process in which it takes a long time for everything human to die. Yet society treats human death as an event. The laws and customs surrounding dying and death seek to mark a point before which the person is alive and after which the person is dead. Obviously, something more than cellular death is needed to indicate when a person is dead.

A medical doctor declares a person dead based on certain criteria. Modern criteria are the result of centuries of experience. A doctor who declares someone dead is saying that experience has shown that when certain criteria are fulfilled, this dead human will never again be a living human.

Commonsense observations that the person was dead in the truck accident are officially confirmed by someone who has the authority to do so, and after that confirmation has been made, people begin to then treat the corpse in a different way.

For most of human history, commonsense observation was the only way to tell the difference between life and death. Part of that observation involved determining whether the person was breathing or not and whether his or her blood was flowing. The breath and the flow of blood were considered the criteria for life and death. Blood and breath, or spirit, are still central to many cultures' views of life. Commonsense observation told people that when their breath was gone, their life was gone. Common sense also demonstrated that if one lost a large quantity of blood, one's breathing stopped and one was dead. Certainly, human life was not only blood and breath, but without blood and breath one was not human.

The history of science has also been the history of challenging commonsense observations. The discovery of the human circulatory system and the invention of the stethoscope were challenges to commonsense observation. The discovery of the way in which

the blood circulates demonstrated that when the heart stops pumping, there is effectively no blood; when the lungs stop functioning, there is no more breath. Commonsense observations were augmented by new scientific discoveries and inventions that showed that the previous criteria were ways of knowing that certain essential organs were dead. These criteria now were linked with certain places of death, such as the heart and/or lungs. People now believed that once these organs were dead, a corpse would never again be human.

Commonsense observation might lead one to believe that the lungs and the heart are not moving, whereas a stethoscope might indicate that they are. One no longer had to use a mirror held to a person's nose to know whether breathing had stopped; one did not have to see the loss of blood to know that the heart had stopped. The heart could stop for other reasons and still be dead. One could hear whether it was making noise and was alive. One could listen to the lungs to hear whether there was breath; if not, the person was considered dead. With the advent of the stethoscope, technology began to augment, and sometimes contradict, commonsense observations.

### DEATH AND MODERN TECHNOLOGY

Modern technologies continue to augment and to defy commonsense observations, but the sequence of determining a death is the same: Certain criteria indicate that part of the human is dead; experience has shown that once these criteria are fulfilled, that person will never be alive again.

Because humans developed the ability to keep the heart and lungs alive, former commonsense observations about death were challenged. Many investigators were led to conclude that if the brain were dead, the human would never again be alive. Since for most of human history the life of the organs was identical with the life of the human organism, the challenge of developing new criteria included determining new definitions of death, such as those that focused on the brain.

The meaning and definition of life were always concerns for philosophers and theologians. Scientists usually viewed these definitions as too abstract for scientific investigation because they could not be quantified and subjected to experimentation. To many biologists, it made no difference whether they were operating on a human heart or a pig's heart. A

muscle was a muscle. A primary model for many scientists working with human anatomy is that of the machine. They speak of human parts in the same way that a mechanic would speak of automobile parts. The realization that these parts form a conscious, willing, and loving machine is of little consequence to scientists using this model. This model's implicit definition of life seems to be that human life is equal to the efficient operation of the parts, which is indicated by the flow of blood and breath. Death occurs when there is an irreversible stopping of blood and breath; that is, when one of the parts no longer functions, the machine is dead.

When one views the human being from a perspective other than that of the machine model, one arrives at different definitions. Robert Veatch, in *Death, Dying, and the Biological Revolution* (1989), provides an excellent summary of two modern definitions.

#### OTHER DEFINITIONS

One definition is that death is the irreversible loss of the capacity for bodily integration and social interaction. Death occurs when the entire brain is dead. The criteria for determining that the brain is dead are that there are no spontaneous movements, breathing, or reflexes and that such unresponsiveness and lack of response are confirmed by a flat electroencephalogram. These same criteria might be met by someone who was suffering from hypothermia or who was taking a central nervous system depressant, so these possibilities must be ruled out before death is determined. It could be that a person whose heart and lungs were functioning with the aid of machines would be declared dead using this definition. For those accustomed to linking death with the circulation of vital body fluids, to remove the person from the machine would necessitate the ethical decisions associated with euthanasia. For those who accept this definition of death, however, to continue to treat the person as if he or she were alive would be unethical.

Another definition of death is that death is the irreversible loss of consciousness or the capacity for social interaction. Notice that the capacity for bodily integration does not have to be irreversible according to this definition. If one's neocortex is dead, one has lost consciousness and cannot communicate with others. The easiest way to determine whether this is the case is with an electroencephalogram. Common sense is certainly challenged here, because a person

in the living-dying phase of life could be breathing without a machine and still be considered dead.

In both of these definitions, human life is understood to be more than mere biological functions. The first definition assumes that both the biological function of spontaneous blood and breath circulation are necessary to be human, as is an ability to interact with others. If these are not present, then human life is absent. The second definition goes further; it says that consciousness and social function are uniquely human. If both are absent, then human life is absent.

The initial commonsense definition led to legal definitions of death. The new definitions also led to legal definitions. The common law definition was gradually redefined with the advent of the new technologies and discoveries. The most famous definition for legal purposes was that of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research. The commission rejected the vague general definitions mentioned above for a more specific and biological definition, suggesting that the following definition be used in laws throughout the country: "An individual who has sustained either (1) irreversible cessation of circulatory and respiratory functions, or (2) irreversible cessation of all functions of the entire brain, including the brain's stem, is dead."

#### REFINING DEFINITIONS OF LIFE AND DEATH

Definitions reflect the questions of persons and societies. These modern definitions reflect the concerns of the modern age: rational analysis and reductionism for the purpose of technological control. Other cultures have defined human life and death in terms of other concerns. Many times, the human life known and analyzed by the five senses was seen as limited in the face of something that transcended ordinary life. The sensual reality might be the spirit, or breath, but this sensual reality was a manifestation of a deeper reality that connected human beings with their past, present, and future. It has been called soul and *atman*. Many terms from many cultures attempt to define life and death. Modern arguments about definitions of life and death in Western culture are arguments about who human beings are and what they will become. Old views of life and death are no longer valid. Commonsense observation is insufficient. New views are still to be discovered. Modern definitions do not match human experience. Inevitably,



there will be confusion as people search for definitions that reflect their experience and improve the quality of life in the face of its inevitable end.

### CONFUSION AS A HOPEFUL SIGN

Modern popular literature uses four phrases that reflect definitional confusion: brain death, heart death, right to life, and right to death. The first two phrases reflect the difficulty experienced by many people who attempt to understand definitions of life and death. The last two phrases reflect attempts to argue for definitions within the political arena. Most people understand life and death not with the formal definitions stated here but within the parameters of “television-speak”; many decisions concerning social policy are made not by professionals but by the political process. These two phrases reflect the two major social constraints to definitions of life and death: the demand for simplicity in a very complex affair, and the unwillingness to change ideas about a very personal reality.

Modern Western society communicates through the media. The media need short and simple phrases to describe something. Such phrases show how one must think in using this technology.

To use the phrases “brain death” and “heart death” as many reporters do is to suggest that there are two different kinds of death. This is inaccurate. A person is either dead or alive. To say that someone is “heart dead” is to refer to common, primitive definitions of death. To say that a person is “brain dead” indicates that the brain comes into the judgment about death—nothing more. The use of “heart death” and “brain death” to refer to the death of the person also gives the impression that a human being is identified with the heart and/or brain. Such an identification implicitly supports a materialistic view of the person that is not accepted by many philosophers.

The supporters of the “right to life” and those of the “right to die” use modern “rights” language to argue about life and death. They know what they do not want society to do. Right-to-life supporters do not want human life maximized in such a way that large groups of people who are defective, or perhaps lack full consciousness, will find themselves defined out of the human race. Right-to-die supporters do not want human life minimized in such a way that if any of a person’s organs is alive, society would be obliged to sustain that person’s life. Rights mean obligations.

Right-to-life supporters say that society is obliged to sustain human life under any circumstances. Right-to-die supporters say that society is obliged to allow an individual to choose a particular mode of death rather than experience a slow death of various organs. Most arguments about rights to life and death deal with the issue of euthanasia rather than the issue of definitions of death. The euthanasia issue concerns whether one may ethically hasten the death of someone in the living-dying phase of life. Definitions of death seek to determine whether a person is dead. These are two different issues.

Confusion and argument about definitions of life and death indicate that Western culture is undergoing significant change. They indicate that people are aware of the change that is taking place, thinking about it, and offering arguments for one side or the other. Being aware of these definitions means being aware of what arguments are offered and taking one’s place in the conversation, not the confusion.

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SEE ALSO: Bioethics; Brain death; Death and dying; Homicide; Immortality; Life, meaning of; "Playing god" in medical decision making; Right to die; Right to life; Suicide.

## Lifeboat ethics

**DEFINITION:** Concept that likens the ethical principles of living on Earth with those of sharing an overcrowded lifeboat

**DATE:** Concept developed during the 1970's

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Lifeboat ethics is a neo-Malthusian response to human population growth, overpopulation, and hunger that advocates the denial of food aid to starving peoples.

Garrett Hardin, who first articulated the concept of lifeboat ethics during the 1970's, employed three metaphors to explain the idea. First, he described he relatively few truly affluent nations as living in well-stocked lifeboats, while the much more numerous poor nations' populations continuously fall out of their own overcrowded lifeboats, while hoping to board affluent lifeboats. As in real overcrowded lifeboats, Hardin argues that it is suicidal to help the poor, even if a lifeboat has extra room, as the affluent have a primary obligation to provide for their own future generations.

Hardin's second metaphor is the tragedy of the commons, a term used historically for shared pasturelands using for grazing livestock. Open to all livestock raisers, commons lands invited overuse and consequent destruction. Hardin sees modern immigration—which moves poor people to food—and the World Food Bank—which moves food to the poor—as forms of commons lands. The former accelerates environmental destruction in affluent countries, while the latter leads to exhaustion of the environment.

Hardin's third metaphor is what he calls the ratchet

effect. When population increases in poor countries lead to crises, the humanitarian food aid that pours into the countries spurs further population increases, setting up vicious cycles. Food aid thus ultimately contributes to enormous population crashes and untold suffering. Hardin's conclusion challenges altruistic practices and employs a utilitarian approach: Withholding food aid will prevent massive global starvation and suffering in the future.

### ASSESSMENT

Lifeboat ethics requires a careful assessment of the premises and facts. Hardin assumes that Earth's human population is close to the planet's biological carrying capacity. However, no one actually knows what that capacity really is. World population has historically risen geometrically without the massive starvation that Hardin's theory should expect. Moreover, starvation may have political or economic causes, as it is often occurs in countries involved in wars or beset by irresponsible governments.

The degradation of arable land, overfishing, and global climate change present real threats to the future of the ability of the earth to feed its increasing human population. Moreover, some argue that food aid reinforces governmental irresponsibility in poor nations. Among the countertheories is the cornucopian argument of Julian Simon, which suggests that technological innovations will keep up with population increases, forestalling a crash. Sharing modern technology, and not merely giving food, could become a moral obligation of the affluent.

Ethical responses to lifeboat ethics include the problem of distributive justice, a much discussed difficulty with utilitarianism. While Hardin believes that survival overrides justice, Peter Singer argues that affluent nations have an obligation to ameliorate world suffering. Singer and others also argue that eating meat—which is generally done mostly by the affluent—is unethical, as well as inefficient, as the food given to livestock could be better used to feed the hungry poor. Others treat food aid as supererogatory, an optional as opposed to an obligatory action.

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SEE ALSO: Agribusiness; Distributive justice; Famine; Future-oriented ethics; Hunger; Malthus, Thomas; Mercy; Population control; Triage; Utilitarianism; Zero-base ethics.

## Lifestyles

**DEFINITION:** Typical behavior patterns or modes of living of specific individuals, groups, or cultures

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Lifestyle choices reflect the fundamental values of the people making them, but the term “lifestyle” is most commonly applied only to unusual or distinctive values and choices. The lifestyle of the mainstream can become invisible in its ubiquity.

Everyone, either consciously or unconsciously, subscribes to some set of values and beliefs. A lifestyle is a person’s active expression of his or her values and beliefs. People tend to inherit the lifestyles of those who are important to them and then individualize those lifestyles. Lifestyles are learned by experience.

Lifestyles may be divided into two significant sets. The first set consists of Eastern and Western lifestyles, which are based on the beliefs and values of two different parts of the world. The second set consists of the modern, conservative, liberal, and fundamentalist lifestyles, which are based on various ways in which people respond to modern life. An understanding of these lifestyles allows one to understand those values and beliefs that condition one’s ethical choices. Many commentators would be quick to add that the world is moving into a postmodern age, which will generate significant change. Such significant change is always accompanied by an increase in the number of alternative lifestyles that are available in a given area. Alternative lifestyles offer people new ways of life and challenge the way of life of the majority in a given area. Alternative lifestyles

should not be mistaken for fads, which last only for a short time, such as a year or two. Alternative lifestyles usually exist for at least a generation before they die out or become the lifestyle of the majority.

### EASTERN AND WESTERN LIFESTYLES

Eastern lifestyles are represented by the religions or philosophies of Hinduism, Buddhism, Daoism, Confucianism, and Shintōism. These lifestyles are very much oriented toward nature and tend to view time as a series of recurrent cycles. They also tend to de-emphasize the will of the individual and the role of choice. Western lifestyles are represented by the related religions of Judaism, Christianity, and Islam. Western lifestyles tend to emphasize history and time, believing that the world began at a specific point in time. Western thought is generally dualistic (right or wrong, yes or no), whereas Eastern thought is generally unified (right and wrong, yes and no). Western thought also tends to emphasize choice and the will of the individual.

In the middle of the seventeenth century, new ideas initiated a new set of beliefs and values that can be called “the modern.” In this case, modern does not mean contemporary. The modern lifestyle affirms most of the beliefs and values of the Western lifestyle. It adds to the Western lifestyle, however, the belief that the mind (reason) is the only instrument that should be used to examine and evaluate the nature of reality. This view constitutes a rejection of the roles of the supernatural and of religious traditions in providing models for behavior and belief. In the modern view, one should analyze how other people act and determine what nature requires. Only if actions are consistent with natural requirements should they become behavioral norms. As the sciences that grew out of modern thought developed, the importance of universal objective norms was minimized; more emphasis was placed on the pluralism of norms and, therefore, ways of living.

The liberal lifestyle accommodated itself to pluralism. The ideas of progress and rationality were central to this lifestyle. Life was viewed as an adventure that, because of the sciences, would continually improve. It was thought that the discoveries of the sciences should be used to improve the quality of life and to develop new behavioral norms.

The conservative lifestyle, however, did not wish to operate on the basis of the ideas of progress, plural-

ism, and scientific rationality. Instead, conservatism reflected a lifestyle that emphasized hierarchy, order, tradition, and religion. The old was held to be more important than the new. The most important values and beliefs were those that had been inherited from religion.

The fundamentalist lifestyle is based upon the religion (Eastern or Western) within which it is practiced. The Christian fundamentalist lifestyle generally reflects many of the beliefs of the modern in its belief in the literal truth of the Bible and the conviction that the end of the world will come soon. Christian fundamentalism rejects the modern's view of the supernatural by holding to the belief that God regularly intervenes in the world. Some other forms of fundamentalism—Islamic fundamentalism, for example—can be thought of more accurately as reflecting a conservative lifestyle. Although many people view fundamentalism in general as a violent lifestyle that rejects democracy and seeks to reorganize society on the basis of religion, that is not always the case. Each form of fundamentalism must be examined in its own religious, cultural, and national context.

#### ALTERNATIVE LIFESTYLES

Alternative lifestyles are united in that they respond to the lifestyles that dominate the cultures in which they occur. Each alternative lifestyle rejects all or part of these dominant lifestyles and promotes a different set of beliefs and behavioral norms.

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SEE ALSO: Conservatism; Liberalism; Religion.

## Limited war

**DEFINITION:** Combat undertaken by a government that deliberately limits the extent of its military action against its enemy

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Limited war theory attempts to apply ethical considerations of justice and fairness in the political-military arena.

A government's limitations in war may be expressed in terms of the power and types of weapons it uses, the geographical areas that it targets for attack, the specific segments of the enemy's military structure it targets, the techniques that it employs to minimize harm to noncombatants, its reluctance to seek help from its allies, or how long it will pursue its objectives. In addition to the traditional legitimizations of war as a means of self-defense and a method of defending the public good, many countries have come to perceive a moral obligation to respond to blatant violations of human rights, especially in the light of the various genocidal events of the last century. However, such a "nobility of cause" makes it even more morally pressing to avoid excessive destruction and human casualties. This limitation is usually decided out of ethical considerations such as the inequality of the military capacity of the combatants.

The just war theory, which is closely allied to limited war theory, was designed to determine when a war is morally justifiable (*jus ad bellum*) and what limitations should be placed on the ways in which wars are waged (*jus in bello*). The criterion pertaining to *jus in bello* is commonly called proportionality—the insistence that the estimated collateral destruction inflicted and the costs (in lives and materials) must be proportional to the anticipated good that will result from the military engagement. Many ethicists and religious leaders have pointed out that in the modern nuclear age, in which weapons of mass destruction threaten to obliterate much of the planet,

the limitation of proportionality is essential in any military engagement.

Proportionality also includes the shielding of non-combatants from harm, ensuring that they can never be considered targets of attack. When the United States began to invade Iraq in 2003, the American leaders delineated eight specific objectives. In the light of these objectives and the American assertion that its military action was a war of liberation and not one of conquest, great efforts were made to avoid targeting the Iraqi infrastructure, since it would be vital in postwar rebuilding. The so-called American “shock and awe” air campaign, unsurpassed in its focus and magnitude, was highly successful in keeping the number of civilian casualties low and damage to the Iraqi infrastructure minimal.

One of the clearest examples of limited war in modern history was the Falkland Islands War of early 1982, in which Great Britain resisted Argentina’s unilateral seizure of the islands. During that war, which last only seventy-two days, Britain limited its military response to the region immediately around the islands themselves and never even hinted that it might attack the Argentine mainland, although it had the force to do so. The British thus limited the duration of the conflict, its geographical focus, and the weapons that it used.

*Mara Kelly Zukowski*

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SEE ALSO: Biochemical weapons; Dresden firebombing; Geneva conventions; Genocide and demo-

cide; Israeli-Palestinian conflict; Jesus Christ; Just war theory; Mutually assured destruction; Peace-keeping missions; Sanctions; War.

## Lincoln, Abraham

IDENTIFICATION: President of the United States during the Civil War

BORN: February 12, 1809, near Hodgenville, Kentucky

DIED: April 15, 1865, Washington, D.C.

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Lincoln led the American people in an effective political response to the ethical problems posed by slavery.

Slavery was the major moral issue affecting American politics in the early and mid-nineteenth century. Although Lincoln grew up in areas of Indiana and Illinois in which most people were friendly to slavery and hostile to African Americans, Lincoln himself said that he always opposed the institution. He insisted, however, that opponents of slavery had to accept the fact that the U.S. Constitution protected slavery in states where it already existed. In 1837, as a member of the Illinois legislature, Lincoln voted against a motion condemning abolitionist societies and placed on record his condemnation of slavery as morally offensive. To preserve his political future in abolitionist-hating Illinois, he also stated that he rejected demands for the immediate end of slavery because the institution was constitutionally protected.

Lincoln opposed expansion of slavery, hoping that confining it to existing areas would eventually lead to its extinction. When serving as a congressman during the Mexican War, he voted for the Wilmot Proviso that would exclude slavery from any territory acquired from Mexico. The Kansas-Nebraska Act of 1850, which opened new areas to slavery, infuriated Lincoln, who proceeded to lead antislavery Illinois Whigs into the newly forming Republican Party.

While debating Stephen A. Douglas during his campaign for an Illinois senatorial seat in 1858, Lincoln rejected leaving decisions on slavery to residents of the territories, arguing that doing so would treat slavery and liberty as equally acceptable. He insisted that slavery was morally wrong and that black



people were human beings having the right not to be enslaved. Citing the Declaration of Independence, Lincoln mocked Douglas for interpreting it to read that all men were created equal except Negroes.

As president, Lincoln showed continual growth in his understanding of how an antislavery position could be effective within the American political system. During the months preceding his inauguration, he reaffirmed his objection to slavery's expansion, rejecting the proposed Crittenden Compromise in Congress that would have guaranteed Southerners the right to export slavery to all land south of the Missouri Compromise line. When the slave states that remained with the Union during the Civil War rejected his proposal to emancipate slaves and compensate their owners, Lincoln strongly supported passage of the Thirteenth Amendment abolishing slavery throughout the country. Using his war powers, President Lincoln issued the Emancipation Proclamation, freeing slaves in territories rebelling against the Union.

While he was growing up in racist Illinois, Lincoln originally doubted the ability of African Americans to become fully functioning citizens, but in 1865, shortly before his death, he denounced the Unionist legislature in Louisiana for refusing to extend the suffrage to black soldiers who had fought for the Union.

*Milton Berman*

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SEE ALSO: Constitution, U.S.; Declaration of Independence; Emancipation Proclamation; Right and wrong; Slavery.

## Lobbying

**DEFINITION:** Organized efforts by individuals and members of groups to influence public officials—particularly legislators—to pursue their own political agendas

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Lobbying is a fundamental and constitutionally protected democratic political right that may influence the content and direction of public policy. It is ethically controversial because of the inequalities in the resources that lobbying forces bring to the process in their attempts to influence government decision making.

Found most predominantly in democratic societies, lobbying is a political activity in which individuals or groups make direct appeals to officials in the legislative and executive branches of government to support legislation and regulations favoring their own interests. The process takes its name from the lobbies of buildings, such as the federal government's Capitol rotunda, in which the "lobbyists" traditionally gather in their attempts to get the attention of the legislators passing through the buildings.

#### CONSTITUTIONAL PROTECTION

Within the United States, lobbying is protected under the First Amendment's guarantee that citizens have the right to "petition their government." As a constitutionally protected right, lobbying is difficult to regulate and would be impossible to abolish without a constitutional amendment directly and explicitly forbidding such activity.

Lobbying activity is also supported by such other First Amendment guarantees as freedom of speech, freedom of the press, and the right to assemble. Freedom of speech allows lobbyists to voice their opinions on policy to politicians. Freedom of the press allows lobbying organizations to produce printed materials to distribute to the media, politicians, or the general public. Freedom of assembly permits lobbying organizations to gather their members in protest, or support, of public policies.

Despite its constitutional protections and importance in democratic society, lobbying has not been without controversy. Lobbying is about the pursuit and exercise of political influence. Many people, especially those who see themselves as marginalized within the system, have advocated regulating lobbying in order to achieve a more equitable balance of power within the lobbying environment and to prevent corruption.

At the national level, attempts to regulate lobbying have never gone further than the Federal Regulation of Lobbying Act of 1946. That simple piece of

legislation stipulated that anyone paid to serve as a lobbyist must register with the clerk of Congress. The law itself is weak, however, because it requires only those who call themselves “lobbyists” to register. People who do the same things that lobbyists do but call themselves something else—such as lawyers or public relations specialists—do not need to register under the law. Indeed, the great majority of people engaged in lobbying do not register. However, for legal regulation of lobbying to go any further would invite constitutional challenges. In the early twenty-first century, there was no indication that the American system of lobbying would change in the near future, if ever.

### ETHICAL IMPLICATIONS

As a form of political activity, lobbying is not, in and of itself, unethical. In fact, one could argue that to lobby is an important exercise of one’s constitutional rights. However, ethical dimensions of lobbying may enter into its practice in several ways.

The tools used by lobbyists can be ethical or unethical. For example, money or other gifts may be offered to influence politicians. During the nineteenth century, lobbyists frequently offered scarcely concealed bribes. Through the twentieth century and into the twenty-first, otherwise legal campaign contributions used in tandem with lobbying efforts have been seen by many to exert corrupting and unethical influences. “Buying votes” is the term often used when connecting lobbying and campaign contributions.

In lobbying, the timely and persuasive dissemination of information is critical. Therefore, the use of knowingly false or misleading information may be unethical. Under the intense pressure of pursuing political goals, some of which may have extreme consequences, lobbying organizations may be tempted to disseminate information that inflates the merits of their cases. This would clearly be unethical, and a high price in loss of credibility may be paid by such organizations. Credibility and a good reputation are invaluable assets to lobbyists. With credibility comes respect on the part of listener, as respected lobbyists are more likely to be believed, trusted, and rewarded.

Some critics of lobbying are bothered by the inherent social inequalities found in its practice. Lobbying requires time, education, and money. Organizations that represent the poor, children, or other marginalized groups can face severe disadvantages

against competing lobbying forces that may be much better funded.

Finally, conflicts of interest may arise. Politicians may be lobbied by organizations in which they have vested interests. For example, a politician may own stock in a lobbying corporation. That situation presents a conflict of interest that may lead to an inherently unethical action on the politician’s part. Many states have laws designed to reduce this problem, but their effects have been mixed. In some states, such as Texas, incumbent state senators are permitted to serve outside clients as lobbyists and lobby their own colleagues. Because of the possibilities for conflicts of interest that such practices may create, similar behavior was outlawed at the national level during the nineteenth century.

*Steve Neiheisel*

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SEE ALSO: American Association of Retired Persons; Bribery; Business ethics; Conflict of interest; Congress; Corruption; Critical theory; Ethics in Government Act; Nader, Ralph; World Trade Organization.

## Lobotomy

**DEFINITION:** Destruction of tissue in the frontal lobes of the brain, or severing of the connection between those lobes and the rest of the brain

**DATE:** First performed on human patients in 1935

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** The use of lobotomy to treat mental disorders raises ethical questions as to the relative

cost and benefits of the procedure, the possibility of destroying a personality, and the adequacy of the evidence supporting the technique. In the popular imagination and judgment, lobotomy has come to stand for all forms of psychosurgery.

The lobotomy is based on the biomedical model of mental illness, which posits that mental disorders are caused by abnormalities in brain structure. If this is the case, surgically treating the brain should cure the disorder. The field that does so is called psychosurgery.

The antecedent of the lobotomy was the prefrontal leukotomy, which was invented by the Portuguese neurosurgeon António Egas Moniz in 1935. In this procedure, a surgical device called a leukotome was inserted through a hole into the frontal lobe and rotated, destroying whatever nerve tissue it contacted. The prefrontal leukotomy was replaced by the prefrontal lobotomy, which was developed by the American neurosurgeons Walter Freeman and James Watts in 1937. The limitation of the prefrontal leukotomy was that it did not permit precise determination of the area to be cut. In the prefrontal lobotomy, larger holes were drilled into both sides of the skull, after which a leukotome was inserted and precisely moved in a sweeping motion through the frontal lobe.

The prefrontal lobotomy was in turn replaced by the transorbital lobotomy, which was developed by Freeman in 1948. A knife was inserted through the top of the eye socket into the brain and then swung back and forth. This procedure was quick and efficient and could be performed as an office procedure.

The inspiration for these surgical procedures came from data presented by Carlyle Jacobsen that showed a marked change in the level of emotionality of a chimpanzee following destruction of a large part of the frontal lobe of the cerebral cortex. Formerly, the chimpanzee was highly emotional and obstinate. After the operation, the animal appeared calm and cooperative. Egas Moniz believed that this technique could be used on humans to relieve anxiety and other hyperemotional states. Egas Moniz claimed great success in alleviating extreme states of emotionality, and his work aroused worldwide interest, excitement, and practice. Psychosurgical techniques were seen as quick and effective methods for alleviating certain common mental disorders that could not be

treated effectively and rapidly by other means, and as providing a partial solution to the problem of overcrowding in mental hospitals.

From 1936 to 1978, about 35,000 psychosurgical operations were performed in America, with perhaps double that number worldwide. Egas Moniz was awarded the Nobel Prize for Physiology or Medicine in 1949 in recognition of his work. The Nobel citation states: "Frontal leukotomy, despite certain limitations of the operative method, must be considered one of the most important discoveries ever made in psychiatric therapy, because through its use a great number of suffering people and total invalids have been socially rehabilitated."

### ETHICAL ISSUES

Contrast Egas Moniz's Nobel citation, however, with David L. Rosenhan and Martin E. P. Seligman's assessment of the lobotomy in their 1989 textbook *Abnormal Psychology*: "Moreover, there is the danger that physicians and patients may become overzealous in their search for a quick neurological cure . . . the disastrous history of frontal lobotomies . . . should serve as a warning."

In fact, Rosenhan and Seligman were correct and the Nobel Prize citation was wrong. The leukotomies and lobotomies were a disaster. Their sorry history is rife with ethical violations involving their rationale and the evidence that was used to justify their use on humans.

Within three months of hearing Jacobsen's account, Egas Moniz performed leukotomies. He did so despite the lack of clear evidence from animal experimentation to justify the procedure. Egas Moniz conducted no animal experimentation himself; in addition, his reading of the scientific literature to support his beliefs was spotty and selective, and he ignored contradictory evidence. Furthermore, there was a large animal and human literature that clearly demonstrated a range of serious side effects and deficits produced by lesions to the frontal lobe, such as apathy, retarded movement, loss of initiative, and mutism. With no supporting evidence, Egas Moniz insisted that these side effects were only temporary, when in fact they could be permanent. Egas Moniz's initial report on twenty patients claimed a cure for seven, lessening of symptoms in six, and no clear effect in the rest. An impartial review of these cases concluded, however, that only one of the twenty

cases provided enough information to make a judgment.

There is also the question of whether it is ethical to destroy brain tissue as a means of treating cognition and action. Proponents of psychosurgery argue that newer techniques avoid the frontal lobes, the procedure is based upon a good understanding of how the nervous system functions, side effects are minimal, its use is much more strictly monitored and regulated, and it is undertaken only as a treatment of last resort.

Opponents of psychosurgery, however, argue that it is an ethically and morally unacceptable procedure of dubious value for several reasons. First, there are surprisingly few ethical or legal guidelines regulating psychosurgery. Second, psychosurgery has been used to treat a wide variety of disorders, such as schizophrenia, depression, obsessive-compulsive disorder, acute anxiety, anorexia nervosa, attention deficit disorder, uncontrollable rage or aggression, substance abuse and addictions, homosexual pedophilia, and intractable pain. Psychosurgery is performed with the belief that the specific locations in the nervous system that are associated with the above disorders are known and that surgically altering them will in turn alter the particular behavior. Opponents of psychosurgery argue, first, that such knowledge does not in fact exist and that the assumption that these behaviors are tied to specific locations in the brain has not been proved. Second, opponents argue, careful examination of the literature reveals psychosurgery to be an unpredictable, hit-or-miss procedure. Third, the destruction of brain tissue cannot be reversed, and undesirable side effects, which also cannot be reversed, are unavoidable.

Laurence Miller

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SEE ALSO: Bioethics; Institutionalization of patients; Mental illness; Psychology.

## Locke, John

IDENTIFICATION: English philosopher

BORN: August 29, 1632, Wrington, Somerset, England

DIED: October 28, 1704, Oates, Essex, England

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: The author of *An Essay Concerning Human Understanding* (1690) and *Two Treatises of Government* (1690), Locke was one of the most influential of all Enlightenment political theorists. He is credited with creating the fundamental ideas which later formed the basis of the American Declaration of Independence and the U.S. Constitution. In the realms of philosophy of mind and ethics, Locke's blending of empiricism and theism was equally influential.

Locke is known for his political writings (the *Two Treatises of Government* are the basis for the principles used in the American and British constitutions) and for his epistemology, which is the central focus of *An Essay Concerning Human Understanding*. He never wrote a work devoted specifically to ethics, but he did develop a fairly clear stand on the nature of ethics. His *An Essay Concerning Human Understanding* is the most important of his works in terms of his ethical views, but *Two Treatises, Some Thoughts Concerning Education* (1693), and *The Reasonableness of Christianity* (1695) also contain some of his ideas on the subject.

Locke came from the non-Anglican Protestant community in England, learning as a child the virtues of Calvinist simplicity but little of the harsh, judgmental aspect of that sect. He was educated at Oxford University, but he moved away from the then-fashionable Scholasticism and, under the influence of Robert Boyle, began to study practical science. He



chose medicine as his specialty and worked with the famous Thomas Sydenham. He never took his degree or practiced medicine (the former was not required for the latter at that time), but the influence of his training would remain with him.

After completing a diplomatic mission in 1665, Locke returned to Oxford and immersed himself in the writings of René Descartes. Two years later, the earl of Shaftesbury, a school friend, invited Locke to become his personal physician and live with him. Locke proved to be as much secretary as doctor, helping his patron with such projects as the Constitution for the Carolinas. He was also elected a fellow of the Royal Society.

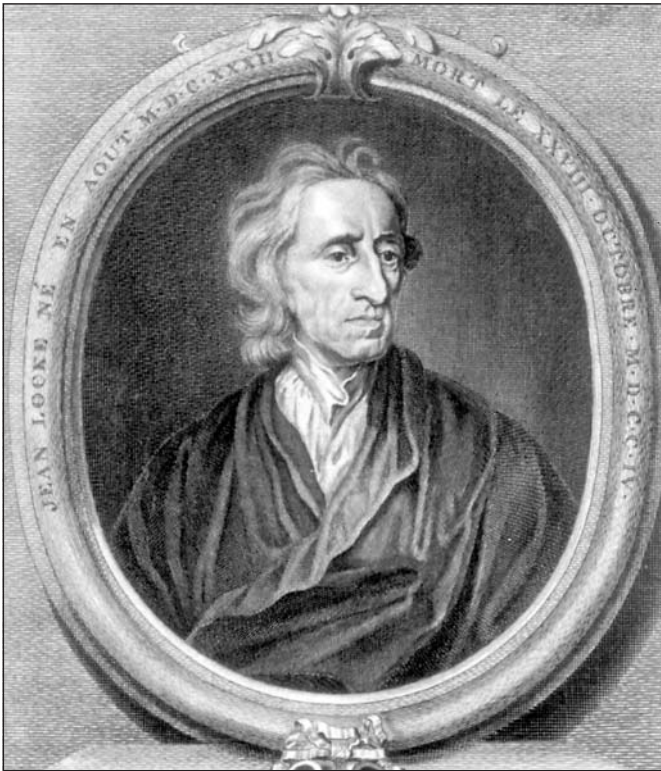
In 1675, Locke began a long visit to France both for his health and to expand his study of Descartes. He returned home in 1679 only to face political problems when his patron, Shaftesbury, was accused of treason. Although he was acquitted, Shaftesbury fled to Holland in 1681, and Locke, who had held some minor government posts under Shaftesbury's influence, found it best to follow his example. After

Monmouth's Rebellion (1685), Locke was branded a traitor, and the English government demanded his extradition. The Dutch paid little attention to the matter, however, and Locke still lived quietly, continuing work on what was to be *An Essay Concerning Human Understanding*. He returned home after the Glorious Revolution of 1688 and increasingly divided his time between London, where he served as a commissioner of appeals, and Oates, the Essex home of his friends Sir Francis and Lady Masham. It was in this comfortable, supportive home that Locke, during the 1690's, was at his most prolific, though his *Essay* and *Two Treatises* had been in development for years.

### ETHICAL VIEWS

Like Thomas Hobbes and some other philosophers, Locke defined good as that which gives, or is conducive to, pleasure. His is a very individualistic view, for it allows no room for altruistic pleasure. He also asserted that there were no inborn attitudes, including ethical principles. As an empiricist, Locke, whom most students know for his assertion that the mind is at birth a *tabula rasa*, or blank slate, on which experience writes, logically concluded that ethical principles must be learned. He also asserted that such ethical principles were as logical and scientific as mathematics, but he was never able to prove his case.

Unlike most strict empiricists, however, Locke was also a theist. The natural laws of ethics, he asserted, could be learned deductively and hence applied to all human beings. They also came to people as revelation. Thus, natural law and divine law were the same. The importance of the former was that it was accessible to all, not only to mystics and those who believed in their pronouncements of God's messages. Theism also influenced Locke's ethics in another way. When he had to consider why an individual would follow ethical principles, especially when another course of action might seem more conducive to his or her pleasure, Locke fell back on the fear of ultimate punishment. Whatever the potential for short-term pleasure, failure to observe the laws of ethics would result in long-term suffering.



John Locke. (Library of Congress)



### IMPLICATIONS FOR ETHICAL CONDUCT

Despite the inconsistencies that other philosophers have pointed out in his ethical views, Locke's ideas have been consistently popular. This seems to be because, for most people, inconsistent beliefs are common, and Locke's positions are much like those of a typical modern Western person. Modernism has produced liberal Christianity, in which the believer is encouraged to select those principles that seem to fit his or her observations of life and produce happiness. While not exactly Locke's view, the view of liberal Christianity is close enough to encourage a continuing interest in his writings. Students are more likely to start reading his work because of his importance in political philosophy and epistemology than because of his ethics, but as they discover his ethical views and find them congenial, they will keep them in the public view.

*Fred R. van Hartesveldt*

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SEE ALSO: Descartes, René; *Enquiry Concerning the Principles of Morals*, An; Epistemological ethics; Intuitionist ethics; Justice; Natural law; Rawls, John; Shaftesbury, third earl of; Social contract theory; State of nature; *Two Treatises of Government*.

## Lotteries

**DEFINITION:** Government-run operations involving chance selections in which people buy numbered tickets, and cash awards are granted based on numbers being drawn by lot

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Once almost universally rejected as ethically unacceptable, lotteries and other forms of state-supported gambling have become major sources of revenue for U.S. states reluctant to raise taxes; they have also created new ethical challenges for governments.

Until the late twentieth century, a widespread American ethos rejected state support for any form of gambling. Objections were based mainly on Protestant Christian beliefs, which held that gambling itself was morally wrong. Political jurisdictions with majorities or substantial minorities of Roman Catholic voters tended to be more tolerant of some forms of gambling. Forms of gambling based on contests depending partly on skill—such as betting on horse racing—generally had better chances of public acceptance. By contrast, lotteries and casino gambling—which depend on pure luck—were slower to gain acceptance. Even without an absolutist moral stance, the dominant American attitude still rejected state-supported gambling out of a fear that such support would give a stamp of approval to an unwise or savory practice.

By the last third of the twentieth century, Americans were becoming more tolerant of gambling. While casino gambling had long been associated almost exclusively with the state of Nevada, other states became willing to experiment with it to add new sources of tax revenue. The state of New Hampshire started its lottery in 1964. Lotteries then spread slowly to other states, but the trend gained speed as states found they were facing revenue losses as they competed with states with lotteries.

Lotteries could be acceptable only when an absolute moral standard condemning gambling was replaced by a standard closer to utilitarianism. Challenges to the utilitarian ethical arguments as a proper moral mode of argument are well known, especially for those who attack utilitarianism on absolutist religious grounds, but they lead to only one kind of ethical debate. Other debates occur even within utili-

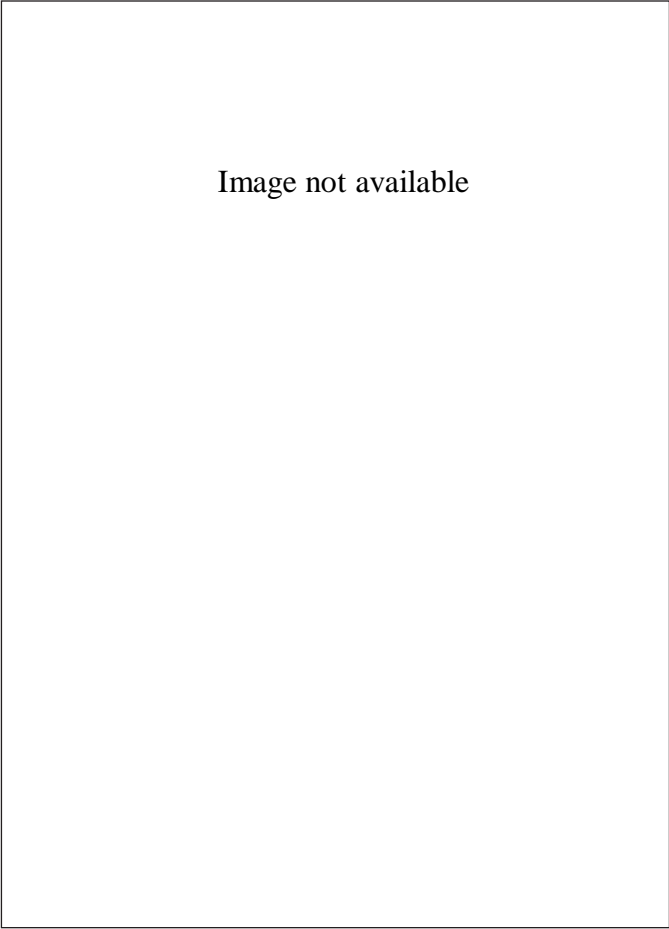


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*Frank and Shirley Capaci of Wisconsin pose with their ticket in the Powerball lottery in May, 1998. The winners of the largest lottery prize to that date, they received a lump-sum payment of \$104.3 million. Had they opted for annual payments instead, they would have collected \$7.7 million per year for twenty-five years, for a total of \$192.5 million. (AP/Wide World Photos)*

tarianism, particularly when state sponsorship is an alternative to taxation.

Proponents of state-sponsored gambling argue that the propensity to gamble is so widespread that it will flourish without state sponsorship, as it has historically, even in the face of rigorous state prohibition. Given this fact, proponents argue that the state should at least cash in on a practice that will continue in any event. Gambling may even be seen as a boon providing funds for education or other welfare activities that cannot be provided given a public reluctance to raise taxes. This argument is strengthened any time

a non-lottery state faces competition from neighboring lottery states.

**ARGUMENTS AGAINST LOTTERIES**

Opponents challenge state-sponsored gambling on grounds of hidden social costs as individuals, especially with low incomes, gamble away money that should properly be used to care for their dependents. For those low-income individuals succumbing to a gambling addiction, the state may be encouraging the impoverishment of families, especially poor families with children. Gambling may even be associated with other social problems, such as alcoholism and drug addiction. By supporting gambling, the state may seem to encourage other maladies. Above all, by supporting gambling, the state may promote get-rich-quick attitudes that contribute to eroding the work and savings ethics badly needed in any society. Opponents clearly see state-sponsored gambling as having deleterious social consequences.

Opponents bolster their arguments with statistics tending to show that the welfare cost of treating the victims may outweigh the revenue gain. Such statistics require complicated calculations and are frequently challenged by gambling’s proponents, who have continued to argue that the urge to gamble is so widespread that gambling will occur whether the state sponsors it or not.

These ethical arguments frequently lead to another debate over the size of government. Opponents of large govern-

ments tend to argue that governments are more likely to be kept small if they must receive all their revenue from taxes. Because lotteries provide additional, nontax, revenue, they thus may encourage overly large governments.

Lottery revenues are not guaranteed and may fall after the novelty interest in lotteries wears off or if excessive numbers of states begin to use lotteries. If the enlarged government’s programs become seen as entitlements, then those programs may be difficult to eliminate—or even trim—after lottery revenues subside. Taxes may then have to be raised to support the

programs. Since states often rely on regressive taxes, the tax burden on low-income individuals may be even more severe as they are caught in a scissors-like situation in which their taxes go up as their state benefits go down.

For all these reasons, ethical debates over lotteries and other forms of state-sponsored gambling are likely to continue to dominate public discussion over lotteries.

*Richard L. Wilson*

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SEE ALSO: Betting on sports; Luck and chance; Native American casinos; Taxes; Vice; Will.

## **Love**

**DEFINITION:** Attraction, attachment, or devotion to another person; affection

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Love may be seen to raise issues of, or even create, moral responsibilities between individuals. For some ethical systems, notably Christianity, love in itself is a morally admirable and possibly obligatory act.

Philosophers have treated a number of issues connected with love: the nature and value of romantic love, the distinction between *agape* and *eros*, the motivation of those who love, self-love, friendship, the possibility of altruistic love, and the nature of caring, compassion, benevolence, and sympathy.

#### **ROMANTIC LOVE**

Most philosophers have been critical of romantic love. Stendhal claims that in passion-love, lovers “find” perfections in their beloved that are not really there. José Ortega y Gasset believes that in love the lover’s attention becomes fixed solely on the beloved. All else that formerly absorbed the lover is eliminated from consciousness; therefore, the rest of the world does not exist for the lover. Ernest Becker, in *The Denial of Death* (1974), claims that romantic love is but another example of the basic human drive for heroism. Each person in a love relation endows the other with godlike qualities so that each can feel cosmically justified. In *The Second Sex* (1949), Simone de Beauvoir criticizes “orthodox patriarchal romantic ideology,” in which a woman is to find her identity and value solely in her beloved’s superiority and independence. Romantic love, she writes, makes a woman servile and devoid of self-respect; the woman is “pitiful, insecure, dependent, and powerless through her loving.”

Not all philosophers, however, have been so negative about romantic love. Robert Solomon states that love is an ordinary but spectacular emotion. Ethel Spector Person argues that though romantic love can be harmful, it can also be enriching. It can liberate people from old habits, give them hope, move them to enlarge their possibilities, and incite them to transcend their self-centered concerns.

#### **AGAPE AND EROS**

The classic description of *eros*-love is contained in Plato’s dialogue *Symposium*. Plato characterizes love as a desire for pure beauty. One does not love others because of their beautiful qualities but because they are instances of, and point to, “the Beautiful itself.” Moreover, those who love pure beauty do so in order to satisfy a self-directed desire—the desire to know beauty, not just for the moment, but forever. The receiving character of this love, which it has in common with sexual love, has been contrasted with the giving character of *agape* love. *Agape* love is said

to bestow worth on its object instead of being derived from its object's worth, and it is said to exclude self-love, unlike *eros*, which is essentially self-love. From this it is inferred by some that only divine love is agapic, because only it is nonacquisitive and entirely other-directed; others, however, assert that some human love is agapic.

A number of questions arise about these descriptions of *agape* and *eros*. Are the two as mutually exclusive as they are sometimes claimed to be? Is all human love erotic? Is *agape* always a better love than *eros*? Is the element of self-sacrifice in *agape* love appropriate to women's experience, which is said by some twentieth century feminists to contain too little self-regard; too much self-surrender, especially toward men; and insufficient concern for self-development?

#### DUTY AND EMOTION

Should people love because they desire to be loving or because they believe that it is their duty to do so? Immanuel Kant and Søren Kierkegaard side with the latter alternative on the grounds that desire and emotion are capricious—they change easily, and people have little control over them. Moreover, Kant said, for any action to have moral worth, including a loving one, it must be motivated by a sense of duty. Other philosophers, including many twentieth century feminists, side with the first alternative. Desire and emotion are not so capricious as Kant and Kierkegaard thought, and the feature of love that gives it moral worth is its emotion—the acceptance felt by a beloved or the sympathy felt by a sufferer. Some writers characterize the duty approach as masculine because it conceives love as rational and impersonal, and the emotion approach as feminine because of its appeal to feeling and connectedness.

#### CARING

There is a rich philosophical literature that describes the nature of caring and similar phenomena. Caring is said to involve receptivity, which is depicted as “feeling with” the one who is cared for. The carer is attentive to the other, absorbed in the other, and aware of the other's thoughts, feelings, and facial expressions. Sensitivity to the cared for's situation is present; so also is a sense of “we-ness.” For some, the essence of caring is the attitude of wanting to help the cared-for grow. For others, the essence of caring is

the sense of being present with the other. Distinctions are drawn between caring and other states with which it is sometimes confused, such as being submerged in the other without the awareness that the other is a separate person.

#### THE POSSIBILITY OF ALTRUISTIC LOVE

For psychological, social, and religious reasons, some people have wondered whether other-directed love is possible. Imagination may make one think one loves when in fact one does not, emotionally distant parents may produce children who are unable to connect, competitive capitalism may make people feel alienated from one another, an emphasis on sexuality may make people strive for nothing but sexual satisfaction, and sin may make people irremediably self-centered. In *Being and Nothingness* (1943), French philosopher Jean-Paul Sartre asserts that separateness and opposition are at the core of human relations, including love. Love is impossible, he says, because both the one who loves and the one who is loved are trying to get something from the other, and neither is able to do so. Sartre graphically portrays these ideas in his well-known play *No Exit*. Others believe that separateness can be overcome by certain sorts of “interpersonal oneness,” such as Martin Buber's I-Thou relation, and that the obstacles to love can be met with a social or religious transformation.

Clifford Williams

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SEE ALSO: *Being and Nothingness*; Benevolence; Compassion; Feminist ethics; Friendship; *I and Thou*; Kierkegaard, Søren; Passions and emotions; Plato; *Second Sex, The*; Self-love.

## Loyalty

DEFINITION: Dedication or commitment to a person, cause, country, or ideal

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Loyalty is generally seen as a virtue regardless of its content, but it can also be judged to be misplaced or misguided, in which case it can be more ethically ambiguous.

In the Old Testament, God's first commandment to Moses on Mount Sinai requires the uncompromising loyalty of the Israelites: "I am the Lord thy God, which have brought thee out of the land of Egypt, out of the house of bondage. Thou shalt have no other gods before me." Thus, loyalty to God becomes the paramount duty of Judaism and, subsequently, Christianity, in which it is reaffirmed by Jesus: "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind." Jesus also acknowledges earthly loyalties, however, requiring one to "render therefore unto Caesar the things which are Caesar's" and to "love thy neighbor as thyself."

Loyalty was the essence of the ancient Greek *eusebia*, or "piety," meaning devotion to the gods but encompassing devotion to parents, friends, country, and anything else worthy of respect and veneration. Loyalty as such is specifically discussed by neither Plato nor Aristotle, even though both philosophers devote much attention to other virtues, defining them and subjecting them to exacting philosophical scru-

tiny. Yet *eusebia* was important not only to them but to all Greeks, constituting the heart of Greek citizenship. The greatest example of Greek loyalty was Socrates, who refused to repudiate his beloved Athens even when its laws punished him unjustly, just as he refused to repudiate philosophy, which he believed was the only means of leading Athenians to the moral truth that would restore the city's integrity. Choosing death at the hands of the state for refusing to give up philosophy, he preserved his loyalty to both.

Aristotle likewise attests the importance of loyalty in the *Nicomachean Ethics*: "It is also true that the virtuous man's conduct is often guided by the interests of his friends and of his country, and that he will if necessary lay down his life in their behalf." He also considers the problem of conflicting loyalties:

A . . . problem is set by such questions as, whether one should in all things give the preference to one's father and obey him . . . and similarly whether one should . . . show gratitude to a benefactor or oblige a friend, if one cannot do both. . . . That we should not make the same return to everyone, nor give a father the preference in everything . . . is plain enough; but since we ought to render different things to parents, brothers, comrades, and benefactors, we ought to render to each class what is appropriate and becoming.

For Aristotle, specific loyalties are rooted in one's relationships with others, and the obligations attendant upon these loyalties are determined by the nature of these relationships.

Loyalty as piety is preserved in the Roman *pietas*, encompassing reverence for the gods and those to whom natural relationships bind one—family, countrymen, and all of humankind. "Natural" loyalties, springing from kinship to fellow humans, entail "natural duties" that are consonant with these loyalties. Since such kinships are part of the natural order, any violation of these duties transgresses natural moral law. *Pietas* reflects the Stoic belief in a cosmopolitan loyalty to all people by virtue of natural human kinship and obligation to God.

In the Middle Ages, loyalty was exemplified in the "fealty" owed by a vassal to his lord and by the lord to his king. Also included in the concept of fealty



was the reciprocal obligation of the king to his subjects. The desire to depose rulers who violated this obligation led to the distinction between loyalty to the *office* of the king and loyalty to the *person* of the king. The Magna Carta constituted a statement that loyalty to the office did not require loyalty to the person; conversely, disloyalty to the person did not signify disloyalty to the office.

### MODERN VIEWS

The transition to the modern world, which engendered a new political entity, the “nation-state,” resulted in loyalty’s becoming a predominantly political virtue, from which sprang both the fanatical, nationalistic loyalty of fascism and communism and the pluralistic loyalties of democracy. Despite attempts to transcend national loyalties through organizations such as the United Nations, loyalty in the modern sense is associated with both benign patriotism and radical nationalism, in which loyalty is often interpreted as a call to military aggression. Even in democratic countries, national loyalty is often considered the highest political virtue. The Alien and Sedition Acts of 1798 and the Sedition Act of 1918 were attempts by the U.S. Congress to mandate loyalty by outlawing all publications that were considered defamatory or seditious. Uncertainty about the national loyalty of some Americans led to the internment of Japanese Americans during World War II and to the “blacklisting” of people suspected of subversive activities during the McCarthy era, from 1950 to 1954.

Among philosophers, only Josiah Royce has given loyalty sustained critical scrutiny. Royce’s dismay at “that ancient and disastrous association” between loyalty and war prompted him to write *The Philosophy of Loyalty* (1908), in which he defines loyalty as “the willing and practical and thoroughgoing devotion of a person to a cause.” The cause to which one declares loyalty becomes the plan for one’s life, which, combined with the personal gratification of serving this cause, makes life meaningful. Lest loyalty be construed as being consistent with devotion to an evil cause, Royce stipulates that genuine loyalty respects the loyalties of others and forbids actions that destroy them or prevent their being acted upon. Royce refers to respect for the loyalties of others as “loyalty to loyalty.”

*Barbara Forrest*

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SEE ALSO: Character; Christian ethics; Friendship; Gangs; Jewish ethics; Loyalty oaths; Nationalism; Patriotism; Royce, Josiah; Sedition; Trustworthiness.

## Loyalty oaths

**DEFINITION:** Formal and solemn pledges to support and defend a country, government, or leader

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** In the United States positive oaths (or affirmations) of future loyalty are obligatory in numerous situations, despite widespread beliefs that such requirements infringe upon individual freedom and contradict the principles of liberty they are ostensibly designed to protect.

Throughout recorded history, governments and leaders have utilized loyalty oaths as a means of consolidating power and punishing nonconformists. In England, after the Protestant Reformation, such oaths had the effect of restricting the legal rights of Roman Catholics and other religious dissidents. In colonial America, citizens were typically required to take

oaths to support and defend the commonwealth. Some oaths included the additional responsibility pledge to report political dissidents to the government. During the American Revolution, the Continental Congress and individual state legislatures mandated that citizens pledge allegiance to the U.S. government. Loyalists and Quakers refusing to make this pledge were punished with exile and confiscation of property.

### THE IDEA OF LOYALTY

Unconditional loyalty to governments, regardless of the morality of the governments' actions, has often resulted in great evil. The most obvious example occurred in Nazi Germany under Adolf Hitler. On the other hand, democratic societies appear to benefit from a patriotism that is checked by a critical spirit and sound ethical convictions. In his classic work *A Philosophy of Loyalty* (1908), Josiah Royce argued that loyalty to good causes is the most basic of virtues. Recognizing the evils of intolerance and fanaticism, however, Royce insisted that individuals should have the freedom to choose their own objects of loyalty without coercion. His philosophy envisioned the desirability of a pluralistic society that promotes reasonable patriotism while tolerating a broad diversity of dissident voices.

In the Anglo-American tradition, loyalty oaths were based on an invocation to God as a witness to truth. In common law, therefore, the oaths of atheists were considered invalid. However, as culture became increasingly secular, individuals were given the option of making simple affirmations of loyalty without reference to any religious beliefs. Only a small minority of citizens objects to making nonreligious affirmations of general loyalty to their country. However, members of some law-abiding groups, including the Jehovah's Witnesses, refuse on religious grounds to affirm allegiance to any secular government.

### ETHICAL ARGUMENTS

Critics of mandatory loyalty oaths, such as Benjamin Franklin and Supreme Court justice Hugo L. Black, commonly argue that such oaths are pernicious because of their chilling effect on the free expression of unorthodox ideas, their tendency to engender divisions of opinion, and their susceptibility to abuse. Almost everyone admits that the oaths

themselves do not restrain subversive actions because disloyal persons are apt to lie about their true intentions. Moreover, to punish those guilty of treasonable and other illegal behavior, it is not necessary to require oaths.

Proponents nevertheless believe that loyalty oaths have the positive function of encouraging a healthy spirit of patriotism and national unity. They further observe that loyalty oaths used in the United States after the 1960's have not included pledges to support particular policies or political ideas. Proponents of the oaths thus find it difficult to understand why good citizens would not gladly proclaim loyalty to a democratic country that allows peaceful means to change laws and policies.

### CONSTITUTIONALLY APPROVED MANDATES

The U.S. Constitution requires the president, members of Congress and state legislatures, and all executive and judicial officers to pledge by oath or affirmation to support it. Following this model, Congress has mandated that members of the armed forces, naturalized citizens, and employees in sensitive governmental positions must also pledge or affirm their allegiance to the United States. Most jurists interpret these requirements to be consistent with the First Amendment's guarantees of freedom of religion, speech, and association.

In *Cole v. Richardson* (1972), the U.S. Supreme Court upheld legislation requiring positive oaths or affirmations of loyalty so long as they are not unduly vague and do not infringe on constitutional freedoms. The Court's decision allowed oaths to include a pledge to oppose the forceful overthrow of the government. However, a minority of the justices who voted on that case argued that requiring such a pledge was unconstitutional because it might be interpreted in ways that restrict freedom of speech and association. The majority, however, found the pledge acceptable, because the Constitution does not guarantee any right to advocate or endorse the overthrow of the government by violence or other illegal means.

The Supreme Court does not permit public schools to require children to pledge their allegiance to flag and country. In contrast, *Cole* upheld the constitutionality of requiring adults to pledge loyalty as a condition of public employment. However, in 1994 a federal appeals court ruled that these requirements violated the Restoration of Religious Freedom Act of

1993, because the government could not show that loyalty oaths served a compelling objective. However, the decision was based on a federal statute that later lapsed and became unenforceable, which means that courts in the future may not utilize that decision as a precedent.

### UNCONSTITUTIONAL MANDATES

Jurists distinguish between positive oaths to support one's country and negative oaths to refrain from particular acts and associations. One variant of negative oaths, called "test oaths," makes reference to the past rather than the future. After the Civil War, for instance, Congress and state legislatures required public officials and lawyers to swear oaths pledging that they had never supported the Confederacy. Such oaths were required for holding public office and for working in certain professions. In the *Test Oath Cases* (1867), the Supreme Court found that such retroactive test oaths were unconstitutional because they imposed legislative punishments for acts not illegal when performed.

Because of fears of communism after World War II, most U.S. states required teachers and other public employees to sign loyalty oaths that included pledges of nonassociation with the Communist Party or another subversive organization. In 1949, thirty-one professors of the University of California were fired for refusing to take one such oath. During the 1960's, however, the Supreme Court held that almost all requirements for negative oaths were unconstitutional. In one of its most notable decisions, *Keyishian v. Board of Regents* (1967), the Court recognized the importance of academic freedom in higher education and proscribed loyalty statutes that unduly restrict teachers' speech in their classrooms.

*Thomas Tandy Lewis*

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SEE ALSO: Academic freedom; Art and public policy; Drug testing; Loyalty; McCarthy, Joseph R.; Professional ethics; Royce, Josiah.

## Luck and chance

**DEFINITION:** Unpredictable and uncontrollable events and forces that may shape events favorably or unfavorably

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** If the unpredictable, uncontrollable forces that shape events can affect the ethical status of people who experience it, then this type of luck is called moral luck.

Ordinary luck is a concept familiar to nearly everyone. The role that luck plays within the realm of ethics can best be illustrated by a hypothetical contrast:

Bert is normally a careful driver and rarely backs his car out of his driveway without first looking. One morning, however, he is distracted by something that he hears on the radio and backs out without looking. As a result, he fails to see a small child running across his driveway, and his car strikes and kills the child.

Carol is another careful driver who rarely backs out of her driveway without looking. One morning she, too, is distracted by something she hears on the radio, and she backs out without looking. However, no child is running across her driveway, and nothing bad happens as a result of her momentary carelessness.

Those who believe moral luck is present in these examples would affirm that, other things being equal, Bert is more to blame morally for backing out of his driveway without looking than is Carol for doing exactly the same thing. Those who hold this position

would appeal to the ways these facts would be treated in a court of law. While there would be harsh penalties for Bert, Carol's penalties would be relatively mild. To the extent that the law is based upon considerations of ethics, moral luck seems defensible.

Not everyone is convinced that moral luck is possible. Some philosophers are convinced that unpredictable forces can never affect a person's moral or ethical status. An example is the great German philosopher Immanuel Kant. One who shares Kant's point of view would react to the example by holding that both Bert and Carol are to blame for backing out without looking, as nothing about their states of mind or actions is relevantly different. Carol may happen to be lucky that no child runs across her driveway, but opponents of moral luck would see nothing morally significant in this fact. If Bert is to be judged harshly for what he does, there is no reason to judge Carol any less harshly. They both act in identical ways, and their acts grew out of identical motives.

In many ways people's lives are affected by chance. Some philosophers have pointed out that a person's very existence is a matter of luck. The reason is that many people die without producing offspring. However, every time a new human being comes into existence, it means that not one of that person's thousands of ancestors died without producing offspring, a statistical fact that is incredibly improbable.

The ethical character of each human being has been shaped by parents and other early influences. The extent to which these have been positive moral influences is likewise a matter of luck, as is the extent to which people have been spared from temptations to engage in wrongdoing.

*Gregory F. Mellema*

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SEE ALSO: Altruism; Determinism and freedom; Inequality; Karma; Lotteries; Moral luck; Morality.

## Lust

**DEFINITION:** Intense sexual desire, or, by extension, a nonsexual desire that resembles sexual desire in its intensity

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** LUST may be defined as excessive desire which is not held in check by reason, or which otherwise defeats the sovereignty of the individual. By that definition, lust is, traditionally, one of the seven deadly sins.

Injunctions against lust, in the sense of sexual activity outside marriage (also called "lechery" in the Middle Ages), figure prominently in the Old and New Testaments of the Bible. The Jewish tradition emphasizes the harmfulness of lust in its disruption of a family-centered social structure. It presents marriage as being handed down to humankind from the time of Adam and Eve, and being further reinforced by the Ten Commandments of Moses and other divine revelation. The New Testament, while suggesting that more individual freedom of choice and forgiveness of repentant transgressors is permitted, assumes that the sexual behavioral norms of Jewish tradition are still very much in effect. The letters of the apostle Paul set the stage for a Christian tradition that makes sexual abstinence a good in itself. This finds parallels in the monastic movements of many of the world's religions.

From a societal standpoint, "lust" is a term of opprobrium for sexual activity that disrupts the social structure—above all, extramarital sex. For the individual, however, sexual behavior may be perceived as "lust" if it is performed without love and respect, even within the confines of marriage. All such loveless sex has been designated as a form of "lust"—hence, one of the seven deadly sins—from the early Middle Ages onward. In a modern context, "lust" in this sense is replaced by such terms as "using" one's sexual partner and "sexual harassment."

*D. Gosselin Nakeeb*

SEE ALSO: Buddhist ethics; Christian ethics; Daoist ethics; Desire; Jewish ethics; Promiscuity; Sexuality and sexual ethics; Sin.

## Luther, Martin

**IDENTIFICATION:** German Protestant reformer

**BORN:** November 10, 1483, Eisleben, Saxony (now in Germany)

**DIED:** February 18, 1546, Eisleben, Saxony (now in Germany)

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Perhaps the most significant figure in the second millennium of Christianity, Luther initiated the Protestant Reformation by criticizing what he saw as corrupt and inappropriate practices of the Roman Catholic Church.

Only in modern Christian ethics is an artificial line drawn between religious doctrine and its practical application—Luther himself recognized no such boundary. His career as a reformer was imbued with the notion of ethics as an outgrowth of Christian faith, as it was with the faith that made ethics both possible and valid. Indeed, one could say that Luther's reforming activity was first occasioned by ethical concerns, since it was corrupt practice on the part of the Roman church that first led him to consider the possibility of corrupt doctrine. The preaching of indulgences in German churches in order to raise funds for papal building projects and for the purchasing of German bishoprics, along with traffic in relics and hastily recited masses for the dead, seemed to Luther to be symptoms of a larger spiritual decay—a decay that he was convinced would swiftly be reversed if those in authority knew of its existence. It was only when the authorities refused to alter these practices that Luther began to realize that a more fundamental change was needed, after which his career as a reformer started to take shape.

### JUSTIFICATION BY FAITH

At the same time, Luther was undergoing a spiritual crisis of his own that would have a profound effect on his ethical thought. The medieval Church taught that, while salvation was to be obtained through Christ, the individual Christian could assist his or her own cause through participation in the sacraments of the church. Luther's time as an Augustinian monk was largely spent in such acts, but with no sense of spiritual relief. It was only when he began a study of the Scriptures—in particular, the Epistles to the Romans and the Galatians—in preparation for his

teaching at the University of Wittenberg that he came upon the doctrine that would free him from his spiritual trials and start a theological revolution: "The just shall live by faith" (Rom. 1:17). It became Luther's contention that salvation could not be gained by any human effort but was solely a gift of God. All that was required to be "justified" was faith, which was itself a gift of God. Nothing else mattered, since nothing else was effective.

At the same time, Luther was not willing to give up good works, but it was clear that his ethics would have to occupy a new place in his system. This problem was worked out in several of his early works, including "Treatise on Good Works" and "On Christian Liberty," both written in 1520. The gist of Luther's maturing ethic is best summarized in a sentence from "On Christian Liberty": "Good works do not make a man good, but a good man does good works." Following the biblical writings of Paul and James, Luther asserted that Christian faith had to be enacted, both out of gratitude for what God had done for the believer and so that God could continue His perfecting work. It was Luther, anticipating John Wesley, who first suggested a doctrine of "sanctification." Furthermore, Luther's doctrine of the "priesthood of all believers" declared that all Christians were responsible for doing good works, not only the members of the clergy and the cloister, who were called to lives of "higher righteousness."

### LIVING FOR OTHERS

What works should the justified Christian do? Luther's definition of ethical behavior was, like his doctrine, taken directly from biblical models. The redeemed believer was to give no thought to his or her own needs, which had already been fulfilled through faith, but was to give himself or herself up wholly for the benefit of others, in the same way that Jesus Christ himself took no thought of his own interests, giving himself wholly for humankind. Although Luther's ethic contained practical elements—he recommended marriage and the public education of youth—at bottom it was primarily existential: "I will give myself as a Christ to my neighbor, just as Christ offered himself to me." The nature of ethical behavior was to be seen in self-sacrifice, through which Christ would be revealed in acts of service, as he had been revealed in the ultimate service of the cross.



**SECULAR AUTHORITY**

Luther did make specific ethical prescriptions that had to do with the nature of secular authority. As with everything else, Luther's politics were based on his doctrine: God has ordained two spheres of authority, or two "kingdoms"—one internal and moral, over which the Church was to have authority; and the other external, to be ruled by the "sword." Both were divinely ordained, the latter on the basis of Paul's dictum that everyone was to be subject to secular authority (Rom. 13:1).

With this belief as his starting point, Luther remonstrated with both rulers and their subjects. Rulers, he said, were not to stray outside their ordained boundaries into religious and moral legislation but were to concentrate on restraining, convicting, and punishing sinful behavior in their own sphere. That this was necessary was occasioned, Luther believed, by the fact that, although truly justified Christians had no need of such authority, most Christians were not yet in so spiritual a state but were still enslaved by sin, and thus were prone to disobedience and chaos. Rulers were needed to maintain order.

Subjects were to obey their rulers in all things. (Luther included in this injunction justified Christians, who ought to remain obedient for the sake of their weaker neighbors.) The difficulty arose when rulers became corrupt: Was there any point at which despotic rulers could be legally resisted? Luther's answer was a cautious and provisional yes, since the ultimate authority over both "kingdoms" was God, and no ruler could compel his subjects to disobey God in their obedience to the ruler. Again, Luther's foundation was biblical: "We must obey God rather than men" (Acts 5:29). Luther's insistence on the divine foundation of secular rule, however, led him to counsel obedience even to corrupt rulers so long as there was any doubt about the proper response. It was on this basis that Luther opposed the Peasants' Revolt of 1525, even though he affirmed the legitimacy of the peasants' grievances. Such opposition, while consistent with his overall ethic, cost him much support among his early followers.

One reason why Luther consistently opposed the overthrow of secular authority by oppressed subjects was that he was convinced that God himself would end the rule of any authority that was mired in corruption, as he had in biblical times. Thus, Luther's political ethic, like the rest of his thought, was grounded in

his personal confidence that God would ultimately set all things right, since nothing lay outside his power.

*Robert C. Davis*

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**Lying**

**DEFINITION:** Making a false statement with the intention of misleading another person

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Lying is most often judged along a spectrum, from bearing false witness against another person, prohibited by the Ten Commandments, to telling "little white lies," which is often deemed to be harmless and therefore permissible.

Although there is little sustained philosophical or religious discussion of the issue of lying and its consequences for society, there is some embryonic discussion of the ethics of lying, particularly in connection with the issues of truth and sin.

Influenced by Manichaeian beliefs that pitted

good against evil and truth against lies, Saint Augustine provided Catholic orthodoxy with the judgment that lying jeopardizes one's relationship with God, because God is truth and all lying is a form of blasphemy. Although Augustine holds that the teaching of false doctrine is the worst type of lying, he was opposed to lying in all its forms.

A great scholar in the fields of law, the classics, theology, and history, Hugo Grotius was arrested for his anti-Calvinist views on tolerance and politics. Sentenced to life in prison, he arranged a clever escape and fled to France and Sweden, where he proceeded to write his most famous legal work, *On the Law of War and Peace* (1625). His confrontation with Dutch Protestant internecine battles and the ruse he used in making his escape from jail may have led him to modify his theological opinions about lying. He argued eruditely that lying was permissible when directed toward children, the insane, thieves, and unrighteous persons, as well as when it was done for the public good.

Immanuel Kant's reliance on pure reason obviated any appeal to emotional or pragmatic reasons to excuse lying. Kant argued that a lie always harms humankind because it "vitiates the source of law itself." This deontological view does not excuse any form of lie even in a life-threatening situation.

#### CONTEMPORARY VIEWS OF LYING: SISSELA BOK

The 1979 work *Lying: Moral Choice in Public and Private Life* by Sissela Bok is the first major, systematic philosophical study of the ethics of lying. Bok's contribution to the debate is her superb, detailed intellectual discussion of the taxonomy of lying. She analyzes "white lies," false excuses, inauthentic justifications, lies in a crisis, lies to liars, lies to enemies, lies for the public good, lies to protect peers and clients, deceptive social science research, lies to the sick and dying, and the effects of lying on both the liar and the person who is deceived.

Reflecting the contemporary lack of any single authority, Bok marshals new categories of lying and analyzes them with an eclectic set of criticisms. She defines lying not as a sin or as an untruth but as "a false statement made to another person with the intention to mislead." Bok emphasizes the consequences of lying: The deceived person becomes distrustful of the liar and, by extension, the society that allows lies to be disseminated without any barriers.

The liar loses both self-respect and a sense of reality as he or she continues to become absorbed in a system of transmitting lies to retain power or authority. From this point of view, lying harms not only the individual but also the community.

Bok partially shifts the responsibility for exposing and correcting the problems of lying from the individual to society. After all, she argues, how can an individual change the whole structure of a medical, legal, or business system that values sales, bottom-line income, and success more than it does honesty? How can an individual change misleading advertising, deceptive social science research, deceitful pharmaceutical claims, and fallacious government reports and regulations? These fraudulent activities contribute to the destruction of moral values, the loss of respect for authority, and the proliferation of individual despair in the pursuit of justice.

Bok is not an absolutist: She finds that there may be a need for certain types of lying. Like Grotius, she believes that one may lie to a terrorist or a criminal, or lie in other life-threatening circumstances. Lying to protect the innocent is not Bok's only exemption. She also allows provisionally for certain white lies. Lying to protect someone's feelings or to avoid a painful situation can be justified, but only as a last resort. One must always look at the overall context. Will one white lie lead to many more, cumulatively creating more distrust in and harm for the one who is deceived?

Bok has extended the significance of lying to all personal relations. She has also warned of the danger of the pressure to lie that derives from such institutions as the government and from such professions as the law, medicine, and business. She has called for the discussion of ethical standards in all institutions, and especially in the field of medicine. To see the act of lying as an authentic issue—separate from its relationship to sin or the individual's responsibility—is a major accomplishment. Bok concludes that without the active support of society and its institutions to correct the problem of lying, the individual will not be able to overcome the need and the temptation to lie.

*Richard Kagan*

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SEE ALSO: Augustine, Saint; Buddhist ethics; Cheating; Five precepts of Buddhism; Fraud; Honesty; Hypocrisy; Ten Commandments; Trustworthiness; Truth.

## Lynching

**DEFINITION:** Unlawful killing of a person by a mob, usually by hanging

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Lynching became a common form of racial violence in the American South, especially in the wake of the U.S. Civil War. Defenders claimed that lynching was used to protect the virtue of white women. In reality, however, it was used to keep African Americans in fear for their lives.

The term “lynching” comes from Captain William Lynch, a captain in the Virginia militia during the American Revolution. Lynch and his men sought to rid Pittsylvania County of Loyalists, Americans who supported the British during the war, and subjected them to trials before a hastily assembled court. Lynch said that the tribunal was justified because no other legal authority existed in the county, so citizens had the right to create their own system of justice and carry out its punishments. The court was said to practice “lynch law,” and by the 1830’s, that term was applied to instances in which mobs took the law into

their own hands without waiting for legal authorization.

Lynching was common on America’s western frontier during the nineteenth century, but no statistics are available concerning how many people were killed by this form of mob action. After the end of the Civil War and the abolition of slavery in 1865, lynching was most common in the southern United States, where it became a frequent occurrence, especially between 1882 and 1930. During that period, a total of 4,761 lynchings took place in the United States, 90 percent of them in the states of the Old Confederacy. Of the victims, 3,386 (71 percent) were African American and 1,375 (29 percent) were white. Half of these killings were carried out with the help of local police, and in 90 percent of the other cases, local legal and judicial authorities gave their approval. No member of any lynch mob was ever arrested or punished for participating in these crimes.

### RATIONALES FOR LYNCHING

Defenders of lynching—and these included most southern white political, business, and community leaders—argued that fear of such deadly violence alone prevented African American men from raping white women. Ben Tillman defended lynching and announced that, although he was governor of South Carolina, he would still “lead a mob to lynch a man who had ravished a white woman. I justify lynching for rape, and before almighty God, I am not ashamed of it.” Lynching from this perspective was ethically justified because it protected the purity and honor of a physically weak population, white women, from the violent attacks of sex-crazed fiends, African American men.

This rationale has come to be seen in recent years as a cultural denial of a deeper truth. Fear of white women being raped by African American men was used to obscure or displace attention from the fact that it was actually white men who had an established, institutionally sanctioned history of raping African American women in the South. Slave owners had routinely raped their slaves. In only 23 percent of southern lynchings was the victim even accused of rape.

More lynchings, 28 percent, happened because of minor infractions of social customs, such as a black man’s simply talking to a white girl or whistling at her from across the street, than because of violent

### Richard Wright on the Emotional Impact of Lynching

Richard Wright, the author of *Native Son* (1940) and *Black Boy* (1945), observed that lynch mobs could strike anywhere, anytime, and for any reason. Lynching was part of a reign of terror imposed by the white majority to keep African Americans subjugated. “The things that influenced my conduct as a Negro,” Wright wrote about violence against African Americans, “did not have to happen to me directly. I needed but to hear of them to feel their full effects in the deepest layers of my consciousness.”

sexual crimes attributed to the victim. Therefore, it appears that lynch law was used more as a way of maintaining white supremacy than as a way of punishing criminals. The real purpose of lynching was to maintain white supremacy by making all African Americans aware of the terrible penalty that could be imposed upon them for breaking the southern code of racial ethics.

#### ANTILYNCHING LEGISLATIVE EFFORTS

A campaign to end lynching by declaring it a federal crime instead of a state crime began in 1930. Two groups, both composed of white southerners—the Association of Southern White Women for the Prevention of Lynching and the Atlanta-based Commission on Interracial Cooperation—called upon the Congress of the United States to pass an antilynching bill. Both organizations believed that through education and public pressure, a majority could be found to give the Federal Bureau of Investigation jurisdiction over cases in which local authorities had failed to protect victims of mob violence. Thirty people had been lynched that year, and a particularly brutal incident in Sherman, Texas, in which a retarded African American youth was slowly burned to death changed the hearts of enough congressmen and senators for the bill to win passage. However, though the House of Representatives approved the measure, the Senate did not. Instead, Senator Thomas Heflin of Alabama led a successful filibuster against the bill. Heflin made his position quite clear: “Whenever a Negro crosses this dead line between the white and Negro

racess and lays his black hand on a white woman he deserves to die.”

Southern white leaders raised the constitutional issue of states’ rights. States had always been responsible for enforcing criminal laws, and these leaders believed that that power should not be reduced. Raising any crime to a federal level would only lead to the creation of an all-powerful national police force that could threaten the freedoms of Americans everywhere. Arguments favoring local control helped to defeat later attempts to outlaw lynching through federal law, while masking the racially motivated intentions of its defenders.

That race and not constitutional issues lay behind opposition to antilynching legislation was demonstrated by events that occurred during the debate on lynching legislation in Congress in 1935. The horrible lynching of Claude Neal in Florida, in which a white mob cut off the victim’s fingers and toes and forced him to eat his own flesh before mutilating his body with a hot poker and hanging it from a tree, received national attention. Still, the Senate did not act; southerners killed the bill with a six-day filibuster. One opponent denounced the legislation for promoting federal interference in local affairs, while another defended the lynchers because Neal had allegedly raped his white girlfriend, though she denied it, and “the virtue of white women must be defended, at any cost.” Not even a separate bill calling for a national committee to research the problem of lynching survived the Senate debate.

Lynchings were significantly reduced by the late 1930’s to an average of fifteen per year, and by the 1940’s, such mob-inspired murders had almost disappeared. Yet during the 1950’s, two black men were killed in Mississippi for violating the southern racial code. Fourteen-year-old Emmett Till was brutally killed apparently simply because he had talked to a white woman. The last officially recognized lynching happened in Mississippi in 1959, when Mack Charles Parker was hanged by a mob for allegedly raping a white girl. Apparently, no recorded lynchings have taken place since then, though a young African American, chosen at random, was mutilated and murdered by the Ku Klux Klan in Mobile, Alabama, in 1981. The decline in lynching is attributed to increased press coverage and public awareness of the crime, plus progress in federal protection of civil rights.

**ETHICAL PRINCIPLES**

The ethics of lynching was summarized in a long speech by Senator Allan J. Ellender of Louisiana in January of 1938. Again a horrible incident—a case in which two African Americans had been blowtorched to death by a Texas mob—had led to the introduction of an antilynching bill in Washington. Ellender led the fight against the bill and celebrated the South's long battle to subjugate blacks in which "lynch law" played a prominent part. "It was costly: it was bitter, but oh, how sweet the victory."

*Leslie V. Tischauser*  
*Updated by the editors*

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SEE ALSO: Bigotry; Hate crime and hate speech; Homicide; Ku Klux Klan; Law; Racial prejudice; Racism.



# M

## McCarthy, Joseph R.

**IDENTIFICATION:** U.S. senator best remembered for leading communist witch hunts during the 1950's

**BORN:** November 14, 1908, Grand Chute, near Appleton, Wisconsin

**DIED:** May 2, 1957, Bethesda, Maryland

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** While chairing a Senate committee investigating alleged communist agents in the federal government, McCarthy gained notoriety for his tactics of attacking witnesses and making unsubstantiated allegations; his name became synonymous with unethical behavior.

Republican senator Joseph R. McCarthy of Wisconsin sought to rid the nation of what he saw was communist infiltration of the administrations of both Harry S. Truman and Dwight D. Eisenhower. He also sought to uncover what he saw was a communist takeover of such major cultural institutions as the motion picture industry. He saw the nation as being threatened by sinister communist agitators quietly seeking to undermine American values by secretly gaining control of key national institutions.

McCarthy's use of the phrase "card-carrying member of the Communist Party" publicly raised ethical concerns about both the objects of his attacks and the nature of his tactics themselves. On one hand, McCarthy's allegations made citizens worry about the possibly unethical behavior of the leaders of key American institutions. On the other hand, his failure to substantiate any of his allegations ultimately ignited charges that he was wantonly destroying the lives and careers of innocent people in order to further his political career.

McCarthy's primary targets were initially many of the architects of the New Deal who had been in public service during the administrations of Franklin D. Roosevelt and Harry S. Truman. He singled out for

criticism successive secretaries of state in those administrations—George C. Marshall and Dean Acheson. Thanks, in part, to the publicity he gained from making these charges, McCarthy won reelection to the Senate in 1952.

McCarthy next launched attacks against officials in the newly installed Eisenhower administration. McCarthy's notoriety crested in the fall of 1953 when he began investigating alleged communist infiltration of the ranks of U.S. Army officers and civilian leaders. During televised month-long hearings the following spring, McCarthy appeared before the nation primarily as a bullying interrogator of witnesses. These investigations, which quickly became known as the Army-McCarthy hearings, swayed public opinion against him and led to a growing public distrust of his numerous unproven allegations.

The following fall, possibly due in part to a voter backlash against McCarthy and his tactics, the Republicans did poorly in the off-year elections and lost control of the Senate. With the change in party control of the Senate, McCarthy was forced to relinquish chairmanship of his investigating committee. His public career hit bottom on December 2, 1954, when the Senate, by a 67-22 vote, censured him for behavior "contrary to Senate traditions."

McCarthy's tactics of bullying interrogation coupled with unsubstantiated allegations left a legacy of unethical behavior in public life. Hence, for one to be branded with the label "McCarthyism" or for using "McCarthy tactics" is to be charged with engaging in unethical persecution of another person.

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Robert E. Dewhirst

SEE ALSO: Academic freedom; Cold War; Communism; Loyalty; Loyalty oaths.

## Machiavelli, Niccolò

IDENTIFICATION: Italian political theorist

BORN: May 3, 1469, Florence (now in Italy)

DIED: June 21, 1527, Florence (now in Italy)

TYPE OF ETHICS: Renaissance and Restoration history

SIGNIFICANCE: One of the first early modern thinkers to distinguish between private and public morality, Machiavelli sought in *The Prince* (*Il principe*, 1532) to provide rulers with guidelines for attaining and maintaining authority. “Machiavellianism” has come to mean the belief that power is the ultimate good, or even the only good, and that any method for obtaining it is justified.

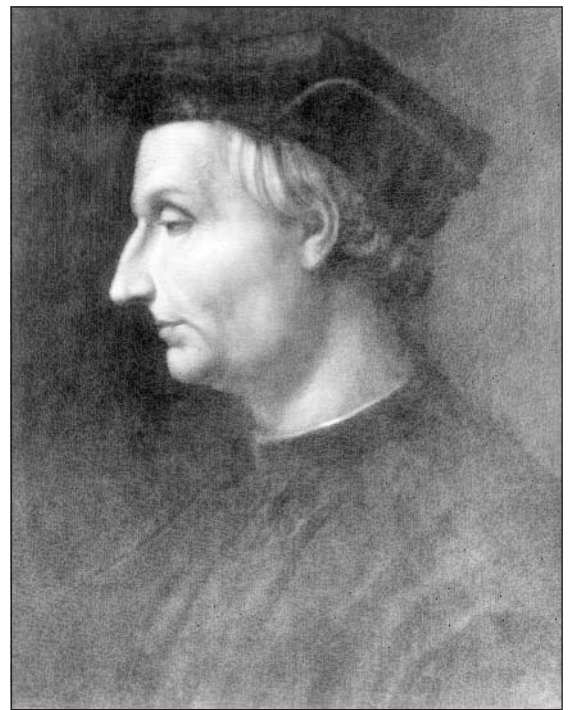
The ideas of Niccolò Machiavelli have been associated with the darker side of politics. To be Machiavellian has for centuries meant to be willing to do anything in the quest for power. Machiavelli has been viewed as a political devil, advising leaders to embrace the arts of treachery, force, and cruelty in order to be successful. These notions derive almost wholly from his work *The Prince*, and although they have persisted, they are exaggerations of the substance of Machiavelli’s ideas. Machiavelli also wrote plays, poetry, and histories. His most expansive work was *Discourses on the First Ten Books of Titus Livius* (1636). In it, the breadth of Machiavelli’s political thinking may be seen, and especially his high regard for republican government.

### HISTORY

For good or ill, it was *The Prince* that, as Count Carlo Sforza said, “made Machiavelli famous and infamous.” Although it is unfair to say that Machiavelli

was a preacher of treachery and evil, there is some truth in these perceptions of Machiavellian ethics. Moreover, there is an inheritance from Machiavelli’s ideas that has deeply influenced political thinking into the modern era. Because of this influence of *The Prince*, it must be the focus of any discussion of Machiavellian ethics.

Machiavelli grew up in the Florence of Lorenzo de Medici. He was disheartened by his city’s decline following the French invasion of 1494. During the period of the Republic (1494-1512), Machiavelli, as second chancellor, was intimately involved with diplomatic relations involving France, Germany, the papacy, and other Italian states. When the Medici retook the city in 1512, Machiavelli was tried for treason and exiled to San Casciano. While he was in exile, he devoted his life to writing, yet he sought a return to public life. Around 1513, Machiavelli wrote *The Prince* and dedicated it to Lorenzo di Medici. Although they had been enemies in the past, Machiavelli hoped that Lorenzo would be impressed by the work and employ his skilled advice. Machiavelli’s work went unnoticed in his lifetime, but the succinct power of *The Prince*, a condensation of



Niccolò Machiavelli. (Library of Congress)

### Excerpt from Machiavelli's *The Prince*

From this circumstance, an argument arises: Whether it is better to be loved rather than feared, or the opposite. The answer is that one would like to be both one and the other; but since they are difficult to combine, it is more secure to be feared than loved, when one of the two must be surrendered. For it may be said of men in general that they are ingrates, fickle, deceivers, evaders of danger, desirous of gain. So long as you are doing good for any of them they are all yours, offering you their blood, goods, lives, children, when any real necessity for doing so is remote, but turning away when such need draws near, as I have remarked. The prince who relies wholly on their words, and takes no other precautions, will come to ruin. Friendships gained at a price and not founded on greatness and nobility of soul, are indeed purchased but never possessed; and in times of need cannot be drawn upon.

Machiavelli's thought regarding rulership, outlasted both its purpose and the Medici.

#### THE PRINCE

If it has been unfair to say that *The Prince* and its interpretations accurately portray the depth of Machiavelli's thinking, it is equally fair to say that he meant every word of what he wrote. In *The Prince*, Machiavelli states that he will not speak of republics, for here he has a single purpose. *The Prince* discusses how principalities are won, held, and lost. It is a primer that tells how a single ruler may gain and maintain power. Machiavelli emphasized how power is garnered in a corrupt and dangerous political environment such as the one that existed in Renaissance Italy. In such treacherous times, a prince required special skills to control the state. This, the purpose of *The Prince*, accounts for the work's narrow focus and tone. The book stresses the need for rulers to develop clear objectives and pursue them vigorously and boldly. They must be willing to resort to illicit behavior in the interest of self-survival. Although Machiavelli does affirm certain principles (for example, avoid dependence on others, establish a citizen mili-

tia), he advises princes to be flexible in carrying out their policies.

#### MACHIAVELLI'S IDEAS

Machiavelli's attention to the mechanics of government in *The Prince* made political and military affairs paramount. He separated these from religious, moral, or social considerations, except as these might be politically expedient. The purpose of the state is to preserve power, and the one criterion of evaluation is success. Machiavelli was indifferent regarding whether a policy was brutal or treacherous, but he was aware that such qualities might affect the success of policy. Hence, Machiavelli preferred that policy be perceived as honorable and fair, but he emphasized that one should never risk failure for moral considerations.

In *The Prince*, Machiavelli openly discussed the advantages of skillful immorality. He was not immoral; instead, he advised princes to embrace political amorality, which encouraged virtuous behavior among subjects but accepted a rulership that transcended morality. This double standard for rulers and subjects is a hallmark of Machiavellian ethics. Machiavelli never advised cruelty for its own sake, but attempted political objectivity. This unabashed objectivity did not make him a devil, but he did exaggerate the quest for power and confuse the objectives of politics with the game itself.

#### PRINCIPLES

Machiavelli's ideas were precursors to many modern political attitudes. He addressed human nature, rulership, the character of the state, and the role of popular government. His observations about skillful policy were based on the assumption that the primary human motivations are selfish and egoistic. Machiavelli assumed that government derives from human weakness and the need to control the conflict that grows out of human self-interest. People are naturally aggressive, and the role of the state is to provide security.

This perspective on human nature led Machiavelli to emphasize the role of lawgiver and ruler. He argued that moral and civic virtues grow out of law and government; they are not inherent in human nature. The ruler represents the law and implements morals but is above morality. For this reason, the ruler must be both a "lion and a fox." When necessary, a ruler

must disguise the real intent of policy by controlling outward appearances. At other times, a ruler will have no recourse but to use brute force. Force must be used discreetly and effectively, but the ruler cannot flinch when the preservation of the state is at stake. Machiavelli argued that a ruler should be both loved and feared but stated that it is difficult to have it both ways. Thus, if one cannot be both loved and feared, it is better to be feared than to be loved. The ruler must have the virtues of strength and vision, and the flexibility to adapt to the whims of fortune.

Machiavelli was a national patriot, and he defined the state in terms of a personal identification of the citizens with the state. This idea accounts for Machiavelli's preference for popular government, whenever practical. He disliked noble classes because they were divisive and because noble class interests often clashed with those of the state. Machiavelli disdained the use of mercenary armies and encouraged a standing army of citizens who were willing to die for their country. Machiavelli believed that the goal of the state was to preserve national integrity and property, and he suggested that no state can survive without popular support.

Machiavelli was a realist, a skeptic, a patriot, a populist, and an adviser to tyrants, and his vision profoundly influenced political thinking. Even the meaning of the state as a sovereign institution appears to have originated with him. Unfortunately, Machiavellian ethics makes power the primary goal of politics, while moral, economic, and social forces are only factors to be controlled in the power game.

Anthony R. Brunello  
Thomas Renna

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SEE ALSO: Cruelty; Dirty hands; Political realism; Politics; Power; Realpolitik; Tyranny.

## MacIntyre, Alasdair

IDENTIFICATION: Scottish moral philosopher

BORN: January 12, 1929, Glasgow, Scotland

TYPE OF ETHICS: Modern history

SIGNIFICANCE: One of the most significant moral philosophers of the second half of the twentieth century, MacIntyre wrote *After Virtue* (1981) in an attempt to summarize the history of Western moral thinking to date, to explain the quandaries of the modern moral landscape, and to synthesize a new approach to ethical theory that will address and resolve those quandaries.

In *After Virtue*, Alasdair MacIntyre analyzes theories of morality with regard to culture and states that virtue is found within the community, in its *ethos*, or character, and not in the individual alone. He argues that the Enlightenment abandoned the belief in a divine origin of morality and overemphasized the individual. This leads, says MacIntyre, to a breakdown of the triad of ethics: "man-as-he-happens-to-be," "man-as-he-would-be-if-he-realized-himself," and a divine system of rules to be followed. Such grounding of morality in human nature can produce moral relativism. MacIntyre is looking for a balance between the utilitarian concept of morality as usefulness and the relativism of different social norms. This question of the individual and the society is addressed in MacIntyre's book *A Short History of Ethics* (1966), in which he asserts that morality emerges out of human history rather than out of human nature.



This conception places ethical decisions beyond the limits of individuals. MacIntyre believes that valid moral principles reflect what rational people would accept collectively as good for the individual, regardless of the individual's place in society.

*James A. Baer*

SEE ALSO: Aristotle; Communitarianism; Comparative ethics; Nietzsche, Friedrich; Relativism; Virtue; Virtue ethics.

## Mādhyamaka

**DEFINITION:** School of thought in Buddhism based on moderation

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Mādhyamaka Buddhism teaches that all worldly thought and beliefs are ultimately contradictory, and that the true path to nirvana entails recognition that the truth transcends anything that can be thought rationally or put into words.

Mādhyamaka is a school of thought within Buddhism that derives from the notion of “one who follows the middle way.” It was begun by the scholar and theologian Nāgārjuna, who lived during the period from 150 to 250 C.E. in India, and it is one of four central Buddhist schools. Mādhyamaka Buddhism spread throughout eastern Asia and is known by various other names, including *sanronshu* in Japan, *sanlun zong* in China, and *dbu-ma-pa* in Tibet.

### HISTORY

Born in southern India in the second century, Nāgārjuna was the author of several philosophical treatises. His central contribution was the idea of *śūnyatā*, or “emptiness,” meaning the recognition that everything in this world, including human beings, is devoid of reality. His argument contradicted other contemporary philosophies of India, which looked on things as having substance in and of themselves. Nāgārjuna proposed that everything is defined or given meaning in terms of everything else. He called this contextualization of reality *pratītyasamutpāda*, or “interdependent co-arising.” Recognition of the illusoriness of human perceptions of reality and the mutual dependency of things in the

world is a first step toward true understanding, wrote Nāgārjuna and his major disciple Āryadeva.

In the so-called Middle Period of Mādhyamaka, eight Indian scholars wrote commentaries on the work of Nāgārjuna. During this period, Mādhyamaka split into two schools, the Prāsaṅgika and the Svātantrika. This distinction was primarily based on different logical and rhetorical methods for establishing the truths of Mādhyamaka Buddhism.

During the Later Period, scholars integrated aspects of other schools of thought in Indian Buddhism into Mādhyamaka. Mādhyamaka thought also spread to Tibet, China, and Japan, and more commentaries and treatises were written by scholars in those areas.

### PHILOSOPHY

Although there are many complexities in the arguments presented by various thinkers within Mādhyamaka Buddhism, some general trends stand out. Primary among these is the recognition that reality is one and whole, and the human perception of separable “things” in the world is based on artificially cutting up that single reality through rationality and language. Nothing actually exists in and of itself, and attachment to the notion of the reality of self and world is a basic source of human suffering. Nonattachment to the illusory notions of self and world is liberation, or nirvana.

The meditative techniques emphasized in the Chan (Zen) tradition in China and Japan are focused on releasing the individual from the suffering that comes from attachment to atomized, hence false, conceptions of self and world. They seek to bring perception beyond the constraining rationalism of language, which is delusory in its fragmentation of reality.

### ETHICS

One might suppose that rejecting the reality of perceived things and selves in the world and declaring everything “empty” of meaning could lead to a moral nihilism in which no action is any more meaningful or better than any other action. This was not, however, the interpretation of at least some of the key thinkers in Mādhyamaka Buddhism. Nāgārjuna recognized that although everything was devoid of reality on an ultimate or philosophical level, on a pragmatic level people have no choice but to live fully in the world, however faultily defined it may be. Nāgārjuna believed the ideal to be that of the *bodhi-*



*sattva*, or “enlightened being,” who lives in the world and pursues a moral path but is aware of the ultimate insubstantiality of mundane reality.

The “Middle Way” of *Mādhyamaka* is a path of moderation between rejecting the world as illusion and accepting the world as fully real and substantive. One tentatively accepts reality as it is, creating meaning through moral action, while realizing all the time that there is no ultimate grounding behind the reality in which one lives. The Japanese sage Dōgen, founder of the Sōtō school of Zen Buddhism, said, “Before Enlightenment, carrying firewood. After Enlightenment, carrying firewood.” The point is that one pursues daily activities in the world, but one’s perception of them, one’s mind, has changed. Although Dōgen is not properly considered part of *Mādhyamaka* Buddhism, this popular insight identifies clearly the position of the *Mādhyamaka* Buddhist with regard to action and philosophy.

*Cynthia Keppley Mahmood*

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SEE ALSO: Bodhisattva ideal; Buddha; Buddhist ethics; Dōgen; Five precepts of Buddhism; Four noble truths; Nirvana; Zen.

## Magna Carta

IDENTIFICATION: Grant of rights and privileges conceded by King John to English barons

DATE: Signed on June 15, 1215

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: The Magna Carta dealt with the grievances of feudal lords, but succeeding ages have used its language as a guarantee of the rights of all British citizens to freedom under the law and judgment by peers.

The Magna Carta, or Great Charter, is an English document that granted privileges and liberties that were to become the cornerstones of English constitutional government. It became a symbol of resistance to oppression, and many future generations looked upon it to formulate protection against their own threatened liberties. Earlier kings of England had issued charters and granted concessions to their barons. The difference between those charters and the Magna Carta was that the former were granted by the kings whereas the Magna Carta was demanded by the barons under threat of civil war.

The English kings before John were Norman and Angevin rulers who centralized the government, demanded increased taxation, and expanded feudal and judicial systems as a means of political control. Consequently, when John succeeded his brother Richard I in 1199, he was able to exploit his subjects. John was unskilled in waging war, and when he lost all of his continental possessions except Aquitaine to Philip II of France, his barons sought redress of their wrongs.

John had demanded military service or large amounts of money in lieu of it, sold offices, favored friends, arbitrarily increased taxes, and shown little respect for feudal law, breaking it when it suited him. King John also took the Church’s possessions and was excommunicated by Pope Innocent III in 1209. It was 1213 when John finally sought peace with the Church. In 1214, John returned from France in total defeat. His barons met with him and refused to serve

him or pay for not serving in the military. The barons began to prepare for war against John, if he did not confirm their liberties.

### THE BARONS' REVOLT

In May of 1215, the barons formally renounced their allegiance to the king. John made concessions to the Church and granted London the freedom to elect its own mayor, hoping to gain support. John offered arbitration, but the barons refused. John finally agreed to grant the laws and liberties that the barons had demanded. They agreed to meet on June 15, at a place called Runnymede.

The barons came with a prepared list of demands, the Articles of the Barons. After the king had agreed to the terms, they were reduced to the form of a charter. King John finally affixed his royal seal to them on June 15, 1215. It was the custom to affix a seal instead of signature to royal documents.

The original charter was not carefully organized. It was later divided into sixty-three parts. These clauses can be divided into several groups, each dealing with specific issues.

The first of these groups concerns the Church, stating that it is to be free. The King must not interfere in the matters and offices of the Church. Two more groups deal with feudal law pertaining to those holding land directly from the crown, tariff reliefs, and those who are subtenants. A particularly large group deals with law and justice. No man was to be imprisoned without lawful judgment of his peers or by the law of the land.

Another group of clauses relates to towns, trade, and free movement for merchants. The conduct of royal officials is the subject of other clauses, while still others deal with the administration of the royal forest. Immediate issues were also mentioned, such as the recalling of foreign mercenaries, the returning of lands that had been seized unlawfully, and King John's compliance with the charter. If he failed to live up to his agreement, the council of twenty-five barons had the power to wage war against him.

### REVISIONS AND ADDITIONS

Although King John swore an oath to abide by the terms of the Magna Carta, he had Pope Innocent III annul it on August 24, 1215, on the ground that it had been enacted by force. Civil war followed. King John died in November, 1216, and was succeeded by his

nine-year-old son, Henry III. The advisers of young Henry accepted the reforms of the Magna Carta in good faith. Reissues of the charter were granted in 1216, 1217, and 1225. The charter had been accepted by the government, to be used for guidance. Certain provisions, however, were omitted from the reissues. In 1216, the restraints and demands made against King John did not need to be retained. John's granting of freedom of elections in the Church was ignored, even though the declaration that the Church "should be free" remained. Also absent was the provision for a review of the king's performance by the twenty-five barons.

The 1217 Charter added provisions for suppressing the anarchy that was still prevalent in several districts, amended a few details of the original Charter that had proved to be defective or objectionable, and addressed new problems that had surfaced since the first charter. The final revision of the Magna Carta, which was made in 1225, contained only slight variations from the 1217 version.

The reissue of the Magna Carta in 1225 took the place that it still retains among the fundamental laws of England. It is this version that is always cited in editions of the statutes, courts of law, Parliament, and classical law books.

The Magna Carta is viewed as the cornerstone of the English Constitution. Before the close of the Middle Ages, it had been confirmed thirty-eight times. Edward I, with his confirmation in 1297, placed the Magna Carta on the statute books, and it remains there today. The declaration that statutes that are contrary to the Magna Carta are null and void carries a similarity to the language of the U.S. Constitution. The principle that no person shall be deprived of life, liberty, or property without due process of law was not merely a bargain between a king and barons. It was meant for free people in every age.

Larry N. Sypolt

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SEE ALSO: Bill of Rights, U.S.; Civil rights and liberties; Due process; English Bill of Rights; Freedom and liberty; Freedom of expression; Hammurabi's code; Loyalty; Tyranny.

## Maimonides, Moses

IDENTIFICATION: Jewish philosopher

BORN: Moses ben Maimon; March 30, 1135, Córdoba (now in Spain)

DIED: December 13, 1204, Cairo, Egypt

TYPE OF ETHICS: Medieval history

SIGNIFICANCE: The most influential Jewish thinker of the Middle Ages, Maimonides wrote extensively on philosophy, science, and medicine. Although he wrote no works on ethics per se, ethical issues permeate all of his philosophical writings, notably *Mishneh Torah* (1185) and *Guide of the Perplexed* (1190).

Maimonides, who was certainly the greatest intellectual figure to arise from the Sephardic (Iberian) Jewish tradition, was one of the most respected and influential Jewish thinkers in all of history. He is known chiefly for his commentaries on Jewish law and the origins of ethical behavior, but he also wrote works on general philosophy, medicine, and astronomy. His writings sparked controversy, but he came to be regarded as preeminent among Jewish philosophers and (by some) as the spiritual descendant of the biblical lawgiver Moses.

### HIS LIFE

Maimonides was born in 1135 in Córdoba, in Islamic Spain. His family was wealthy, his father a notable intellectual and judge in a rabbinical court. Recognizing his son's brilliance, Maimonides' father personally tutored him in Jewish law. Maimonides was born at the end of the "golden age" of Jewish

Spain, a time of relative religious tolerance when the richness of Islamic thought intersected with Jewish and Christian traditions, drawing also on newly rediscovered Greek and Latin texts.

When Maimonides was about thirteen, the relative peace and tolerance in Spain ended abruptly with the ascendancy of the Almohad Islamic sect, whose fanaticism included the forced conversion of Jews to Islam. Maimonides' family was forced to flee Córdoba, settling in 1160 in the Moroccan city of Fez—which, as the center of the Almohad movement, was an odd choice.

In 1165, life in Fez became intolerable, so Maimonides' family moved first to Palestine and finally to Egypt. There, Maimonides' father died and Moses joined his brother David in the jewelry trade. When his brother died in a shipwreck, Maimonides supported himself as a physician, quickly rising to prominence as physician to the sultan, Saladin, and his vizier, al-Afdal. Thereafter, he practiced medicine, lectured to medical colleagues at a Cairo hospital, served as spiritual adviser to the local Jewish community, and wrote extensively on medicine, astronomy, and philosophy. He married late in life; fathered a son, Abraham (who also became a notable scholar); and died in 1204. It is likely that his varied life of surviving religious persecution, engaging in international commerce, and practicing medicine added a dimension of common sense and practicality to Maimonides' philosophical writings, enhancing his ability to communicate with a wide audience.

### MISHNEH TORAH

Maimonides did not write books on ethics, as such, but wrote extensively on Jewish law, in which the distinction between law and ethics is unimportant. Probably his most significant legal work was the *Mishneh Torah*, which was completed in 1185 in Egypt and was written in Hebrew, unlike his other important writings, which were in Arabic. It consists of fourteen books and is widely regarded as among the most splendid and significant works of Jewish literature. The book attempts a systematic compilation of all Jewish law; rather than dwelling on points of contention or scholarly refinements, however, it tries to go to the heart of the issues, presenting the law in a clear and practical fashion.

Maimonides believed that the law was closely connected to logic, a prejudice that produced clarity

in his presentation. The influence of Aristotle, which was very much a factor in Jewish intellectual activity at that time, was everywhere apparent. Perhaps it was the Greek influence that enabled Maimonides to go beyond the conservatism of contemporary Talmudic scholarship and to place his own distinctive imprint on his work.

The section of the work dealing with “character traits” deals explicitly with ethical matters and shows the clearest Aristotelian focus. It is based on the notion that right actions are congruent with good character and the idea of a God-like mean. Thus, in matters of ethics, the wise man emulates the deity in following the mean course: that course of action that avoids all extremes that might reflect humanity’s natural inclinations. The nobility of character that makes such action possible also dictates a lack of interference with others and renders an orderly society possible. This general precept leads in a natural way to a number of secondary conclusions, including the importance of speaking kindly, of paying attention to one’s own health, and even of suppressing truth to the extent that it may inflict injury on others.

#### GUIDE OF THE PERPLEXED

Unquestionably the best-known of Maimonides’ writings, the *Guide*, completed in 1190, was also his last important work. Written in Arabic, it was translated into Hebrew and Latin. It attempted a synthesis of Hebrew religion and classical philosophy, an attempt that evidently succeeded, judging from the work’s enormous authority in subsequent Jewish (and Christian) religious thought, and from the fact that it was immediately assailed by some contemporaries as heretical. The perplexity in the title refers to inconsistencies or tensions between the rabbinical and the classical philosophical traditions. The intended audience was, presumably, urbane Jewish intellectuals (who were literate in Arabic). The purpose of the work is clearly theoretical, but, interestingly, the portions dealing with ethical matters can operate on a distinctly practical level. Thus, the purpose of the law is the health of both body and soul, the health of the soul is a question of character, and good character is associated with right actions. Right actions, as discussed earlier, proceed from adherence to the mean and from the exercise of kindness.

*John L. Howland*

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SEE ALSO: Altruism; Ibn al-‘Arabī; Jewish ethics; Torah.

## Malcolm X

IDENTIFICATION: American religious leader and social activist

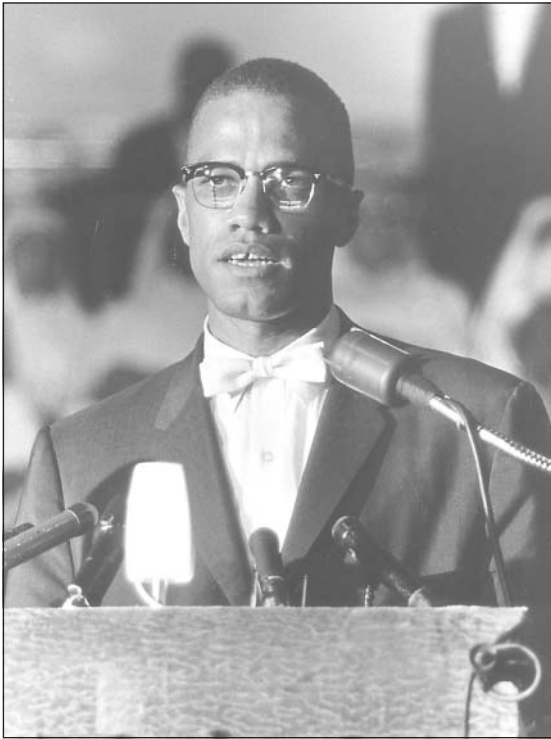
BORN: Malcolm Little; May 19, 1925, Omaha, Nebraska

DIED: February 21, 1965, New York, New York

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Malcolm X advocated employing “any means necessary” to bring about a world of human rights and universal brotherhood based on truth, equality, righteousness, peace, justice, and freedom. One of the most important figures of the Civil Rights and Black Power movements, Malcolm X inspired many militant activists and helped to spark important debates over the relative merits of violent and nonviolent protest.

Appalled at the racial discrimination that was widely practiced in predominantly Christian America, Malcolm X chastised Christianity as unethically enslaving African Americans through its teaching that the oppressed should focus on Heaven, where they will



Malcolm X. (Library of Congress)

reap rewards and their wrongs will be righted, instead of doing something about their deprivation here on Earth. He taught that Islam could bring about true brotherhood because of the “color-blindness” of Muslims.

Distancing himself from the “turn-the-other-cheek” philosophy of Christianity, Malcolm advocated the “fair exchange” of an “eye for an eye, a tooth for a tooth, a head for a head, and a life for a life,” if that was what it took to obtain human rights for African Americans and to create an egalitarian society of true human brotherhood. Just as love should be reciprocated, so should enmity. He believed that violent confrontation was necessary to defend the weak (women and children) against the strong (the Ku Klux Klan) but saw it as ethically wrong to form an African American Ku Klux Klan, since it “threatens the brotherhood of man.” He was convinced that confrontation based on moral tactics succeeds only when the system one is dealing with is moral. In 1964, he formed Muslim Mosque, Incorporated, to give a spiritual basis to the correcting of the vices that destroy the moral fiber of society, and founded the

Organization of Afro-American Unity, a nonreligious, nonsectarian group intended to unite African Americans in the goal of attaining human rights.

*I. Peter Ukpokodu*

SEE ALSO: Civil Rights movement; Discrimination; Farrakhan, Louis; Human rights; King, Martin Luther, Jr.; Nation of Islam; Nonviolence; Violence.

## Malthus, Thomas

IDENTIFICATION: English economist

BORN: February 13, 1766, the Rookery, near Dorking, Surrey, England

DIED: December 23, 1834, Claverton, Bath, England

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: Responding to the demand for revision of England’s Poor Laws, Malthus advocated limitations on human reproduction in *An Essay on the Principle of Population, as It Affects the Future Improvement of Society* (1798). His *Principles of Political Economy* (1820) encouraged private and public spending as a palliative for a lagging economy, thereby anticipating the 1930’s economic system of John Maynard Keynes.

Contrary to the philosophers Jean-Jacques Rousseau and William Godwin, who professed the inherent goodness and perfectibility of humanity, Malthus argued that poverty could not be abolished, because of the inevitability of population growth consistently exceeding the food supply. While population grew geometrically, according to Malthus, resources grew arithmetically. Thus, population increases always would be checked by famine, disease, and war. Practical application of Malthusian theory occurred in the renovation of English Poor Laws. Believing that poverty was encouraged by the old system, which allowed people to live in their homes with community aid, thereby encouraging them to have many children, Malthus advocated workhouses in which the poor would be forced to live and work in conditions sufficiently bad to keep out all but the most desperate. Because of steadily rising food production rates brought about by increasingly sophisticated agricultural techniques, Malthusian predictions of



food shortages—on an international scale—have failed to manifest. Yet mounting ecological devastation—frequently caused by exploitative agricultural practices—the poor distribution of food, and unprecedented, unchecked population growth in the twentieth century, as well as predicted population growth in the twenty-first century, will undoubtedly result in a Malthusian ceiling.

*Mary E. Virginia*

SEE ALSO: Environmental ethics; Famine; Lifeboat ethics; Pollution; Population control.

## Mandela, Nelson

IDENTIFICATION: South African social activist and statesman

BORN: July 18, 1918, Mvezo, Umtata district, Transkei, South Africa

TYPE OF ETHICS: Human rights

SIGNIFICANCE: After emerging with dignity from nearly three decades of political imprisonment, Mandela helped end South Africa's oppressive apartheid system and became the nation's first fully democratically elected president.

Before Nelson Mandela was sentenced to life imprisonment during the early 1960's, his struggle for freedom for black people in the Republic of South Africa led him first as a member of the African National Congress to advocate nonviolent acts of civil disobedience. However, after the Sharpeville massacre in 1960, in which South African police killed 69 peaceful demonstrators and wounded another 178, Mandela persuaded the African National Congress (ANC) to change its tactics to include acts of violent sabotage because peaceful protest had proven ineffective against overwhelming governmental force. Following a government raid on the headquarters

of Umkhonto We Sizewa (Spear of the People), the military arm of the ANC that Mandela cofounded, the five-year jail term he was serving for leaving the country without permission and for inciting workers to strike was changed to life imprisonment.

### IMPRISONMENT

During the years he was imprisoned, Mandela spent many hours at hard labor. Nevertheless, he managed to be of help to many of his fellow prisoners. However, his time in solitude was especially valuable because it gave him opportunities to read, meditate, and write. The hours he spent alone in his cell deepened and clarified his thinking about his cause and contributed to making him South Africa's most important African nationalist leader.

International concern for Mandela's situation grew steadily and was accompanied by pressure for his release and for an end to apartheid. Some countries

Image not available

*Former U.S. president Bill Clinton (right) and South African president Nelson Mandela look out of a window of Section B, Cell no. 5 at the Robben Island prison in South Africa on March 27, 1998. Mandela spent 18 of his 27 years in prison in the small cell. (AP/Wide World Photos)*

imposed painful economic sanctions against South Africa. The government responded several times during the 1970's and 1980's by offering Mandela his freedom—but only on the condition that he renounce his principles and tactics. He refused all such offers and told President P. W. Botha that only a truly free man could agree to such an arrangement.

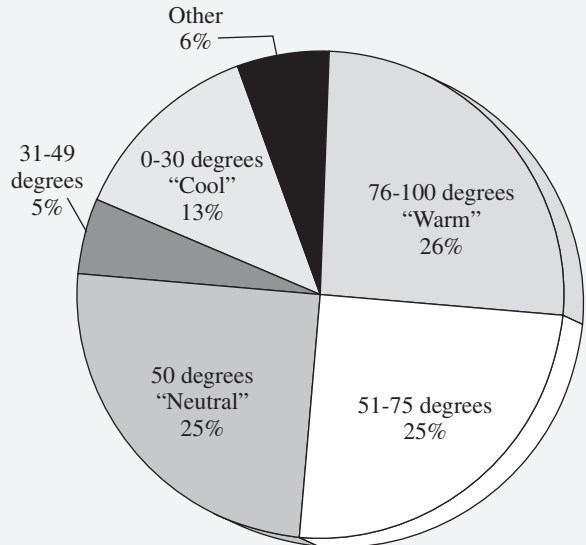
In view of the mounting economic consequences of international sanctions against South Africa, Botha's successor, President Frederik W. de Klerk, arranged a series of secret meetings with Mandela to work out a mutually acceptable solution to the problem of making a transition from apartheid to a free and democratic society. Success came in 1990, when sanctions were lifted against the ANC, which promised to avoid violence, and Mandela was released from prison. For their achievement, Mandela and de Klerk shared the Nobel Peace Prize.

When South Africa held its first universal free elections in 1994, the ANC won in a landslide and the new parliament elected Mandela president of the country. Mandela's prompt call for reconciliation after taking office and his determination to ensure fairness for all the nation's people helped make the radical transition peaceful. However, the challenges that he faced were enormous: to extend the benefits previously enjoyed only by a minority of South Africa's population to its deprived majority. This meant great changes in every aspect of South African life: provisions for such basic necessities as housing, food, and water; education of children and adults; amendments and corrections in laws and methods of transferring land ownership; transformations in health care; and expanded electric power and telephone service. In addition, the growing acquired immunodeficiency syndrome (AIDS) epidemic, unemployment, waste and corruption within the government, and the need to reconstruct South African business and industry required close attention.

Not all these problems were solved during Mandela's four-year term as president. Nevertheless, Mandela presided over a comparatively united country in which progress was made on all fronts. He continued his concern for peace and justice not just at home but wherever in the world human rights were

### American Feelings Toward Mandela

After Nelson Mandela completed his term as president of South Africa in 1998, the Chicago Council on Foreign Relations asked a cross-section of Americans to express their feelings about him on a thermometer scale.



Source: Roper Center for Public Opinion Research. Figures reflect responses of 1,507 adults surveyed in the fall of 1998.

threatened. He helped mediate Indonesia's dispute with its East Timor independence movement and Libya's resolution of its responsibility for the 1988 terrorist downing of a Pan Am jetliner over Lockerbie, Scotland. He also helped Iran, Syria, Jordan, Israel, Palestine, and the United States in several attempts to make a durable peace in the Middle East.

### RETIREMENT

After Mandela retired from the presidency in 1999, he continued to work for children's welfare through two foundations he created. He also went on missions to bring peace and reconciliation to various parts of the world and spoke out on issues about which he felt strongly. For example, in 2002 and 2003, he condemned American military intervention in Iraq as a threat to world peace. In 2003 he also sponsored a large-scale rock concert that featured world-famous performers who donated their time to raise money to combat AIDS in Africa.

Because of Mandela's achievements as a revolutionary, his courageous work in transforming South Africa into a free and democratic country, and his wisdom, integrity, and moral stature as a champion of world peace and justice, many people have ranked him among the most important statesmen of the twentieth century.

*Margaret Duggan*

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SEE ALSO: African ethics; Apartheid; King, Martin Luther, Jr.; Nobel Peace Prizes; South Africa's Truth and Reconciliation Commission; Tutu, Desmond.

## Manhattan Project

**IDENTIFICATION:** Research and development program established by the U.S. War Department to create a superexplosive utilizing the process of nuclear fission

**DATE:** Established in June, 1942

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** The Manhattan Project created the first atom bombs and the only such bombs ever to

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*Workers at the Trinity test site in New Mexico prepare to raise the first prototype atom bomb to the top of a one-hundred-foot tower for detonation on July 16, 1945. (AP/Wide World Photos)*

be used against human targets. The morality both of creating and of employing those weapons has been a matter of debate ever since.

In 1939, physicists in the United States learned of Nazi Germany's attempts to develop a fission bomb of unprecedented power and alerted President Franklin D. Roosevelt to the situation in a letter written by Albert Einstein. Given the brutality of the Nazis, the ramifications of such a weapon were frightening. On December 6, 1941, the president directed the Office of Scientific Research and Development to investigate the possibility of producing a nuclear weapon. The head of the office, Vannevar Bush, reported back in early 1942 that it probably would be possible to produce sufficient fissionable uranium or plutonium to power such a weapon. Accomplishing that task was by far the greatest obstacle to building an atom bomb.

In strict secrecy, in June of 1942, the Army Corps of Engineers established the Manhattan Engineer District, a unit devoted to building the bomb. On September 17, then-colonel Leslie R. Groves was appointed to head the entire effort (plan and organization), which by this time was called simply the Manhattan Project. Groves was promoted to general shortly thereafter. Physicist J. Robert Oppenheimer directed the scientific group that was responsible for actually designing the weapon.

By 1944, the Project was spending one billion dollars per year—a situation that some people believed was out of control. Project scientists detonated a prototype bomb in New Mexico on July 16, 1945, producing an energy yield that was beyond their expectations. Two more bombs were readied and dropped in early August, and Japan surrendered soon after. At the time, only some contributing scientists protested the use of the atom bomb against a live target. Qualms were dispelled by the thought that Germany and Japan would have used it if they had developed it. As the effects of the new weapon became more fully appreciated, however, many began to feel remorse.

*Andrew C. Skinner  
Updated by the editors*

SEE ALSO: Atom bomb; Cold War; Hiroshima and Nagasaki bombings; Union of Concerned Scientists; Weapons research.

## Manichaeism

**DEFINITION:** Proselytizing, gnostic, universal religion

**DATE:** Founded around 240 C.E.

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Most famous as a species of absolute dualism, Manichaeism espoused a belief in the ability of the human soul to redeem itself and transcend the corruption of worldly matter.

Manichaeism was founded and organized by the Persian Mani, who was born on April 12, 216 C.E., in the province of Babylon (modern Iraq). Drawing on evidence such as the Turfan texts, discovered in Chinese Turkestan in 1904 and 1905, which contain portions of Mani's "bible," the Mani Codex, and on Manichaean literature, scholars accept the tradition that Mani's mother was a noble and that Mani was artistic, well educated, and multilingual. His father was an Elkesaite, a member of a Jewish-Christian religious movement that practiced baptism, purifications, and food taboos, all of which the mature Mani rejected. At the ages of twelve and twenty-four, Mani reported visions of a heavenly twin that persuaded him to abandon the Elkesaites and to proclaim his own doctrine publicly.

### THE SPREAD OF MANICHAEANISM

Expelled by the Elkesaites and persecuted by the Persian regime, Mani fled for a time to India. In either March, 242, or April, 243, however, the Persian emperor Shapur I recalled Mani, sanctioned his religious views, and permitted him to preach throughout Persia. Having gathered a handful of converts, including his father, Mani thereafter rapidly won adherents within Shapur's realm before his rivals, in cooperation with a new emperor, imprisoned and martyred him in 277.

Manichaean missionaries, even before Mani's death, had begun spreading their religion into Egypt and the Roman colonies of North Africa (where the young Augustine of Hippo was a convert), as well as across Central Asia. In Persia's eastern provinces, in fact, Manichaeans thrived until the tenth century, when their enemies drove them eastward into Samarkand, Turkestan. There, when the Uighur Turks conquered eastern Turkestan, Manichaeism became the official religion until that area, in turn, was decimated by the Mongols in the thirteenth century.

Meanwhile, during the fourth century, Manichaean influences in the West had reached their peak in Sicily, southern Gaul (France), and Spain.

Manichaeans subsequently penetrated China in 696 and, despite persecutions during the ninth century, their doctrines persisted there, clandestinely, for another five hundred years. In medieval Europe, in large part because of the hostile fifth century writings of Augustine, “manichaean” was a pejorative term applied by Christian theologians to heretical sects such as the Paulicians, the Cathars, the Bogomils, and the Albigensians, whose dualism or gnosticism resembled Manichaeism. In sum, for roughly a thousand years and across much of the Northern Hemisphere, Manichaean beliefs and ethical practices won many converts and were exposed to the scrutiny of learned people and their governments.

#### MANICHAEAN BELIEFS AND ETHICS

Mani acknowledged that his religion was ecumenical, or all-encompassing, by design, and he openly drew upon a variety of philosophical and religious beliefs, including Judaism, Zoroastrianism, Greek philosophy, Chaldean astrology, Buddhism, Daoism, and Christianity.

Mani’s primary objective was the salvation of men’s souls (women were excluded as unredeemably corrupt) through personal acquisition of deeply experienced special knowledge, or *gnosis* (Greek for “wisdom”). For Manichees there were, at creation, two separate worlds. One world was paradisaical, suffused by the light of God, goodness, and beauty. In the present, however, humans lived in another world, a world of darkness, or evil, whose matter, although containing some mixtures of light, was corrupted almost totally. Human beings themselves were corrupt products of the mating of demons amid evil’s partial triumph over light.

That some of God’s light remained mingled in the battle between light and evil and that it could still be discovered in man nevertheless offered Manichaeans hope of salvation. An elite—the elect or *perfecti*—therefore could be saved if they carefully, at times painfully, lived their lives in search of the light within them. Finding light, they also discerned the nature of reality and of the past, present, and future of the universe. Their souls were destined for the kingdom of light. Manichees whose vows were incomplete—hearers—were destined for reincarnation.

Manichaeism demonstrated an attractive tolerance for other faiths. Jesus, Buddha, Zarathustra, and Laozi, for example, were important figures from whom Manichees believed Mani was descended or reincarnated. Their writings or sayings formed parts of Manichaean liturgies and literature. Strict and benevolent personal and social behavior were stressed, particularly among the five classes of Manichaean clergy. Prayer was expected four times a day. Taxes were levied to support temples and clergymen. Monogamy was prescribed. Violence, including suicide, was denounced. Fasting was expected once a week and for thirty days at the spring equinox. Believing that humans ate living entities, including plants and fruits, for whom tears were in order, Manichees were supposed to be strict vegetarians.

#### ETHICAL IMPLICATIONS

Manichaeism, in a harsh world of savagely conflicting regimes and faiths, was a religion of hope and redemption, the key to which was gaining inner wisdom. With a well-ordered clergy, temple observances, rites, and strict rituals, it provided a culturally rich and secure framework for hopeful, benign, and tolerant living that deplored violence and avoided warfare.

*Clifton K. Yearley*

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SEE ALSO: Augustine, Saint; Buddhist ethics; Christian ethics; Daoist ethics; Evil; Human nature; Vegetarianism.



## Manifest destiny

**DEFINITION:** Political doctrine holding that the entire North American continent was intended by God or Providence to become the territory of the United States

**DATE:** Term coined in 1845

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** The doctrine of manifest destiny was referred to most explicitly in congressional debates of 1845 and 1846, but it shaped U.S. foreign and domestic policy throughout the nineteenth century.

The notion of manifest destiny has come to be associated with the policy espoused by President James Monroe in the Monroe Doctrine, but the phrase itself was coined later, by John L. O'Sullivan in the July-August 1845 issue of *United States Magazine and Democratic Review*. During that year, the merits of expansionist policies were the subject of debate, as the United States attempted to lay claim to the territories of Oregon and Texas.

Proponents of manifest destiny such as O'Sullivan held that the United States had a moral right, and indeed a religious obligation, to occupy and develop these lands. Opponents saw this attitude not only as heretical but also as potentially self-destructive, since it was possible for the still young nation to annex more territory than it could control and defend. Later historians, aware of the full extent of the genocide of Native Americans perpetrated in the name of manifest destiny, have raised more direct questions about the ethical effects of the doctrine.

Whatever its moral status, however, the conviction that the United States was destined to possess North America largely became reality during the nineteenth century. French claims to North America vanished with the Louisiana Purchase of 1803. Spanish claims received settlement in the Adams-Onís Transcontinental Treaty of 1819, after which Spain's lands contiguous to the United States came under the control of an independent Mexico. Russia's claim to Oregon Country was withdrawn as part of an 1824 Russian-American agreement. British claims to Oregon Country disappeared in a treaty signed in 1846. In addition, by 1848, Mexico's claims to Texas, New Mexico, and California were no more.

*Bill Manikas*

*Updated by the editors*

SEE ALSO: International law; Isolationism; Monroe Doctrine; Racism; Sovereignty.

## Mapplethorpe, Robert

**IDENTIFICATION:** American photographer

**BORN:** November 4, 1946, New York, New York

**DIED:** March 9, 1989, Boston, Massachusetts

**TYPE OF ETHICS:** Arts and censorship

**SIGNIFICANCE:** Mapplethorpe was an important and controversial artist whose work has been exhibited in museums and galleries worldwide. He was one of a small group of photographers and performance artists at the center of battles in the United States over censorship and public funding for the arts during the late 1980's and early 1990's.

The work of the late photographer Robert Mapplethorpe, who frequently depicted homoerotic and sado-masochistic subjects, excited controversy throughout his career. With a slick and sophisticated style, Mapplethorpe often juxtaposed underground, subculture matter with classical composition. A 1989 exhibition of Mapplethorpe's photographs in Washington, D.C., which was partly funded by a grant from the National Endowment for the Arts, provoked a conservative campaign to halt government subsidies for what some considered to be "obscene" works.

After an emotional debate, Congress enacted restrictions on National Endowment for the Arts grants that did not fully satisfy either side, although they were milder than many in the art world had feared they would be. Meanwhile, a Mapplethorpe exhibition at the Cincinnati Contemporary Art Center led to the first trial of an art museum and its director on obscenity charges. Against the odds, the defendants were acquitted by a jury that decided that Mapplethorpe's photographs were the work of a serious artist.

*Genevieve Slomski*

SEE ALSO: Art; Art and public policy; Censorship; Freedom of expression.

## Marcus Aurelius

**IDENTIFICATION:** Roman emperor

**BORN:** Marcus Annius Verus; April 26, 121, Rome

**DIED:** March 17, 180, Sirmium, Pannonia (now in Serbia) or Vindobona (now Vienna, Austria)

**TYPE OF ETHICS:** Classical history

**SIGNIFICANCE:** Marcus Aurelius is remembered as much for his Stoic philosophy, recorded in the *Meditations* (c. 171-180), as for his rule of the Roman Empire. His personal honor and nobility are perhaps best attested to by the fact that, in a time and place notorious for utterly ruthless imperial politics, he insisted on honoring a perceived commitment to his adoptive brother to share the throne. The brothers became the first fully equal joint emperors in the history of the empire.

While ruling the Roman Empire during its greatest period, Marcus Aurelius practiced a simple, even austere personal lifestyle based on a sincere belief in Stoic philosophy, which emphasized the overwhelming importance of spiritual and intellectual values over physical or material pleasures. Noted publicly for his restraint, modesty, and nobility, Marcus Aurelius devoted many of his private hours to writing his *Meditations*, which contained the essence of his version of Stoic ethics. The core of his ethical beliefs may be summed up in a few basic rules: forgive others for their wrongs; be aware of the harm done to people by their own bad actions; avoid judging others; be conscious of your own faults; consider that you cannot know the inner thoughts of others; avoid anger, for life is brief; anger and grief can be worse than actual physical harm; and kindness and friendship are best for all. Although these rules are hardly revolutionary in theory, they assumed and retain importance because they were held by a Roman emperor.

*Michael Witkoski*

**SEE ALSO:** Augustine, Saint; Stoic ethics.

## Marketing

**DEFINITION:** Promotion, sale, and distribution of commodities

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Marketing in modern society entails identifying potential consumers, persuading them to purchase one's products, and designing, modifying, manufacturing, or providing those products with the target market in mind. All these practices require ethical decisions to be made, about everything from invasions of privacy to honesty in advertising to fairness in pricing.

Various personal, societal, and environmental factors have led to an increased awareness of ethics in business practices. Frequently, this awareness is focused on marketing activities. Continual publicity about businesses involved with unethical marketing practices such as price fixing, unsafe products, and deceptive advertising has led many people to believe that marketing is the area of business in which most ethical misconduct takes place.

### MARKETING AND ETHICS

Broadly speaking, "ethics" implies the establishment of a system of conduct that is recognized as correct moral behavior; it concerns deciphering the parameters of right and wrong to assist in making a decision to do what is morally right. "Marketing eth-

### Marketers' Code of Ethics

The American Marketing Association's code of ethics requires members to accept responsibility for their actions by making sure that their decisions, recommendations and actions serve their customers, organizations, and society. The professional conduct of marketers is to be guided by the basic rule of ethics not knowingly to do harm, adherence to relevant laws and regulations, accurate representation of their qualifications, and practice of the association's code of ethics.

The code itself lays down specific guidelines under the headings of honesty and fairness, rights and duties of parties in the marketing exchange process, product development and management; promotions; distribution; pricing; and marketing research.

The full text of the code can be found at [www.marketingpower.com/live/content175.php](http://www.marketingpower.com/live/content175.php)

ics” is the application of ethical evaluation to marketing strategies and tactics. It involves making judgments about what is morally right and wrong for marketing organizations and their employees in their roles as marketers.

The American Marketing Association (AMA) is the major international association of marketers. It has developed a code of ethics that provides guidelines for ethical marketing practices. Marketers who violate the tenets of the AMA code risk losing their membership in this prestigious and influential association.

Marketing is involved with a variety of ethical areas. Although promotional matters are often in the limelight, other ethical areas deserving attention relate to marketing research, product development and management, distribution, and pricing.

The area of marketing that seems to receive most scrutiny with respect to ethical issues is promotion. Because advertising, personal selling, and other promotional activities are the primary methods for communicating product and service information, promotion has the greatest visibility and generally has the reputation of being one of the most damaging areas of marketing. Misleading and deceptive advertising, false and questionable sales tactics, the bribing of purchase agents with “gifts” in return for purchase orders, and the creation of advertising messages that exploit children or other vulnerable groups are some examples of ethical abuses in promotional strategy.

#### **MARKETING RESEARCH, DEVELOPMENT, AND MANAGEMENT**

Marketing research can aid management in understanding customers, in competing, and in distribution and pricing activities. At times, however, it has been criticized on ethical grounds because of its questionable intelligence-gathering techniques; its alleged invasion of the personal privacy of consumers; and its use of deception, misrepresentation, and coercion in dealing with research participants and respondents.

Potential ethical problems in the product area that marketing professionals can face involve product quality, product design and safety, packaging, branding, environmental impact of product and packaging, and planned obsolescence. Some marketers have utilized misleading, deceptive, and unethical practices in their production or packaging practices by making unsubstantiated and misleading claims about their products or by packaging in a way that appeals

to health-conscious or environmentally concerned shoppers. Ethical behavior involves using safe and ethical product development techniques, providing a product quality that meets customers’ product specifications, using brand names that honestly communicate about the product, and using packaging that realistically portrays product sizes and contents.

Planned obsolescence represents an ongoing ethical question for marketers. Consumers are critical of it for contributing to material wear, style changes, and functional product changes. They believe that it increases resource shortages, waste, and environmental pollution. Marketers, on the other hand, say that planned obsolescence is responsive to consumer demand and is necessary to maintain sales and employment.

#### **DISTRIBUTION AND PRICING**

Many of the potential ethical problems in distribution are covered by laws such as those contained in the Robinson-Patman Act. Nevertheless, distribution involves some ethical issues that merit scrutiny. Deciding the appropriate degree of control and exclusivity between manufacturers and franchised dealers, weighing the impact of serving unsatisfied market segments where the profit potential is slight (for example, opening retail stores in low-income areas), and establishing lower standards in export markets than are allowed in domestic markets are examples of some distribution cases that have significant ethical implications.

Since pricing is probably the most regulated aspect of a firm’s marketing strategy, virtually anything that is unethical in pricing is also illegal. Some of the primary ethical issues of pricing are price discrimination, horizontal/vertical price fixing, predatory pricing, price gouging, and various misleading price tactics such as “bait-and-switch” pricing, nonunit pricing, and inflating prices to allow for sale markdowns.

#### **SOCIAL RESPONSIBILITY**

It seems tenable to suggest that the areas of marketing ethics and social responsibility should be seen as concomitant. If marketing is authentically concerned with meeting consumer needs and concerns, it should also entail carefully evaluating how decisions impact and affect consumer expectations and quality of life.

### Bait-and-Switch Techniques

Bait-and-switch advertising is the practice of advertising a product or service that the seller knows will not be reasonably available when consumers respond to the ad. When a consumer expresses a desire to buy the advertised product, the seller explains that it is not available for some reason—perhaps it has sold out—then apologizes and offers another product, one that has a higher price or a higher profit margin. After going to the trouble of seeking out advertised products, customers are often willing to accept alternatives, even if they are more expensive, particularly if the sellers are good at making the alternatives appear to be good deals.

Used car dealers are notorious for bait-and-switch techniques. A common ploy for a dealer is advertising a single vehicle at a bargain price that brings in many potential buyers. If the advertised vehicle actually exists, it is likely to be sold quickly, allowing the dealer to say, in all honesty, that the lot has sold all its advertised vehicles and then turn the customers' attention to more expensive vehicles. If the advertised vehicle does *not* exist, the dealer may say exactly the same thing, with the same results. In either case, the practice is unethical and may even be illegal.

Marketing activities can have significant societal and environmental ramifications. The rise of ecological consciousness among consumers gives social responsibility increasing stature. Consumers now are very concerned about whether the products or services they buy cause air or water pollution, landfill expansion, or depletion of natural resources. Recognizing this increased ecological concern of consumers, many companies are reevaluating the ways in which they produce and package their products and are considering the alteration of other areas of their marketing mix.

*John E. Richardson*

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SEE ALSO: Advertising; Boycotts; Business ethics; Industrial research; Information access; Multinational corporations; Resumes; Sales ethics; Telemarketing.

## Marriage

**DEFINITION:** Formalized union, traditionally of members of the opposite sex, governed by the customs of a specific society

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Marriage is commonly both a religious sacrament and a social institution with economic, educational, and other functions crucial to the maintenance of modern societies. Thus, the institution and anyone entering into it are enmeshed in an extensive network of moral functions, rights, and obligations.

In Western societies steeped in the Judeo-Christian tradition, marriages are monogamous, conjoining one member of each sex, but there are also polygamous cultures in which one male marries more than

one wife (polygyny) or one female marries more than one husband (polyandry). Whatever its form, marriage provides a sanctioned context for mating and initializes the basic family unit.

### **PATRIARCHAL HERITAGE**

In Western societies, there is a strong patristic heritage that still influences marital laws and customs. Even in ancient cultures with no roots in Judaism there was a deeply ingrained, patriarchal bias. For example, in pre-Christian Rome, fathers had supreme authority, including the right to dispose of the property and even the lives of their wives and children.

In many ancient societies, including that of Rome, marriage involved tradition rather than law *per se*. Marriages were arranged by family patriarchs, particularly in cultures with stratified classes based on birthright and inheritance. Marriages of convenience were prevalent and often involved the endogamous union of close relatives to preserve social rank and family property. The emphasis in such marriages was on the bride's social rank, dowry, childbearing potential, and domestic management skills. As a result, male infidelity, even when officially condemned, was widely practiced; under an infamous double standard, however, no such sexual freedom was granted to wives. Moreover, vestiges of Roman law and custom geared to male primacy have remained in Western law, going unchallenged until the twentieth century.

### **RELIGIOUS AND CIVIL SANCTIONS**

During the Middle Ages, the Roman Catholic Church became the principal agent of change in those geographic areas formerly under Roman domination. Basing its arguments on scriptural prohibitions against sex outside marriage, the Church sought to modify the rules of courtship and marriage and vigorously condemned both fornication and adultery. The Church gave marriage a sacramental status and, technically, made it binding for life.

The Church also kept records of marriages, births, baptisms, and deaths until civil records were instituted, making all but baptismal and confirmation records redundant. Strongly influenced by the Church, criminal and civil law reflected both Christian ideology and its collateral Roman legacy. Civil codes made it extremely difficult to obtain divorces in secu-

lar courts, while criminal laws exacted harsh penalties for adultery.

In most Western countries, it has become possible to marry outside the purview of any church, in a civil ceremony that is legally binding but precludes any religious sanctions. Those who marry in a religious ceremony must obtain civil authorization, however, and the service itself must conform to law. In the United States, marriage is treated as a legal contract, but it differs from normal contractual agreements in that it cannot be dissolved without judicial arbitration. Although laws have gradually been liberalized to make divorce easier to obtain, the legal right to divorce may be inhibited by conflicting religious doctrines that, for many people, take precedence over legal rights.

### **RELATIONSHIP TO THE FAMILY**

Because marriage was traditionally undertaken to provide generational continuity in name, blood, and property, it cannot be separated from the concept of family. Prior to the modern industrial and technological revolutions, in a more sparsely populated, less mobile world, many families took the form of extended families, in which the family patriarch held both dominion and roof over not only his children but also his grandchildren and even his great-grandchildren. The nuclear family, consisting only of parents and their immediate children, eventually displaced the extended family as the norm in the more industrialized areas of the world.

The concept of marriage has also undergone modification. Beginning with the suffrage movement, women sought to achieve many rights and prerogatives that both tradition and law granted exclusively to men. Vigorously advanced was the idea of marriage as an equal partnership, with all rights equitably shared by husband and wife. Most laws governing such matters as property and the custody of children now reflect the principle of joint ownership and responsibility.

### **MODERN PROBLEMS**

The emancipation of women has raised new moral and legal issues that are yet to be resolved. An example is the notion of conjugal rape, an idea that is alien to much conventional thinking about marriage. Legal redress in cases of spouse abuse has been difficult because law enforcement agencies still tend



to view marriage problems as private matters. The battered wife, though not exclusively a new phenomenon, is relatively new to public awareness.

Closely linked to the concept of procreation, marriage has traditionally sanctioned only heterosexual unions, but even that principle has been challenged by gays who wish to benefit from some of the legal guarantees extended to married couples and families. They have worked to redefine marriage legally to include the contractual mating of couples of the same sex with all the rights of heterosexual couples, including child adoption. Opposition to this goal, based on religious and moral grounds, remains strong.

*John W. Fiero*

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SEE ALSO: Abuse; Adultery; Divorce; Family; Family values; Gay rights; Personal relationships; Pre-marital sex; Sexual revolution.

## Marshall Plan

**IDENTIFICATION:** Program that transferred economic resources from the United States to Europe in order to restore European economies to prosperity

**DATES:** Proposed 1947; in effect 1948-1951

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** The best-known example of foreign aid, the Marshall Plan advanced the principle that relieving economic distress promotes a peaceful world order.

The Marshall Plan, proposed in the spring of 1947 by General George C. Marshall, the American secretary of state, was intended to provide substantial economic aid to war-ravaged Europe. In order to prevent widespread economic collapse, the plan proposed to restore European economies to their prewar levels of production. Enacted by the Congress under the Truman administration, the plan provided more than \$12 billion in economic aid to eleven Western European nations from 1948 to 1951. The amount equaled approximately 1.2 percent of the U.S. gross national product during each year of aid.

Essentially designed as government-to-government aid, the plan required each nation to formulate a list of needs and prescriptions for addressing them. Nations within the Soviet sphere of influence, unwilling to divulge their economic needs, quickly withdrew from consideration. After national programs had been approved, American aid, in the form of manufactured goods, machines, and raw materials, began to flow into the nations of Europe. American advisers supervised the program throughout to ensure that inflation did not destroy the gains. By 1951, the plan had succeeded in its goal of raising levels of productivity to prewar levels. The Marshall Plan brought benefits to both Europe and America by improving the economies on both sides of the Atlantic. It also laid the groundwork for future international cooperation in both commercial and military affairs.

*Stanley Archer*

SEE ALSO: Cold War; Economics; International Monetary Fund; Social justice and responsibility; Truman Doctrine.

## Marx, Karl

**IDENTIFICATION:** German political philosopher

**BORN:** May 5, 1818, Trier, Prussia (now in Germany)

**DIED:** March 14, 1883, London, England

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The author of *Capital: A Critique of Political Economy* (*Das Kapital*, 3 volumes, 1867, 1885, 1894) and coauthor, with Friedrich Engels, of *The Communist Manifesto* (*Manifest der Kommunistischen Partei*, 1848), Karl Marx was perhaps the single most influential thinker of the nineteenth century. His theories of economics and of history formed the basis for revolutionary movements and socialist and communist governments during that century and the next. It has been said that, with the dissolution of the Soviet Union in 1989, historians were divided into two camps: those who believe that Marx's model of government failed, and those who believe that it was never attempted.

Karl Marx occupies a pivotal place in the history of the international socialist movement. A passionately committed revolutionary theorist and activist, he worked tirelessly to bring about the overthrow of capitalism and believed that he had discovered the historical laws that would inevitably produce its collapse. As an integral part of his philosophical system, he developed a materialistically based theory of ethics in which the prevailing moral principles of any historical period were seen as reflections of the underlying economic process and the interests and aspirations of the dominant social class. In presenting this view, he posed the question of capitalism's moral legitimacy more sharply than did any other philosopher of the nineteenth and twentieth centuries, and he offered a powerful alternative vision of a socialist society in which social classes would be abolished and all poverty and suffering would end.

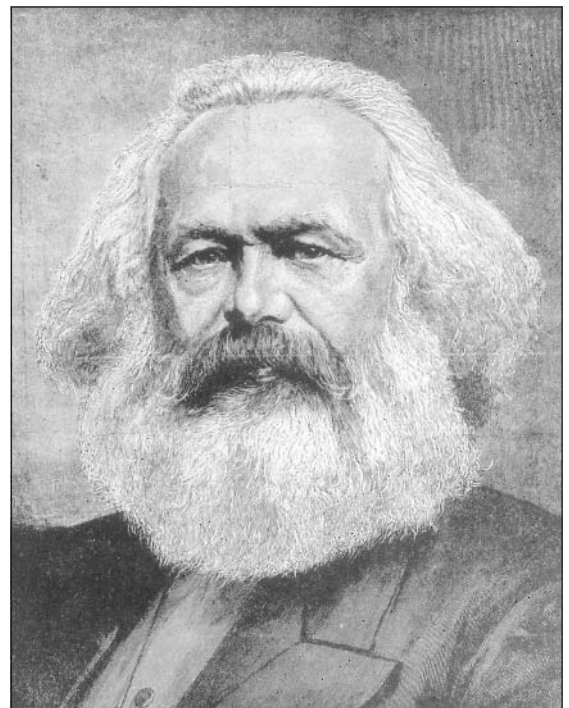
### HISTORICAL MATERIALISM

At the center of Marx's system lies his philosophy of dialectical materialism. His views on historical evolution, economics, society, and the theory of ethics all grow directly out of his materialist conception of the world. For Marx, it was not ideas that were the primary determinants of history, but material—

particularly economic—facts. In the social world, in particular, the consciousness of human beings was determined by the conditions of their material existence and by the values and norms associated with the prevailing mode of economic production of the time.

All of history, Marx believed, moved through six distinct historical stages: primitive communism, the ancient slave state, feudalism, capitalism, socialism, and, ultimately, communism. At each stage in the process of historical development, the economic system created within it two antagonistic social classes, whose struggle for control of the productive property of the society was continuous and was reflected in their political and ethical ideas. In this struggle, the views of the dominant class—under feudalism, the landowning aristocracy, and under capitalism, the industrial bourgeoisie—tended to predominate. As Marx put it in *German Ideology* (1846): “The ideas of the ruling class are in every epoch the ruling ideas, i.e., the class which is the ruling *material* force of society is at the same time its ruling *intellectual* force.”

Thus, for Marx, all ethical ideals—no matter how cleverly disguised—were class based and had their



Karl Marx. (Library of Congress)

origin in the conflicts generated by the underlying social and economic system. They were, in a real sense, ideological weapons used by the dominant and contending classes in their struggle for political hegemony, and thus were an ineluctable part of the class struggle itself. That struggle, Marx believed, was always resolved by revolution, and it unfolded naturally according to historical laws that were independent of the individual's will.

### REJECTION OF MORAL ABSOLUTISM

The materialist foundations of Marx's philosophy led logically to a categorical rejection of abstract moral idealism. To Marx, universal ethical principles such as those proposed by Immanuel Kant or by the Christian church were pure historical fictions. All ethical perspectives, he contended, were influenced by material interests and rooted in the economic conditions of a specific time and place. Abstract moral concepts such as "liberty," "equality," and "justice" were, in his view, illusions. Each social class tended to define such concepts in terms of its own historical experience, seeking to shape them in order to satisfy its ongoing material needs.

During the capitalist stage of development, for example, the bourgeoisie, the primary purchaser of labor in the society, and the working class, the seller of labor, naturally came to see such concepts as "liberty" and "equality" differently. This difference in perspective was based not on abstract moral reasoning but on contrasting positions of the classes in the productive process and the underlying economic relations of the age. In presenting their material demands, both classes made claims to absolute moral authority. No common moral ground in the class struggle existed, and the ultimate arbiter was always physical force.

Marx's belief that all morality was class morality took on a particular poignancy with regard to religion. The Church, he argued, like the state, was an institution that was dominated by the ruling class of any historical period. Therefore, it tended to espouse moral values that strengthened that class's political and social position. Specifically, the Church's promotion of the ideal of personal humility, scriptures against violence, and concentration on the afterlife were designed to teach the worker to be submissive to authority and to look to the next world for the ultimate reward. Religion, as Marx put it acidly, was "the

opiate of the masses," and its destruction was an important step toward freeing the working class from the intellectual domination of the bourgeoisie.

### WORKING-CLASS MORALITY

The vehemence with which Marx rejected the idea of universal ethical principles was accompanied by an equally disdainful attitude toward the more extreme forms of moral relativism. Since history, he argued, inevitably moved to materially "higher" and thus more potentially liberating stages, the ethical values of the ruling class of any historical period were inherently superior—in a developmental sense—to those of the ruling group that preceded it. Thus, the ethics of the bourgeoisie were "objectively" more progressive than those of the aristocracy and the slave-owning class before it, and those of the working class were the most liberating of all. Indeed, of all the classes that had appeared throughout history, the working class alone possessed a truly revolutionary morality. This was because its demands for human equality, an equitable distribution of property, and economic as well as political democracy grew directly out of its own material needs. It was this profoundly moral vision of the working class as a social carrier for a genuinely liberated society—even more than the purportedly scientific character of his historical analysis—that would account for much of Marx's influence after his death.

*John Santore*

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SEE ALSO: Capitalism; Class struggle; Communism; *Communist Manifesto, The*; Economics; Hegel, Georg Wilhelm Friedrich; Ideology; Lenin, Vladimir Ilich; Marxism; Revolution.

## Marxism

**DEFINITION:** Set of theories and practices espoused by, or associated with, Karl Marx, including historical materialism, the elimination of private property, and a commitment to bringing about a classless society

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Classical Marxism was a revolutionary philosophy founded in a commitment to universal equality and justice. The actual governments that have come into being espousing Marxist principles, however, have often deviated from those ideals to such an extreme that the very meaning of the term has become a subject of significant controversy.

Implicit in Marxism is a unique variety of ethics that combines traditional theories of “might makes right” with the belief that under communism the wrongs of past injustices will be righted. Marxism as a theory has two distinct parts: Marx’s interpretation of society as he perceived it and his image of society in the future. Marx can also be understood on two levels: as an economic theorist and as a moral theorist. He is more widely regarded, however, as an economic theorist with little regard for anything but economic justice. Some scholars of the last century have analyzed Marx as a moral theorist whose earlier writings in particular reflect values that are moral and perhaps

even religious, although not in a traditional sense. These values were implicit in his theories of history and the revolutionary process.

Marx, in his early works, often spoke of the worker’s alienation from society because of the division of labor and private property, which left the worker with little to show for his endeavors. Marx did not think that the situation could be corrected by invoking abstract theories of ethics and justice, since he believed that in every era ethics and values are imposed by the “ruling class.” For example, Marx argued that in the Middle Ages, the feudal landowners who controlled the livelihood of others also set the norms of society. He believed that in the nineteenth century, capitalists (the bourgeoisie) controlled the means of production and therefore the political and social system. As part of their power, they set the standards of right and wrong. Although Marx criticized the ethical standards of his era, he accepted that the bourgeoisie had the right to set those standards.

### ECONOMIC FORCES IN HISTORY

Marx believed that it was important to understand the economic forces that propel the evolution of history. His theory of historical materialism rejected traditional idealism and substituted for it a materialist interpretation, which defined the progression of history as the history of class struggle. Marx also predicted a fundamental revolution that would end class struggle and alienation in society.

Marx described a class struggle between the capitalists (the ruling class) and the proletariat (the workers) in his own era. The former controlled the means of production and therefore dominated society. The proletariat worked for the bourgeoisie in conditions of exploitation and hardship and were alienated from the products of their labor. Marx was concerned about the long hours the proletariat worked and low wages they received, about child labor, and about other social problems that were prevalent during the early stages of European capitalism, but he did not believe that those problems could be remedied.

Marx predicted that societal conditions would gradually worsen, as fewer and fewer people remained in the ruling class and more and more people joined the ranks of the proletariat. Eventually, Marx predicted, the proletariat would be so large and their conditions so terrible that they would rise up in spontaneous rebellion against the bourgeoisie. This revo-



lution, born out of the dialectic and contradictions of history, would eventually provide the keys to ending exploitation. In the short run, the victorious proletariat would organize the dictatorship of the proletariat and begin to right the wrongs of history by removing privileges from the bourgeoisie—foremost among them, private property.

In the transitional era of the dictatorship of the proletariat, however, bourgeois values would still prevail. There would be a transitional period of undetermined length. Only in mature postcapitalist society, which Marx called communism, would people embrace new values and ethics, shed traditional acquisitiveness, and work for the good of society. Eventually, classes would disappear and a classless society would emerge in which people would work according to their abilities and receive compensation according to their needs. In the new society, people would no longer be alienated from their work and from society.

### MARX'S ETHICS

Marx's theories of ethics were closely tied to his economic theories. He did not develop theories of ethics that were separate from his perception of economic reality. At the same time, the idea of transcending alienation and establishing new norms for society revealed an underlying idealism that was inconsistent with his conceptions of materialism.

Marx worked closely with Friedrich Engels from 1845 until his death. Their most famous publication, *The Communist Manifesto* (1848), contains guidelines for social norms and values that were to be followed after the proletarian revolution. Engels continued their work after Marx's death (1883). Engels's later writings on social issues, such as the family, and personal relations contain ethical overtones. In particular, Engels's writings on the family give evidence of the applications of the division of labor and "class struggle" within the family itself.

Although Marx would have bristled at the suggestion that he was an ethical thinker, an ethical undertone to his theory of history can be seen in his prediction that the injustices of the class struggle would be corrected on Earth, not in a distant heaven, when the revolutionary process led to the eventual emergence of communism.

*Norma Corigliano Noonan*

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SEE ALSO: Alienation; Capitalism; Class struggle; Communism; Dictatorship; Egalitarianism; Marx, Karl; Revolution; Socialism.

## Maximal vs. minimal ethics

**DEFINITION:** Distinction between the least one must do to avoid transgression and the most one can do to accomplish good

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Minimal ethics are generally passive, since they involve one's obligations to refrain



from evil acts, while maximal ethics require positive action to make either oneself or the world better conform with one's values and ideals.

The tension between maximal and minimal ethics arises in the attempt to relate what people *can* do to what they *ought* to do. How far and in what way should what is possible govern what is required?

### WHO IS MY NEIGHBOR?

When ethical theories examine duties to others, tensions quickly emerge between consideration of what is owed to others and consideration of the effect upon one's own interests or well-being. The Christian scriptures highlight these tensions in such stories as that of Jesus' telling the young man to sell everything and give it to the poor (Mark 10) or telling the lawyer to imitate the Good Samaritan who risked everything to help a man who fell among thieves (Luke 10).

In the field of medical ethics, Tom L. Beauchamp and James F. Childress argue in *Principles of Biomedical Ethics* that a physician is "not morally obligated to emulate the Good Samaritan but rather to be what Judith Thomson calls 'a minimally decent Samaritan.'" They characterize the tension between maximal and minimal ethics in their discussion of the distinction between the duty of nonmaleficence ("do no harm") and the duty of beneficence ("do good"). "[T]he importance of the distinction is evident. The obligation of nonmaleficence is more independent of roles and relations, allows less discretion, and, in general, requires a higher level of risk assumption than the obligation of beneficence, which requires positive actions."

Some ethical theories simply make "do no harm" the duty and leave "doing good" to individual decision making. Other theories attempt to determine how far a person might be required to venture into doing good. Philosophers usually appeal to what it is "reasonable" to require, but no satisfactory agreement has been reached concerning how to define responsibilities that go beyond the minimum. Peter Singer, for example, in discussing duties to victims of famine, has argued that "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it." Many people, however, believe that his principle is unreasonably

demanding. Michael Slote argues against Singer that it is not morally wrong to fail to prevent something bad from happening to someone else if preventing the evil "would seriously interfere with one's basic life style or with the fulfillment of one's basic life plans—as long as the life style or plans themselves involve no wrongs of commission."

In *Christian Faith, Health, and Medical Practice*, Hessel Bouma and others have provided a survey, from a religious perspective, of reasons that attempt to locate the source and motivation of a whole range of duties from the minimal to the maximal:

[Picture ethical duties] on a spectrum, with minimal, legally enforceable ones at one end of the spectrum and, at the other end, those requiring heroic sacrifice for the sake of another's well-being. In the middle will be responsibilities such as truthfulness and civility that are morally mandated but not legally enforceable. . . . [A]t one end the state's sword power (its right and duty to use coercion, including its power to tax) provides added motivation, whereas at the other end the power of gratitude and the inspiring stories of good Samaritans and shepherds who lay down their lives for their sheep must be sufficient incentives.

### BE ALL YOU CAN BE

Maximal vs. minimal ethics concerns more than the tension between duties to others and care for one's own interests. The tension between the minimal and the maximal can arise in the attempt to delineate the excellences that characterize a well-lived life. Immanuel Kant, for example, argued that people have a duty to develop their talents. How far does that duty extend? Is a modest cultivation of a particular talent sufficient? How much is enough? In *Beyond Good and Evil*, Nietzsche urges a maximal standard of human development in the application of purifying discipline to the "creature" in humanity in order to bring the "creator" element to greater perfection: "The discipline of suffering, of *great* suffering—do you not know that only *this* discipline has created all enhancements of man so far?"

### CLASSIFYING THE MAXIMAL

Many ethical theories classify acts as forbidden, required, or simply permissible. In "Saints and

Heroes,” J. Urmson argued that a further class of acts should be identified and that the old Christian concept of supererogation should be employed for this classification. Supererogatory acts, according to Urmson, are those that are not required by duty but go beyond duty in a way that merely permissible acts do not.

Urmson’s arguments have led many people to agree that ethical theories should have a place for maximal expectations that are recommended but not required. His critics, however, question whether ethical theories can or should try to define a point at which one says, “We have done enough; everything else is beyond duty.” They worry that the attempt to make a precise definition of what is strictly required leads theories to be narrow and legalistic in their account of human duties. They prefer an approach in which a “reasonable” account of how maximal duties are required can be given.

*James V. Bachman*

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SEE ALSO: Altruism; Benevolence; *Beyond Good and Evil*; Charity; Duty; Generosity; Ought/can implication; Perfectionism; Religion; Supererogation; Utilitarianism.

## **Mean/ends distinction**

**DEFINITION:** Ethical distinction drawn between the goal being achieved and the method employed to achieve it

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The distinction between means and ends is the basis for hypothetical imperatives, which have the form “You should do *x* in order to accomplish *y*.” Categorical imperatives presuppose that means and ends are one and the same: “You should always do *x*.”

Theories of ethics vary widely in their philosophical perspectives. Nowhere is this chasm more broad than between the strict legalistic rules set forth by Kantian ethicists and the subjective interpretations favored by situationists. Immanuel Kant, as the father of the categorical imperative, believed that moral actions must hold up universally and unconditionally. Situational ethics, however, as developed by the consequential school, maintains that circumstances alter cases. Actions have no meaning or value in and of themselves; they become meaningful only in the light of the purpose they serve.

Situationists believe that any act—in fact, the same act—can be right or wrong, according to the situation. Such flexibility in moral reasoning lays the foundation for the popular maxim that the end justifies the means. Although unstated, the essential meaning of this philosophy is better represented by the clarification that a good end justifies a bad means. A good end achieved through good means needs no justification; a bad end, regardless of the quality of the means, deserves none.

The emphasis, then, is on the outcome, making the means/end distinction a favorite of consequential ethicists who argue that the moral act is the one that achieves the greatest good for the greatest number. With this reasoning, it is easy to extend the principle that an immoral act is justified if it is the vehicle by

which a greater good is accomplished—telling a lie, for example, in order to save a life. Another school of thought, however, that of the situationists, places the rationale for this maxim not on the relative merits of the means and the end, but on the circumstances that define each individual situation.

Situationists believe that good and evil are not intrinsic properties belonging to a given act but are instead attributes that develop their character within the context in which the act occurs. The man who denies his financial problems as he provides comforting reassurance to his dying mother, for example, is acting in a compassionate and commendable way, not an immoral and deceitful one. The same subjectivity can be applied to other acts, too, including those conventionally considered good, such as self-sacrifice and philanthropy, and evil, such as thievery and murder. That the unscrupulous exploits of Robin Hood are hailed as heroic deeds by all but his villainous victims demonstrates the popularity of this notion. If acts are not intrinsically good or bad, then they must derive their merits from some other source. That source is the purpose that they serve or the intended outcome toward which they have been employed. Therefore, it is the end, and only the end, that justifies the means.

### DEONTOLOGICAL VIEWS

Although strict deontologists believe that such a subjective philosophy foreshadows nothing short of moral anarchy, the means/end distinction has long been employed. Indeed, even the Bible contains numerous instances in which valued outcomes are achieved through violent or destructive means, such as the flooding of the earth in order to restore goodness, an action that is inconsistent with modern Judeo-Christian moral prescriptions. Despite the fears of legalistic ethicists, however, the means/end argument, when properly applied, is a stiff and rigorous test of ethical principles, demanding a careful examination of four individual elements: the end, the motive for desiring this end, the means by which the end will be accomplished, and, in true consequential fashion, the foreseeable consequences.

It is important to note that all consequences must be weighed, not only the intended ones. For example, the parent who successfully funds the family vacation by trimming household expenses must consider not only the financial effects of a debt-free summer

sojourn but also the physical and psychological effects of lowered nutritional standards and clothing stretched beyond its normal wearability. In addition, responsible implementation of the means/end distinction recognizes that because means are seen not only as benign tools used to negotiate an outcome but also as ingredients that lend their attributes and characteristics to the creation of the outcome, they must be carefully selected, fitting, and appropriate to the hoped-for end. The following list offers specific questions to help address these issues.

1. Is the end really good? Does it simply appear to be good because of its desirability? Real good is commonly recognized as that which contributes to the achievement of full human potential.

2. Is it probable that the means will achieve the end? Utilitarian ethicists refer to this concept as maximizing expected utility.

3. Is the same good possible to achieve using other means? Is the bad means simply the easiest? Combined with the question above, the lower the expectation that the means will achieve the expected result, the greater is the obligation to seek alternative means.

4. Is the good end clearly and overwhelmingly greater than the bad means that will be used to attain it?

5. Will the use of a bad means in order to achieve a good end withstand the test of publicity? Will others agree with the decision reached in the question above?

Although the means/end distinction provides a useful tool as well as a popular philosophy for weighing ethical choices, it is not without its handicaps. A primary shortcoming, consistent with all consequential theories, is the lack of precision with which outcomes can be predicted. Therefore, the distinction is a more accurate measure of moral correctness in hindsight rather than in the development of situations. Despite this weakness, however, the means/end argument remains a strong and practical one. Its simple and obvious logic offers an understandable formula by which to weigh and resolve challenging ethical questions.

*Regina Howard Yaroch*

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SEE ALSO: Consequentialism; Deontological ethics; Kant, Immanuel; Kantian ethics; Pragmatism; Situational ethics; Utilitarianism.

## Media ownership

**IDENTIFICATION:** Owners and executive officers of print and broadcast media, such as newspapers, magazines, radio and television stations, and broadcast networks

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** Ownership of multiple media outlets by single individuals or companies raises serious ethical concerns about the availability and fairness of news.

Media ownership raises a number of interesting ethical questions. Of particular important are questions relating to whether owners of the media conduct their operations in a fashion that is objective, comprehensive, and ultimately in the best interest of the general public. When large numbers of media outlets are concentrated in the hands of a few owners, especially when the outlets are of various kinds of media, then these ethical questions become particularly acute. Such situations periodically occur in Western society.

During the late nineteenth century, sizable numbers of newspapers in both the United States and Great Britain became concentrated in the hands of a few individuals, known in the United States as “press magnates” and in Britain as “press barons.” By the 1880’s, the American publisher Joseph Pulitzer—after whom Pulitzer Prizes are named—had assembled a number of newspapers under his control; these included the *New York World*. Meanwhile, his great ri-

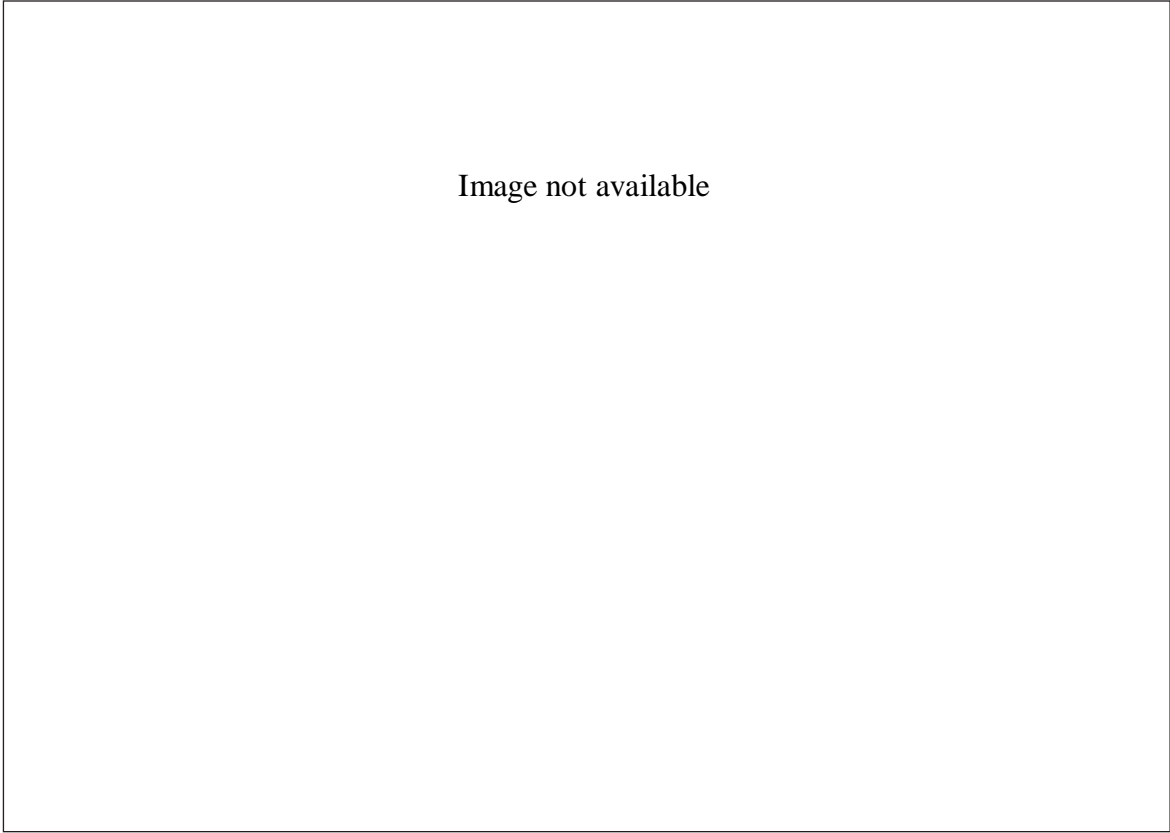
val, William Randolph Hearst, took over the *San Francisco Examiner* from his father in 1887 and in 1895 bought the *New York Morning Journal*. The following year, Hearst established the *New York Evening Journal*.

Low priced, easy to read, and filled with eye-catching sensational stories, the Pulitzer and Hearst papers soon had large circulations and enormous influence on public affairs—influence that Pulitzer and Hearst, in particular, were not shy about using. Perhaps the most striking example of their influence occurred during the Spanish-American War of 1898, which was actively pushed by the two newspaper chains, especially by the Hearst papers. At one point, before war had been declared, the famous artist Frederic Remington asked if he could return from his assignment as a war illustrator in Havana, since war between Spain and the United States appeared to be unlikely. Hearst is reported to have responded, “You provide the pictures and I’ll furnish the war.” Whether that story is literally true or not, Hearst’s famous riposte accurately symbolized the considerable powers of media ownership and its ethical dilemmas.

At the same time that Pulitzer and Hearst were battling for media dominance in the United States, two brothers named Harmsworth were gathering a media empire in Great Britain. Better known as Lords Northcliffe and Rothermere, the brothers came to own a sizable portion of the British press, including the famous *Times of London* as well as such high-circulation papers as the *Daily Mail*, *Daily Mirror*, *Weekly/Sunday Dispatch*, *London Evening News*, and *Glasgow Evening News*. They also owned the magazine group Amalgamated Press. Although such acquisitions, the Harmsworths became the dominant media power in the United Kingdom, and Lord Northcliffe in particular was recognized as highly influential. In 1917, during the crisis of World War I, another press baron, Lord Beaverbook, was appointed minister of information by the British government, thus making him officially responsible for wartime propaganda both at home and, increasingly important, in neutral countries such as the United States. After this, there could be little doubt about the power of media ownership and control.

### MODERN MEDIA CONSOLIDATION

The question of media consolidation in the hands of a relatively few individuals or corporations arose

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*Members of an organization called Code Pink march outside a Los Angeles radio station in May, 2003, to call attention to an impending Federal Communications Commission hearing on a proposal to deregulate media ownership which would allow large companies to increase their control over radio, television, and newspaper communications. (AP/Wide World Photos)*

again toward the end of the twentieth century, as a handful of key players came to dominate the international media market. In addition to owning traditional newspapers, these new press barons also owned varieties of other media, most notably book publishing companies; film, radio, and television outlets; and new media channels, such as sites on the World Wide Web. They also introduced new forms of media, such as twenty-four-hour all-news networks, which operated in cooperation with their other holdings. Never before in history had such a variety of media been collected and controlled by so relatively few persons or companies.

Chief among these players were giant media corporations such as AOL-Time Warner, which was created by a merger early in 2000 and which operated Cable News Network, or CNN; Rupert Murdoch's

News Corporation, which started in Australia and spread throughout the world and which started Fox Television as a challenge to CNN and the existing big three networks; and Fininvest, an Italian multimedia group owned by Silvio Berlusconi, who went on to become prime minister of that nation. Of these groups, News Corporation and Fininvest were known for espousing and spreading the conservative, sometimes extreme right-wing thoughts of their owners. Not since the days of Hearst and Colonel Robert McCormick, reactionary owner of the *Chicago Tribune*, had media owners been so blatant in allowing their personal viewpoints to shape the reporting of their organizations. The ethical problems created by such a situation, while obvious to many media observers and members of the general public, did not seem to trouble Murdoch and others.



At the same time, non-news corporations were purchasing media outlets, chief among them the major television networks in the United States. During the 1980's, the American Broadcasting Corporation (ABC) was bought by Capital Cities Communications, the National Broadcasting Corporation (NBC) by General Electric, and the Columbia Broadcasting System (CBS) by Loews Corporation. In addition to cutbacks in their news budgets, with possible negative impacts on coverage, diversity, and objectivity, the networks also faced the delicate situation of reporting potentially negative stories about their corporate owners that could lead to possible loss of value in the stock of the parent company. Such situations were clearly filled with potential ethical dilemmas, most of which could be traced back to the problem of media ownership that influences not only what stories are covered, but how and to what purpose as well.

*Michael Witkoski*

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## **Medical bills of rights**

**DEFINITION:** Documents that explicitly list the rights of patients with regard to access to care, control over their care, privacy, or any other issues relevant to medical treatment

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Rights language shifts the focus of moral attention from the duty-bound caregiver to the patient to whom there is a duty—to the claims of the right holder.

Although the express use of rights language in medicine is an artifact of the late twentieth century, deontological (duty-based) conceptions of medical ethics trace back to the Hippocratic oath, which explicitly obligates physicians to “abstain from all intentional wrong-doing and harm”—particularly “from [sexual] abus[e]”—and from “divulging [information about patients] holding such things to be holy secrets.” Correlative to these obligations (although unstatable at the time, since the language of rights had yet to be invented), patients have the right not to be intentionally harmed, not to be sexually abused, and not to have confidential information divulged.

Duty-based conceptions of the physician-patient relationship were dominated by the Hippocratic oath until three eighteenth century British writers—the Reverend Thomas Gisborne, Doctor John Gregory, and Thomas Percival—developed theories of obligation deriving from physicians' social responsibilities and from their sympathy with patients. In 1803, Percival published a syncretic version of all three theories in the form of a code of ethics; that code, in turn, became the basis of codes of medical ethics issued by nineteenth century regional and national medical associations throughout the world. Although these writers were familiar with rights language, their primary focus was stating the duties of physicians. Consequently, even though their theories on physicians' duties generate correlative rights, they eschew the language of rights—as do the codes of medical ethics they inspired.

The first document to focus primarily on patients' moral claims is the 1947 Nuremberg Code, a set of ten principles issued by the Nuremberg Tribunal to justify its finding that the medical experiments conducted by twelve German physicians and their assistants were “crimes against humanity.” The first

### Historical Table of Patients' Rights

<i>Document</i>	<i>Date</i>	<i>Author</i>	<i>Rights</i>
Hippocratic oath	400 B.C.E.	Unknown	Not to be harmed; not to be sexually abused; confidentiality.
<i>Lecture on the Duties of Physicians</i>	1772	John Gregory	Sympathetic and humane care.
<i>On the Duties of Physicians</i>	1794	Thomas Gisborne	Diligent attention; confidentiality; honesty; punctuality; steadiness and sympathy.
<i>Medical Ethics</i>	1803	Thomas Percival	Attention and steadiness; humanity; confidentiality; authority and condescension (to be treated as equals).
<i>Code of Ethics</i>	1847-1957*	AMA	Skill, attention, fidelity. Tenderness and firmness; authority and condescension (equal treatment); humanness and steadiness; confidentiality; not to be abandoned; treatment during epidemics (even if physician jeopardized).
<i>Nuremberg Code</i>	1947	Nuremberg Tribunal	To consent to, and to refuse to, be experimented upon; to be informed of experiments; to terminate experiments unilaterally.
<i>Patient's Bill of Rights</i>	Current	American Hospital Association	To considerate and respectful care; to know the name of one's physician; to be informed of diagnosis, prognosis, treatment plans, and alternatives; to consent to, and to refuse, treatment; to privacy and confidentiality; to be informed of conflicts of interest; to be informed of, and to refuse to participate in, research; to have continuity of care and appointments; to examine bills and have them explained; to be informed of hospital rules.
<i>Accreditation Manual</i>	Current	Joint Commission on Accreditation of Health Care Organization	Impartial access to treatment, regardless of race, creed, sex, or national origin, or sources of payment; to considerate and respectful care; to privacy and to wear personal clothing; to request a change of room; to know who is providing treatment; to refuse to be treated by trainees. to be clearly informed of diagnosis. to visitors, phone calls, and letters; to informed participation in health care decisions; to consent to, and to refuse, treatment; to be informed of, and to refuse to participate in, experiments; to consult with a specialist and to continuity of care; to receive itemized explanations of bills; to be informed of a hospital's rules and complaint procedures

\* Most contemporary statements of medical and nursing ethics are formulated as standards or principles rather than duties or obligations, and thus do not generate correlative rights. In 1957, for example, the AMA replaced its *Code of Ethics* with *Principles of Medical Ethics*, the principles state standards of conduct rather than duties, but Principle IV of the current AMA *Principles* stipulates that a "physician shall respect the rights of patients."

Nuremberg principle opens by stating that for “moral, ethical, and legal [experimentation] . . . the voluntary consent of the human subject is essential.” It closes by stating that “the duty . . . for ascertaining consent rests on each individual who initiates, directs, or engages in the experiment.” The Nuremberg Code never uses the language of rights, yet most commentators treat it as the progenitor of patients’ rights theory because its focus (exemplified in these quotations) is on the moral claims—the rights—of the subjects of research.

Rights language was first expressly used in major medical documents during the 1970’s, when it surfaced in the American Hospital Association’s 1972 *A Patient’s Bill of Rights* and, concurrently, in the section “Rights and Responsibilities of Patients,” in the *Accreditation Manual* of the JCAH(O), the Joint Commission on the Accreditation of Hospitals (later, Health Care Organizations)—the organization that accredits American medical hospitals, psychiatric hospitals, and nursing homes.

*Robert Baker*

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SEE ALSO: American Medical Association; Health care allocation; Hippocrates; Medical ethics; Medical insurance; Medical research; Physician-patient relationship; *Principles of Medical Ethics*.

## Medical ethics

**DEFINITION:** Formal, informal, institutional, and personal codes of conduct for health care professionals

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Because medical workers deal with matters of life and death, as well as the most intimate details of their patients’ lives, the ethics governing their actions are both especially important and especially complex.

Health care professionals are faced with many situations that have moral significance. These situations are characterized by such questions as whether or when to proceed with treatment, which therapy to administer, which patient to see first, how to conduct research using human subjects, where to assign resources that are in short supply, and how to establish an equitable health care system. The discipline of medical ethics seeks to engage in a systematic and objective examination of these questions.

#### HISTORY

An ethical code of behavior is central to the writings collected in the *Corpus Hippocraticum*, attributed to an ancient physician known as Hippocrates and other writers of the fifth through third centuries B.C.E. Medicine, according to these writings, should relieve suffering, reduce the severity of an illness, and abstain from treating that which is beyond the practice of medicine; the physician is defined as a good person, skilled at healing. The notion of a morally good dimension inherent in the medical practitioner has survived to this day. The Hippocratic texts were expanded upon by medieval physicians in the West so that, by the fifteenth century, rules of conduct had been established in the medical schools of the time.

Eighteenth century physicians such as Benjamin Rush, Samuel Bard, John Gregory, and Thomas Percival stressed the need for primary moral rules of medical practice and began to wrestle with questions of truth-telling in the physician-patient relationship. Percival’s writings would become the basis for the first American Medical Association Code of Ethics, issued in 1847.

Nineteenth century physicians such as Worthington Hooker, Austin Flint, Sr., and Sir William Osler continued to refine a primarily beneficence-based

understanding of medical ethics (that is, a code based on taking action only for the patient's good). Osler argued that physicians should be broadly educated in the liberal arts so as to be able to practice medicine properly.

The enormous growth of medical research in the twentieth century led to remarkable advances in health care but also raised troubling ethical questions. In 1947, the Nuremberg Code established the first basic ethical requirements for the conduct of medical research. This document was a direct result of the Nuremberg Trials of Nazi war criminals who had engaged in human experimentation considered far outside the grounds of decency. The code was later expanded and revised to become the Declaration of Helsinki of the World Medical Association, originally issued in 1964.

During the 1950's, medical ethics began to move away from being primarily a set of internally generated rules of professional behavior. The writings of such nonphysicians as Joseph Fletcher and Paul Ramsey (both originally trained in theology) began to examine the impact of medicine and medical technology on the moral fabric of society.

The 1960's and 1970's brought an emphasis on patient autonomy to the consideration of biomedical ethics in the United States: Reverence for the wisdom of the medical doctor's decisions, which had been the rule during previous decades, was tempered by a growing respect for the patient's need to contribute to decisions affecting his or her future well-being. The ascendancy of autonomy parallels a rise in the technological capabilities of modern medicine, a time of unusually pronounced affluence in the West, and the appearance of what have since become paradigmatic legal challenges to the notion of the physician or medical institution as the sole participant in medical decision making.

Concurrent with these developments was the appearance of new institutions dedicated to the study of biomedical ethics, such as the Kennedy Institute of Ethics at Georgetown University and the Hastings Center in New York. At the same time, ethical theories developed by nineteenth century philosophers such as John Stuart Mill and Immanuel Kant began to be applied to situations arising out of medical practice by a number of individuals whose primary training was in philosophy and theology rather than clinical medicine.

With the 1980's and 1990's, the prospect of scarcity came to dominate ethical discussion in the United States, raising concern about such questions as health care rationing and public access to medical care. An emphasis on distributive justice began to temper the preceding two decades' concern with obligations of social justice to the individual.

### **ETHICAL PRINCIPLES**

Ethical analysis consists of the application of primary principles to concrete clinical situations. It also employs comparative reasoning, whereby a particular problem is compared to other situations about which a moral consensus exists. Principled reasoning rests on four fundamental principles of biomedical ethics.

The principle of respect for autonomy requires that every person be free to take whatever autonomous action or make whatever autonomous decision he or she wishes, without constraint by other individuals. An example of respect for autonomy is the doctrine of informed consent, which requires that patients or research subjects be provided with adequate information that they clearly understand before voluntarily submitting to therapy or participating in a research trial.

The principle of nonmaleficence states that health care providers should not inflict evil or harm on a patient. Although straightforward in its enunciation, this principle may come into conflict with the principle of respect for autonomy in cases where a request for withdrawal of therapy is made. Similarly, the principle may come into conflict with obligations to promote the good of the patient, because many medical decisions involve the use of therapies or diagnostic procedures that have undesirable side effects.

The principle of double effect in the Roman Catholic moral tradition has attempted to resolve this latter conflict by stating that if the intent of an action is to effect an overriding good, the action is defensible even if unintended but foreseen harmful consequences ensue. Some commentators suggest, however, that intent is an artificial distinction, because all the consequences, both good and bad, are foreseen. As a result, the potential for harm should be weighed against the potential for benefit in deciding the best course of action. A formal evaluation of this kind is commonly referred to as a risk-benefit analysis.

Individual interpretation of the principle of non-maleficence lies at the heart of debates over abortion, euthanasia, and treatment withdrawal.

The principle of beneficence expresses an obligation to promote the patient's good. This can be construed as any action that prevents harm, supplants harm, or does active good to a person. As such, this principle provides the basis for all medical practice, be it preventive, epidemiologic, acute care, or chronic care. Not all actions can be considered uniformly beneficial. Certain kinds of therapy which may prove to be life-saving can leave a patient with what he or she finds to be an unacceptable quality of life. An examination of the positive and negative consequences of successful medical treatment is commonly called a benefit-burden analysis. In this context, the principle of beneficence most frequently comes into conflict with the principle of respect for autonomy. In such situations, the physician's appeal to beneficence is often considered paternalistic.

The principle of justice applies primarily to the distribution of health care resources in what can be considered a just and fair fashion. Because there are many competing theories of justice, there is no single, clear statement of this principle capable of being succinctly applied to all situations. However, the principle does require careful consideration of the means by which health care is allocated under conditions of scarcity. Scarce resources in the United States, for example, include transplantable organs, intensive care beds, expensive medical technologies in general, and in some circumstances basic medical care itself. Under conditions of scarcity, one's understanding of justice can easily come into conflict with the obligations to each of the three preceding principles. In general, the scarcer the resource, the more concerns about distributive justice influence the deployment of that resource.

### **ETHICAL ISSUES**

Questions of medical ethics generally fall into two categories. A quandary is a moral question about which detailed ethical analysis yields a single undisputed answer. A dilemma, on the other hand, is a moral question to which there are at least two ethically defensible responses, with neither one taking clear precedence over the other.

Ethical issues in medicine can also be divided into macrocosmic (large-scale, societal) and microcos-

mic (small-scale, often individual) concerns. Macrocosmic issues are those that apply to a broad social constituency and therefore often involve both statutory and common law. Microcosmic concerns, on the other hand, are those that arise in the day-to-day practice of medicine, the discussion and resolution of which generally have less impact on society as a whole.

Primary among the macrocosmic ethical debates is the question of health care allocation, which centers largely on the development of health care delivery systems and health care financing. Proposals for reform of the U.S. health care system range from the creation of a single-payer national health insurance program, which would insure every citizen, to a series of proposals that would establish multiple requirements for private health insurance, often linking these requirements to employment. A problem common to all proposals for health care reform is the definition of what constitutes a basic minimum of health care to which each citizen is entitled. Even if consensus can be reached regarding a basic minimum, how and to whom scarce resources will be allocated remains to be determined. In both cases, solutions require an assessment of mechanisms for increasing supply and fairly distributing the resource in an ethically acceptable fashion.

### **PRIVACY**

In medical ethics, respect for privacy stems both from the Hippocratic tradition and from the principle of respect for autonomy. Privacy also has been argued as a fundamental right of persons. All rights-based theories imply a correlative obligation on the part of others to respect these rights. Debate, therefore, centers on when an individual's unbridled right to privacy begins to abrogate the public good. For example, does an individual's right to choose privately to have an abortion or to request euthanasia place an unacceptable burden on society to comply with these requests? If a physician considers a patient to be a public menace, what levels of justification are required before confidentially obtained personal information is divulged? To whom is it appropriate to release this information? Concerns of this nature lie at the center of public discussions surrounding the rights of persons infected with the human immunodeficiency virus (HIV).



## MEDICAL RESEARCH

Research ethics, as it applies to human subjects, deals primarily with two questions. First, does the proposed research appear to provide important information of substantial value to society at minimal risk to the research subject? Second, is the research subject completely aware of the personal risks and benefits of participation in the project so that consent is fully informed? In order to answer these questions, research involving human subjects must undergo ethical review at both the macrocosmic and the microcosmic levels. Nationally, it is regulated by agencies such as the U.S. Food and Drug Administration (FDA). At the microcosmic level, the FDA mandates and supervises the administration of institutional review boards (IRBs), which are charged with the responsibility of ensuring that human subjects are involved in creditable research, are treated in a humane manner, are not subjected to undue risks, and are fully cognizant both of the nature of the project in which they are participating and of any potential risks and benefits associated with it.

A third concern in biomedical research ethics, which does not directly apply to human subjects, is the question of what constitutes a conflict of interest on the part of the principal investigator or research institution. This becomes an increasing problem as more research is funded by private rather than public sources.

## THE NATURE OF LIFE AND ETHICAL DECISION MAKING

This is perhaps the thorniest of all issues in that it revolves around definitional questions about which no consensus exists. Is human life consistently of greater value than all other forms of life? Is the value of human life defined primarily by consciousness? Is human life defined by genetic information, and if so, is alteration of this information a moral enterprise? If genetic engineering is in principle morally acceptable, are there circumstances under which it becomes unacceptable? When precisely does life begin and end? Each of these questions has a profound effect on an individual's opinion of issues such as abortion, the appropriate circumstances for treatment withdrawal, brain death, organ transplantation, euthanasia, animal research, and allocation of health care.

Although some commentators tend to assign primacy to one of the four principles of medical ethics—

autonomy, nonmaleficence, beneficence, or justice—relegating others to subordinate roles, the prevailing approach to principled reasoning interprets each principle as being *prima facie* binding; that is, each principle confers a binding obligation upon the medical professional to the extent that it does not conflict with another, equally binding principle. When two *prima facie* principles require actions that are diametrically opposed, there is an appeal to proportionality that allows the requirements of each principle to be evaluated in the light of circumstances at hand. On a case-by-case basis, one principle may be judged to be more binding than another, depending on the context of the problem.

An alternative form of ethical analysis employs the technique of casuistry, or case-based analysis. Using this method, the circumstances of a particular ethical quandary or dilemma (the “reference case”) are compared to those of a case about which it is abundantly clear what the correct moral decision should be (the “paradigm case”). The degree to which the reference case resembles or differs from the paradigm case provides guidance as to what the ethically appropriate course of action might be. This method of analysis has the advantage of being similar to the way in which conclusions are reached both in common law and in clinical medicine. Clinical decisions are regularly made in medical practice by comparing the facts of a particular case about which the treatment may be in question with those of similar cases in which the correct treatment is known.

A problem for those who favor casuistic analysis is the wedge argument, sometimes known as the “slippery slope.” Detractors suggest that the use of a particular logical argument, such as the defense for withholding or withdrawing certain kinds of therapy, will drive a wedge further and further into the fabric of society until an undesirable consequence (for example, active nonvoluntary euthanasia) ensues. Proponents of casuistry respond that the undesirable consequence is far enough removed from the paradigm case to no longer resemble it.

Most clinical ethicists combine principle-based analysis with case-based reasoning to answer the specific ethical questions that arise in the practice of medicine. In addition, clinical ethicists benefit from training in law, sociology, and psychology, as well as the primary studies of medical science and philosophy.

## PUBLIC POLICY

Macrocosmic, public issues are addressed publicly by a number of mechanisms. Blue-ribbon panels, such as the New York State Task Force on Life and the Law, can study a problem in depth, after which a consensus report with policy recommendations is issued. Such panels have the advantage of bringing together people who represent a wide range of opinion. Another avenue is the formation of grassroots organizations, such as Oregon Health Decisions, that attempt to generate a public consensus on ethically sensitive issues.

In one fashion or another, issues of public concern often are argued on the floors of both federal and state legislatures. Numerous state laws regulate the withholding and withdrawing of therapy; federal legislation, such as the Patient Self-Determination Act, also governs the disclosure of patients' rights to determine the course of their care when they cannot make decisions.

Even with legislative guidance, individual institutions often find themselves beset by microcosmic ethical questions such as when to terminate life-sustaining therapy or who should be admitted to intensive care units. Other common microcosmic dilemmas involve maternal-fetal conflict, wherein the autonomous requests or medical best interests of the mother do not coincide with the presumed best interests of her unborn child. In such situations, health care facilities often solicit the assistance of institutional ethics committees. Such committees are characteristically composed of individuals representing a broad spectrum of professional disciplines as well as community members not directly employed by the facility. In situations that require an institutional response, these committees will often assist in policy development. Ethics committees also serve as primary educational resources for both the institutional staff and members of the surrounding community.

Many committees have established mechanisms for case consultation or case review for patients whose care raises ethical questions. Consultations of this type involve review of the patient's clinical condition as well as pertinent social, religious, psychological, and family circumstances. Consultants investigate the ethical arguments that support alternative courses of action before issuing a final recommendation. In most cases, the recommendations are not binding; however, certain models do require that

consultative recommendations determine the outcome in specific settings.

Although intervention by an ethics committee often allows for the resolution of ethical disputes within the walls of an institution, sometimes irreconcilable differences require judicial review by a court of law. Under these circumstances, the court's decision becomes a matter of public record, providing precedent for similar cases in the future. Microcosmic cases can thereby generate a body of common law that has profound effects at the macrocosmic level.

*John A. McClung*

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SEE ALSO: Bioethics; Diagnosis; Health care allocation; Hippocrates; Holistic medicine; Medical insurance; Medical research; Physician-patient relationship; *Principles of Medical Ethics*; Therapist-patient relationship.

## Medical insurance

DEFINITION: Provision of or payment of costs incurred by health care services when needed, given to a particular group whose membership is limited by factors such as payment of premiums, employment, income, or citizenship

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: Inequities in health insurance coverage are both indicative of, and contribute to, unjust and inequitable policies and practices for the poor.

At the beginning of the twenty-first century, health insurance was possibly the greatest cause of the rapidly escalating cost of medical care in the United States. The lack of regulation, the control of the industry by those who profit from it rather than those who purchase services, and the openness to abuse by both the insured and the providers of care combine to charge the insurance industry with helping have caused one of the most unfair aspects of modern American society: lack of access to needed care by a large portion of the population.

Access to health care has two major components: the patient's ability to pay and the availability of accessible and culturally acceptable facilities capable of providing appropriate care in a timely manner. Lack of health insurance is the greatest barrier to health care accessibility. In the absence of insurance coverage, people often postpone or forgo treatment. In 1980, 25 million Americans were uninsured; by 1999, over 42 million, or nearly one in six, people were uninsured according to the 2000 U.S. census. In 2002 the figure jumped to 43.6 million.

Generally employment-related and -financed, health insurance is a relatively recent development in the medical field. Only within the twentieth century did access to health care become of general concern, primarily because earlier systems of health care were for, the most part, ineffectual. Historically, the care of the sick was the responsibility of families and churches, and the costs of such care consisted mainly of lost wages, rather than payments to outside providers.

Skyrocketing costs and a shift in the workforce from the highly paid, largely unionized full-time manufacturing sector with employer-sponsored health insurance to a low-wage, increasingly part-time non-unionized service and clerical workforce whose employers are less likely to provide insurance account for the widespread lack of insurance. Many people who are not provided with employer-sponsored insurance plans choose not to seek health insurance. The recessionary cycles in the mid-1970's to mid-1990's resulting in massive layoffs also accounted for lack of insurance coverage or underinsurance

(lack of insurance for catastrophic illness, preexisting illness, gaps in Medicare, lack of coverage for long-term care, deductibles, and co-payments).

In a survey conducted by the Commonwealth Fund, a private foundation supporting independent research in health and social issues, 26 percent of American adults aged nineteen to sixty-four (or an estimated 45.4 million people) experienced a period of time when they were uninsured in 2003. In addition to instability in insurance coverage, the survey found evidence of a decline in the quality of coverage among those who were insured. Premiums increased as cuts or new limits in benefits emerged. Instability in insurance coverage and declines in the quality of private health benefits appear to impede Americans' ability to obtain necessary health care. Health insurance premiums increased 13.9 percent in 2003, faster than the 8.5 percent growth in health care costs. Health care expenditures in 2002 were \$1.6 trillion, or 14.9 percent of the nation's gross domestic product.

The United States has the highest health care spending of any country, yet it is the only major industrialized nation not to provide health insurance coverage for everyone. The uninsured generally have higher mortality rates. They are also three times more likely than the insured to experience adverse health outcomes and four times more likely to require avoidable hospitalizations and emergency hospital care.

### **HISTORY**

In 1883, Germany enacted laws providing compulsory national health insurance to all workers. This was done to produce a more productive labor force and to enhance national defense rather than out of concern for the individual. Other countries in Western Europe quickly followed suit. In the United States, commercially provided insurance policies were available from the turn of the twentieth century, but it was not until the Great Depression that health insurance became a major industry. At that time, since few people had money to spend on anything but necessities, all but the most crucial medical treatments were neglected. Hospitals, finding themselves in increasingly difficult financial situations, banded together to form Blue Cross, an organization designed to elicit prepayment of hospital costs to insure against future need. Soon afterward, a similar organization was formed by local and state medical associations in order to collect funds to reimburse physicians for ex-

penses incurred in service. This organization was known as Blue Shield.

The commercial insurance industry (as opposed to the "nonprofit" nature of Blue Cross and Blue Shield) expanded after World War II, with the increasing demands of labor unions to provide health insurance for all workers. The federal government got involved in 1965, when the plans for Medicare, which provides coverage for people over the age of sixty-five, and Medicaid, designed to give access to health care to the poor, were enacted as amendments to the Social Security Act. During the early 1990's Medicaid coverage expanded to include children and pregnant women.

### **HEALTH CARE IN THE TWENTY-FIRST CENTURY**

During the first years of the twenty-first century, the United States was the only industrialized nation to provide total health care protection for less than 25 percent of its population. Only two other industrialized nations, Libya and Cyprus, provide for less than 90 percent of their populations. The majority of completely uninsured people in the United States are young people working at low-income jobs. Most are employed but work at jobs that do not provide group health coverage.

In most states, Medicaid does not provide care for employed persons, and the cutoff income for coverage is lower than the national poverty level; therefore, many people who are living in poverty do not have any form of medical insurance. Low-income Hispanic adults are particularly affected: 37 percent of this group were never insured with private coverage. As many as 80 percent of low-income Hispanics were uninsured sometime during 1996 through 1999 compared with 66 percent of low-income African Americans and 63 percent of low-income whites. Unstable work patterns and part-time employment increase the risk that families will experience gaps in coverage or periods of time without insurance. Gaps in coverage impede people's ability to obtain needed care and increase the risk of burdensome medical bills. The U.S. Department of Health and Human Services has said that closing the health gap for minorities is a key public policy priority.

### **BENEFITS OF INSURANCE**

The greatest benefit derived from health insurance is security from financial risk in case of illness,

security that health care will be available if needed. The other, more global benefit is ethical. Health insurance provides some equity by spreading the costs of undeserved illness between the sick and the healthy. While this does not compensate the ill person for the loss of health, it does allay some of the financial burden. Insurance also allows people the immediate gratification of providing for the possibility of bad times by spending a little less during the good. Health insurance is considered among life's most important commodities. In fact, significant numbers of employed individuals were reluctant to change jobs because they feared loss of health insurance. The Health Insurance Portability and Accountability Act (HIPAA) of 1996—which became effective on April 14, 2003—guaranteed “portability,” or the ability of people with preexisting conditions to retain their insurance coverage when changing jobs.

#### COSTS OF INSURANCE

Aside from the actual premiums for insurance, there are several hidden costs. There are the administrative costs and risk of liability to the insurer. More ethically significant are the consequences of insurance. Insurance companies, as third-party payers, set limits as to the types of treatments or procedures that they will cover for a particular illness or condition. The medical community is obligated to respect the limits set forth by insurance companies, although the latter are not trained in medicine. Managed care is a system that strives to provide the cheapest option available for care, without regard to efficiency, quality, or cost-effectiveness. Financial incentives exist to undertreat, although the underlying framework of managed care is improving the health of the population, instead of focusing on an individual patient. Cost is the major concern.

In response to this decreased incentive, insurers have instituted cost-sharing plans including deductibles, coinsurance (in which the patient pays a certain percentage), and copayment (in which a flat fee is paid at the time of service). These cost-sharing means are much harder on the poor, because they take a larger portion of their income.

Medical insurance can be said to be an inherently unfair means of providing health care. If health care is considered to be a right, it cannot depend on individual ability to pay. Medical treatment for the uninsured is often more expensive than preventive, acute,

and chronic care of the insured, because the uninsured are more likely to receive medical care in the emergency department than in a physician's office. Those higher costs are passed on to the insured by cost shifting and higher premiums or to taxpayers through higher taxes to finance public hospitals and public insurance programs.

Improved access to health care is a vital and politically divisive issue. Presidential candidates, federal and state legislators, and health care industry leaders have all proposed ways to increase health insurance coverage, ranging from incremental expansions to various approaches that promise near-universal coverage.

Margaret Hawthorne  
Updated by Marcia J. Weiss

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SEE ALSO: American Association of Retired Persons; Cost-benefit analysis; Employee safety and treatment; Health care allocation; Holistic medicine; Illness; Medical bills of rights; Medical ethics; “Playing god” in medical decision making; Product safety and liability; Tobacco industry.

## Medical research

**DEFINITION:** The application of bioethical principles to investigations whose goal is generalizable knowledge rather than individualized treatment

**DATE:** Fifth century B.C.E. to present

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Ethical medical research attempts to ensure that human subjects understand risks, while minimizing harm to them and distributing the benefits of research equitably within the context of social morality; it also promotes the humane treatment of animals.

Medical research, like other types of scientific inquiry, seeks either to discover patterns or to test proposed solutions (hypotheses) to problems. Broadly, the research entails observation and experimentation in accordance with the scientific method. Observation may be entirely passive—for example, an epidemiological study that tracks the spread of a disease through a population. Experiments depend upon intervention, that is, introducing some variable, such as a new drug or surgical procedure, in order to define that variable’s effect on a disease.

Whether involving animal or human subjects, research poses complex ethical problems. In the case of human subjects, both the individual subject and the physician-researcher may face dilemmas if the social benefit of increased knowledge comes at the expense of the subject’s health or societal moral principles. The trend in contemporary medicine has been to limit or eliminate ethical conflicts through defined principles, governmental regulation, and oversight panels.

### THE NEED FOR RESEARCH

Every time physicians treat patients, some experimentation is involved, since however well tested a medicine or procedure may be, its use on the unique physiology of an individual patient amounts to a new

test and carries some risk. In daily practice, however, physicians intend treatments to improve only the individual patient’s health. By contrast, researchers hope to acquire generalized knowledge either to increase the basic understanding of the human psyche and soma or to treat all people who have a given disease. Accordingly, research has even broader social and scientific implications than does treatment.

The social implications of medical research become particularly important when such research contravenes a basic moral conviction held by the public in general or by a particular group. Beginning in the 1990’s, advances in genetic engineering, stem cell research, and mammalian cloning provoked objections from diverse religious and humanitarian groups in the United States and prompted legislation by state and federal governments. To receive government funding and to protect their research from political pressures, scientists increasingly must accommodate research to extra-scientific moral issues.

### HISTORY

In Western medicine, the Epidemics, traditionally attributed to the fourth century B.C.E. Greek philosopher Hippocrates, presented the first preserved general guidelines for physicians; its dictum to help patients or at least not harm them acquired pervasive moral authority. (Similar strictures appear in early Hindu and Chinese medical treatises.) The Hippocratic method stressed that physicians should observe patients and their surroundings and assist nature in restoring their health. The method was not innately experimental in the scientific sense.

Although Hippocrates’ prestige was great, many early physicians approved of experimental procedures, and so the conflict between research and preserving patients from harm began early. The third century B.C.E. Alexandrian physicians Herophilus and Erasistratus believed that understanding the body’s structures must precede effective treatment of diseases. Accordingly, they practiced vivisection on condemned prisoners to study anatomy, reasoning that the pain inflicted on them could lead to knowledge that would benefit humanity in general, which to them justified the vivisection. Later classical writers often disagreed. Celsus and the Christian philosopher Tertullian, for example, considered vivisection to be murder.

During the European Middle Ages, the teachings

of the second century Greek physician Galen dominated medicine. Galen taught that nature does nothing without a purpose and that the physician simply must discover that purpose. Medicine was primarily the application of the four-humors theory to specific cases, a method that was congenial to medieval Christian philosophy. Empirical experimentation was considered unnecessary and immoral.

After the Renaissance, when physicians began to abandon the humors theory and investigated the pathology of disease, biochemistry, and anatomy, the impetus to experiment grew. Little research was rigorous, and most of it involved experiments on patients, sometimes resulting in a public outcry. Such was the case in Boston during the smallpox epidemic of 1721-1722. Learning from England that small amounts of infected material stimulated immunity to the disease, Cotton Mather and Zebdeil Boylston inoculated 250 healthy Bostonians; 2 percent died, while 15 percent of plague victims died among the general population. However, the immunization experiment was decried. Not only did the procedure meddle with the workings of God, opponents claimed, but the 2 percent who died might not have contracted smallpox otherwise.

### MODERN DEVELOPMENTS

The debate over the welfare of patients and the need for validated medical knowledge began to assume its modern shape during the second half of the nineteenth century. In 1865 Claude Bernard, a French physician, published his *Introduction to Experimental Medicine*, a fundamentally influential treatise. In it he argued that researchers must force nature to reveal itself; since experimental trials and procedures, including vivisection, are the surest means to produce verifiable knowledge, the physician has a duty to employ them. He added, however, that all research must benefit the test subjects. Those experiments that do only harm must be forbidden.

Bernard's book appeared as an antivivisection movement was spreading, intent upon exposing the cruelty of medical experiments on both animals and humans. Antivivisectionists criticized researchers for looking upon research subjects as objects rather than living, individual beings and for using subjects for the researchers' own ambitions with careless disregard of the pain and injury they may inflict. Such attitudes, according to the argument, are immoral be-

cause they conflict with the Christian principle of benevolence and the physicians' Hippocratic oath.

Efforts to codify ethical principles increased following World War II, mainly in reaction to grisly experiments performed in concentration camps by Nazi doctors. The post-World War II Nuremberg Code sought to prohibit experiments upon humans against their will or when death is the likely outcome; most subsequent codes were modeled upon it. The World Medical Association's Declaration of Helsinki (1964; revised 1975) suggested methods of protecting human subjects and urged researchers to respect animals' welfare and be cautious about the effect of experiments on the environment. In the United States, various federal agencies published regulations for experiments financed by public funds, especially the Food and Drug Administration (FDA) (1981) and the Department of Health and Human Services (1983), which required that institutional review boards (IRBs) approve research proposals before projects begin and monitor their execution.

In 1978, the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research released *The Belmont Report*, which proposed broad ethical principles to guide researchers in designing ethical studies. While widely influential, this brief document provided only a framework. Upon researchers and IRBs falls the task of interpreting and applying the principles to resolve ethical problems, sometimes in unprecedented contexts. For example, subsequent epidemics, such as acquired immunodeficiency syndrome (AIDS), challenged the ethics of clinical trials and research funding and raised concerns about public safety.

By 2000, IRBs in their traditional form were increasingly considered inadequate to handle ethical problems. With an estimated two million to twenty million people enrolled in clinical research projects, sometimes tens of thousands in a single drug trial, the case load for monitoring experiments threatened to be overwhelming. Additionally, the complexity of modern experiments and the potential effects on test subjects require understanding a broad range of research protocols and extensive scientific and technical expertise, difficult requirements for many local review boards to meet. At the same time, there was a trend for researchers or their academic institutions to seek profits in the research outcome, especially in patenting and licensing the applications of thera-

peutic innovations produced by genetic engineering. For these reasons, the Institute of Medicine recommended that IRBs be reconstituted to enhance protection of subjects, rigorously to exclude potential conflicts of interest, and to increase training in the ethics of human studies for board members and researchers.

Furthermore, although some government agencies regulate animal experiments, animal rights advocates condemn tests that harm animals for the benefit of humans, and groups such as the People for the Ethical Treatment of Animals (PETA) have sought legislative and judicial intervention to restrict the practice.

### ETHICAL PRINCIPLES

*The Belmont Report* draws from assumptions about equity and autonomy that are common in modern cultures: Each human is to be treated as an individual, rather than as a component of a group; no individual is inherently superior; and no individual can be used primarily as the means to an end. The report's three *prima facie* principles—respect for persons, beneficence, and justice—assert these values' primacy when they conflict with the central value of scientific research, the acquisition of knowledge.

Respect for persons, also called autonomy, rests upon ensuring the self-determination of research subjects. Prospective subjects must not be enrolled in a study through coercion or deceit. Investigators must explain the nature of their study and its potential to harm subjects; then the subjects' formal, written consent must be obtained. For those subjects incapable of informed consent, such as children, the mentally impaired, and the brain dead, responsible guardians must consent to the enrollment. During the course of a study, researchers must protect the well-being and rights of subjects and permit them to end their participation at any time. In effect, researchers are to treat subjects as partners and collaborators, not as objects.

Beneficence obligates researchers to design a study protocol (the plans and rules for a study) so that the risk of harm to subjects is minimized and the potentiality for benefits is maximized. (Some ethicists divide this principle into beneficence, which assures the well-being of subjects, and nonmaleficence, which requires avoidance of harm. The division, they argue, reduces confusion and emphasizes the tenet in the Hippocratic oath against harming patients.) The

Department of Health and Human Services has defined minimal risk as the risk one runs in daily life or during routine physical or psychological tests. Beneficence entails a dual perspective: Not only should each subject expect benefits to health to be greater than harms, but there should also be a reasonable expectation that the study's findings will benefit society.

Because research risks the health of a few subjects, even if volunteers, in order to improve medicine for everyone, an innate inequity exists. The principle of justice seeks to moderate this inequity. No class of people, as defined by poverty, race, nationality, mentality, or condition of health, is to be exploited as research subjects so that they assume a disproportionate burden. The subjects are to be treated fairly; that is, their general human rights must be guarded. The benefits of research must be distributed equally among all groups in the society.

### ETHICAL NORMS

Six norms, or standards, are widely used to verify that a study adheres to the principles of respect for persons, beneficence, and justice.

First, the design of the study should be rigorously defined and based upon the null hypothesis (also called equipoise). The null hypothesis assumes that none of the treatments involved in a study is known to be superior when the study begins; likewise, if a placebo (inert drug or innocuous procedure) is used, there must be no persuasive evidence beforehand that the treatment is superior to the placebo. This norm protects subjects, especially those with disease, from receiving treatments known to be inferior, and it helps physician-researchers overcome their central dilemma in medical research: withholding the best available treatment in order to test new treatments. Thereby, good research design supports respect for persons and beneficence.

Second, researchers must be competent, possessing adequate scientific knowledge and skill to conduct the study and to give subjects proper medical care. This norm also supports respect for persons and beneficence.

Third, the study should either balance possible benefits with harms or expect more benefits. Furthermore, if in the course of the study one treatment proves to be superior to another or to the placebo, researchers must terminate or modify the study so that

all its subjects receive the better treatment. This norm incorporates all three ethical principles.

Fourth, researchers must obtain documented informed consent from each subject before a study begins, which assures respect for persons.

Fifth, to affirm the justice of a study, the selection of subjects must be equitable, drawing at random from the eligible population.

Sixth, again for the sake of justice, researchers should compensate subjects for any injuries incurred because of a study.

### **ETHICAL ISSUES**

The most common form of medical research is the three-phase clinical trial, which usually tests new drugs. To eliminate possible biases toward the data and to provide equal treatment of subjects, researchers may incorporate one or more of the following four techniques. First, randomization assigns subjects by a lottery system, rather than on the basis of health, group affiliation, or economic condition. Second, one group of subjects receives the treatment under study, while a second, the control group, receives a placebo. When the first group reacts favorably to the treatment and there is no change to the control group, the researchers can conclude that the treatment causes the reaction, and it is not just an accident. Third, studies are blinded, which means that either the researchers, the subjects, or both (double-blinded) do not have access to documents recording which subjects are receiving treatment and which placebos. Fourth, the groups can exchange roles (crossover); that is, the first group changes from treatment to placebo and the second group from placebo to treatment. A study employing all these techniques is usually called a randomized, double-blinded, placebo-controlled clinical trial with crossover.

### **PHASE I AND PHASE II**

Ethical issues trouble every step of such studies. For example, government regulation requires that a new drug be tested on animals before humans try it, and animal rights advocates have long denounced this procedure as cruel and exploitative. A phase I study determines the toxicity, side effects, and safe dosage of a drug on a small group of people in good health. Since an experimental drug can confer no health benefit on these "normals," the study lacks beneficence; however, the trend has been to conduct

phase I tests on subjects who have a disease for which a drug or procedure is a potential treatment, which obviates the ethical objection.

Phase II studies are controlled clinical trials on a small number of patients to determine whether a drug has a beneficial effect and is safe. Phase III trials, either with or without a control group, compare the effect of the new treatment with that of the standard treatment on a large group of subjects, while defining the medicinal properties and adverse effects as precisely as possible. When patients in a clinical trial are desperately ill, they may grasp at any new treatment with hope, so the use of randomization, blinded dispensation of treatment, and placebos can seem a deprivation of well-being.

Such was the case in the 1980's when azidothymidine (AZT) was tested on subjects carrying the human immunodeficiency virus (HIV) associated with AIDS; the phase I trial showed clinical improvements in some patients. Federal regulations called for a placebo-controlled phase II follow-up, yet scientists were sharply divided over the morality of withholding AZT from HIV-infected persons, because AIDS, once fully developed, was then thought to be universally fatal. A controlled study would be selective and would involve rationing of the drug, which they argued was unjust. Other scientists contended that only a thorough, controlled study could determine whether AZT had side effects more debilitating than the disease itself, and therefore the beneficence of the experimental treatment would remain in doubt.

When federal regulations made AZT the control drug for all further studies, concerns about confidentiality were raised. By selecting subjects for AIDS-related trials, researchers exposed the fact that these subjects were infected, and many subjects worried that they would face discrimination. Furthermore, the large amount of public funds devoted to AIDS research in the late 1980's brought complaints from scientists that other projects were left underfunded as a consequence. Some of these issues apply to studies of other widespread, deadly diseases, such as cancer and heart disease.

Ethical issues literally arise before subjects' births and continue after their deaths. For example, using the bodies of the brain-dead persons, even if legal wills explicitly grant permission, is potentially unethical if the family members object. Some right-to-life advocates, whose convictions demand that all

human life is sacred, object to the use of fetuses or fetal tissue in research. Their beliefs come into direct conflict with stem cell research, one of the most promising lines of investigation at the beginning of the twenty-first century. Stem cells possess the capacity to self-renew and to differentiate into more than one type of cell. There are differing types of stems cells with disparate capacities, but the best for research and therapy are those human stem cells with the ability to become all types of cells, called pluripotent stem cells. They are harvested only from the embryo in an early stage of development. Such cells can be cultured indefinitely and hold great promise in testing pharmaceutical products, regenerating damaged organs, treating cancer, and investigating birth defects and fertility problems.

### GENETIC RESEARCH

Because many religions accord full human status to embryos, harvesting embryonic cells following abortion is judged abhorrent, and the abortion itself is regarded as murder. Even the use of excess embryos from in vitro fertilization raises troubling questions about the moral and legal status of the human embryo to many observers. In 2001 President George W. Bush ordered that federal funding be restricted to embryonic stem cell research involving the cells lines already developed from sixty-four embryos.

Research into transgenic organ transplantation, genetic engineering, and the possibility of cloning humans raise even more basic ethical and moral questions than does embryonic stem cell research. By altering a basic natural process in some way, each challenges the nature of human identity and uniqueness. For example, scientists succeeded in introducing specially designed fragments of DNA into patients to treat genetic disorders. Transplanting a baboon's heart into a human baby can keep the child alive until a human organ can be found. Thus, cloning—making copies of embryos—promises to help elucidate basic cellular processes, simplify the testing of pharmaceuticals, create rejuvenation therapy, and provide treatments for infertility, genetic syndromes, and cancer.

Few dispute the potential benefits of such modern technologies. However, theologians, ethicists, and some scientists object to them for three basic reasons. The first is often characterized as the “playing god” accusation. Some religions find that the genetic engi-

### A Biotechnological Conundrum

If a woman named Alice were to give birth to a daughter named Barbara, who was cloned from her, Alice might assume the role of Barbara's mother. However, Alice would, in fact, be Barbara's identical twin.

Relationship ambiguities such as this one raise difficult questions about human identity. For example, is the cloned person self and/or other? Are changes in these identities and roles beneficial or harmful? to what extent and to whom? Who should decide and on what basis should decisions about these changes be made?

neering of novel DNA and cloning (should it occur) are impious human attempts to replace the natural processes created by God and accordingly efface the complicated natural chain of events that makes each human unique. Scientists similarly worry that manufactured novelties, untested by the slow process of evolution through natural selection, may introduce counterproductive, even deadly, features into the human genome and accidentally eliminate some that are needed. The second objection comes from a general unease concerning the misuses of technology. The therapeutic effects, the argument runs, are admirable, but the power to intervene could escalate little by little into the power to dominate and change, a form of “technotyranny.” So, genetic engineering and cloning, critics contend, might eventual produce designer children, eliminate politically unpopular traits, end diversity, and even create a new subspecies of *Homo sapiens*. This argument is sometimes called the “slippery slope” thesis. The third objection concerns matters of choice and justice. If it is possible to eliminate or replace human traits, who should decide which traits and on what basis? Moreover, since the technology involved is very expensive, there is the risk it will remain available only to a limited number of privileged persons. Although transgenic transplantation and genetic engineering weathered such critics for the most part, cloning research did not. By 2003, the United States, Great Britain, and many other countries considered partial or outright bans on human cloning.



Purely observational research may also be unethical when it withholds treatment and allows a disease to progress. For example, the Tuskegee Syphilis Study (1932-1972), designed to define the natural history of syphilis, illustrates harm by omission. The study followed four hundred black men with syphilis and about two hundred without it to determine the occurrence of untreated symptoms and mortality. The study continued even after penicillin, an effective treatment, became available during the late 1940's.

### REGULATION

Scientists applying for public funding and pharmaceutical companies seeking FDA approval of a new drug must comply with federal regulations, many of which are designed to satisfy the ethical principles enunciated in *The Belmont Report*. The initial responsibility for compliance belongs to IRBs, which act on behalf of their parent institutions (mainly hospitals and universities), not as agents of the government. Composition of IRBs varies, but all must have doctors and scientists capable of reviewing the scientific merit of a proposed study; clergy, nurses, administrators, ethicists, and members of the public may also participate to safeguard the rights, well-being, and privacy of subjects. Even institutions that do not rely on public funds routinely convene IRBs to review research proposals.

Since federal agencies lack the resources to scrutinize every research project, medical research is largely self-regulated from a project's beginning, through IRBs, to its final product: publication. Medical journal standards call for editors to reject articles written by researchers who have not adhered to *The Belmont Report's* principles, although some editors do publish such articles but follow them with editorials calling attention to ethical problems.

In the United States, the courts have also begun to provide ad hoc review of medical research as a result of litigation. Both individual and class-action civil suits seek redress, usually monetary awards, for injury sustained in research, but there have also been allegations of fraud or deception, which can involve punitive judgments as well. Researchers, institutions, and IRBs have been named as plaintiffs. As a result, research designers and IRBs must anticipate possible legal liabilities as part of their analysis of ethical issues.

Roger Smith

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SEE ALSO: Animal research; Bioethics; Biotechnology; Cloning; Experimentation; Genetic engineering; Human Genome Project; Medical ethics; National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research; Nazi science; Science; Stem cell research.

## Mencius

IDENTIFICATION: Ancient Chinese philosopher

BORN: Meng Ke; c. 372 B.C.E., Zou, China

DIED: c. 289 B.C.E., China

TYPE OF ETHICS: Classical history

SIGNIFICANCE: A Confucian sage second only to Confucius, Mencius articulated, defended, and developed Confucianism; he held that human nature is inherently good and that the force of moral goodness is indefeatable.

In China, "Confucianism" is often referred to as "the way of Confucius and Mencius." Mencius (Chinese name, Mengzi) accepted Confucius's teachings without reservation, and his own teachings are largely elaborations of those of Confucius. He articulated Confucianism in an ingenious way, he defended Confucianism against rival ideologies such as Mohism and Yangism, and he combined Confucianism with his own theory of human nature. The book of *Mencius* is therefore regarded as one of the four central Confucian classics (the other three are the *Great Learning*,

the *Doctrine of the Mean*, and the *Analects of Confucius*). Mencius's moral courage and adherence to the practice of Confucianism exemplified the ideal personality of Confucianism.

### REN AND YI

In Mencius's theory, as in that of Confucius, *ren* (benevolence, human-heartedness) and *yi* (righteousness) are central concepts. To be *ren* and to do whatever is in accordance with *yi* are essential to having a good life and a good society. According to Mencius, "*ren* is man's peaceful abode and *yi* his proper path." In other words, *ren* is the standing position of a moral agent, and *yi* is the character of moral acts. *Ren* is moral perfection that results in wisdom, courage, honor, and *yi*. Although *ren* and *yi* do not derive their justification from beneficial consequences, the power of *ren* and *yi* is so great that nothing can stop it. The "kingly way" defined by *ren* and *yi* can render *ba dao* (hegemonic force, the way of a despot) totally ineffective.

### YANGISM AND MOHISM

To defend Confucianism against rival ideologies, Mencius focused his criticism on Yangism and Mohism. Yangzi advocated egoism. "He would not even pull out one hair to benefit the entire empire," because a hair is part of one's body, which is given by Heaven. This attitude is in direct opposition to Confucius's teaching that one has moral obligations to society; it is also, as Mencius put it, "a denial of one's ruler." Mozi, at the other extreme, advocated love without discrimination, which is not only unnatural but also amounts to a denial of one's father, for loving without discrimination will cause one's father to be treated in the same way as a stranger. "To deny one's ruler and one's father is to be no different from the beasts."

### THEORY OF HUMAN NATURE

A fuller rejection of Yangism and Mohism requires a theory of human nature, a theory that answers the question, What is the decree of Heaven? According to Mencius, humans differ from other animals in that they have four hearts or incipient tendencies: The hearts of compassion (the germ of *ren*), of shame (of *yi*), of courtesy and modesty (of *li*, or rites), and of right and wrong (of wisdom). Their existence is indicated by the immediate impulses that one feels

in certain situations. For example, when one suddenly sees a child on the verge of falling into a well, one would have an instantaneous feeling of compassion, although the feeling does not necessarily lead to an action. Since the feeling is spontaneous, it is the result of one's nature, which is given by Heaven; since it is disinterested, it is purely good; and since everyone has the feeling, no matter how faint and momentary, it is universal. Evil is a result of human failure to care for those tendencies and guard them against bad external influences.

"Man has these four tendencies just as he has his four limbs. When, having these four tendencies, he says of himself that he is incapable (of developing them), he is injuring himself," Mencius wrote. "Everyone is capable of becoming a Yao or a Shun" (ancient sage-kings of China). Since human nature is initially good, the way to be moral is to "retain the heart of a new-born babe."

### HAO RAN ZHI QI

One can nourish one's good nature by accumulating righteous deeds. As one performs acts of righteousness, one will obtain and develop a *hao ran zhi qi*, a floodlike, vital, and refined energy. "As power, it is exceedingly great and strong"; "nourish it with integrity and place no obstacle in its path and it will fill the space between heaven and earth." This *qi* is both ontological (it actually exists) and moral. One cannot have the *qi* without being morally right. "If on self-examination I find that I am not right, I would tremble before a common fellow coarsely clad. But if on self-examination I find that I am right, I can go forward even against men in the thousands."

Mencius's theory gives clear answers to the following important questions that any adequate theory of ethics needs to answer: Why be moral? Who decides what is moral? How can one be moral? One should be moral because it is one's nature to be so. One need only look deep inside one's heart to find the answer about what is moral. To protect one's good nature from bad influences and to develop it by doing good deeds is the way to become a morally good person.

*Peimin Ni*

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SEE ALSO: Confucian ethics; Confucius; Xunzi; Zhu Xi.

## Men's movement

**DEFINITION:** Multifaceted, generally decentralized movement responding to changing conceptions of gender identity and gender politics from a masculine or a masculinist perspective

**DATE:** Late twentieth century

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** The men's movement was largely prompted by the second wave of feminism during the late 1960's and 1970's, but that prompting came in two different forms with very different consequences. For some members, feminism was perceived as accurately diagnosing problems with the construction of gender in patriarchy, and their response was to attempt to create a similar movement that would analyze and react to the patriarchal construction of masculinity. For others, the political and social activism of women was perceived as a threat which either victimized men or unfairly monopolized cultural attention with women's issues. This branch of the movement responded by creating advocacy groups to counteract what they saw as reverse or antimale sexism.

There actually have been several men's movements in North America, Europe, and other Westernized areas of the world. What is often taken to be a monolithic phenomenon is in fact composed of numerous groups that are sometimes in conflict with one another. Among these groups are profeminists, men's rights activists, spiritual revisionists, socialists, and African American and gay rights activists.

### PROFEMINISM

Profeminism, as the name implies, is a positive male response to feminism. In the United States, profeminism is institutionally centered in the National Organization of Men Against Sexism (NOMAS), formerly the National Organization of Changing Men (NOCM) and the National Organization of Men (NOM). Similar groups exist in Europe and Australia (in Great Britain, for example, Men Against Sexism).

Profeminism developed during the late 1960's and early 1970's as groups of men began to take seriously the emerging body of feminist theory and began to consider ways to dismantle the male role in the maintenance of patriarchy, the institutionalization of male dominance. Drawing on the insights of feminist theory, profeminist men conducted critiques of male socialization and gender roles with an eye toward assisting women to gain political and economic parity with men; reducing male violence against women, children, and other men; and eliminating other expressions of sexism against females. The theoretical and critical work of profeminists is embodied in political activism directed at ending specific manifestations of sexism such as rape, pornography, and homophobia.

The men's rights movement is also politically active, but the focus of its activism is decidedly different from that of profeminism. Men's rights groups are concerned that modern constructions of the male gender unfairly limit men legally, socially, emotionally, and psychologically. Activists in this sector of the men's movement have called attention to numerous legal and social realities that place the male at a disadvantage, such as gender-based military conscription, the tendency of courts to favor mothers in child custody suits, and the much higher rates of suicide and violent crime (both perpetration and victimization) among men.

While not intrinsically antifeminist, men's rights groups often have been represented (and sometimes

misrepresented) as such. To be sure, extremists within this group have reacted to what they regard as the excesses of feminism. In contrast to profeminists, some men's rights activists have argued that institutions and belief systems already overvalue the female. Principally, however, this movement is less a backlash against feminism than a utilization of feminist methods in the analysis of gender from the male point of view.

Spiritual revisionists share with men's rights activists a general dissatisfaction with traditional male roles, a ferment that may be rooted in countercultural tendencies of the 1950's, thus antedating the second wave of feminism. If this is true, the feminist movement that resurged during the late 1960's essentially provided a catalyst for the expression of a male discontent that was theretofore largely subterranean. Spiritual revisionism—or, as it is more commonly known, the mythopoetic men's movement—focuses primarily on the psychological and spiritual transformation of men. While there are certainly significant elements of political analysis and social activism in mythopoesis, spiritual revisionists usually focus attention on the individual self, maintaining that male malaise is fundamentally based on disorders of the soul.

Proponents believe that men need to overcome alienation from their bodies, their emotions, their work, other men, women, and the earth by recovering or creating myths and rituals, especially those that originate outside the industrialized Western world. This dimension of the men's movement has little or no organizational core; it is structured instead around small local support groups (akin to women's consciousness-raising groups), weekend retreats, and workshops. The mythopoetic movement has been influenced by the Jungian tradition in depth psychology and by recovery (twelve-step) programs. Many credit poet Robert Bly and psychologist James Hillman with inspiring this movement.

### RELATED MOVEMENTS

Socialist, African American, and gay rights movements represent areas of overlap between the men's movement and other movements. Socialism has a broad political and philosophical perspective that involves more than gender analysis. Socialists in the men's movement view the construction of masculinities as part of larger economic conflicts, and hence

they tend to be sensitive to the class differences between men. Profeminism, in particular, has ideological affinities with socialism.

The African American men's movement is especially concerned with the plight of the black male, who is faced both with the limitations and problems of the male sex role and with the injustices of racism. Many African American men have been comfortable in alliance with the spiritual revisionists, but others have criticized the men's movement for not making race a more prominent issue.

The gay rights movement intends to end social and political discrimination against homosexuals through political activity. Men who are involved in this movement are often allied with lesbians, profeminist men, and spiritual revisionists. Gay rights activists have called attention to the destructive effects of homophobia on all men, since the fear of homosexuality often leads to alienation between men and to insidious forms of self-hatred.

While the analyses and programs of these various groups differ considerably, they are all united in the conviction that traditional forms of masculinity require serious reevaluation and transformation for the greater well-being of both males and females.

*Mark William Muesse*

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SEE ALSO: Gay rights; Homophobia; Pornography; Rape; Sexism; Sexuality and sexual ethics; Women's liberation movement.

## **Mental illness**

**DEFINITION:** Nondevelopmental psychological or behavioral disorders

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** Responses to mental illness by medical professionals, criminal justice systems, public policy experts, and society at large engage issues of paternalism, confidentiality, the right to privacy, individual autonomy, informed consent, the right to treatment, the right to refuse treatment, and the limits of criminal responsibility.

By conceptualizing mental disorders as illness, physicians are awarded primacy in regard to treatment decisions. Persons who suffer from mental illness may be viewed as requiring treatment, even when they do not desire such care. Under certain circumstances, persons who are mentally ill may be declared not responsible for their actions.

#### **HISTORY**

Historically, persons with mental disorders have been beaten, driven from their homes, subjected to inhumane treatments, and put to death. Early views of mental disorders were founded on a mixture of demonology and theories of organic causality. Demonology is founded on the idea that evil spirits or an angry god can dwell within or directly influence a person. Organic theories attribute the development of mental disorders to physical causes—injuries, imbalances in body fluids, or abnormal body structures.

Skulls dating back as far as 500,000 years show evidence of trephining, a technique using stone instruments to scrape away portions of skulls. It is assumed that these operations were performed to allow evil spirits to escape from the bodies of the people whose skulls were found. A modified form of trephining was revived in Europe in the Middle Ages. As late as the sixteenth century, some patients were subjected to surgical procedures in which a physician would bore holes in a patient's skull and an attending



priest would remove stones that were assumed to be a cause of insanity.

An Egyptian papyrus of 3000 B.C.E. describes recommended treatments for war wounds and shows that the Egyptians recognized the relationship between organic injury and subsequent mental dysfunction. Another papyrus, of the sixteenth century B.C.E., shows that in regard to diseases not caused by obvious physical injuries, the Egyptians were likely to rely on magic for their explanations and incantations for their cures. Still, superstition was tempered with humane care—dream interpretation, quiet walks, and barge rides down the Nile.

The Hebrews viewed insanity as resulting from God's wrath or the withdrawal of his protection. Without God's protection, a person was subject to invasion by evil spirits, which could cause madness.

For the Hebrews, mental disease was a consequence of not living according to God's word.

Prior to the fifth century B.C.E. Greek beliefs concerning mental illness were founded on a mixture of religion and superstition. While the most typical responses to persons with mental abnormalities were banishment and stoning, some individuals received humane and supportive care. As did the Egyptians, the Greeks built temples devoted to healing and medicine. Baths, changes in diet, moderate exercise, and dream interpretation were aspects of the early Greek treatment regimen.

Subsequent to the fifth century B.C.E., Greek thought concerning diseases came under the influence of the physician Hippocrates. Hippocrates rejected the prevailing belief that attributed disease to possession. The writings of Hippocrates, nearly all of which were authored by his followers, are very clear in attributing diseases to natural processes. While many healthful remedies followed the Hippocratic idea that mental disorders could be traced to imbalances in body fluids, this same theory also led to many improper and inhumane interventions, such as bloodletting and the forced consumption of foul potions.

In addition to the deductions of Greek physicians, Greek philosophers also speculated concerning mental disturbances. The Greek philosopher Plato addressed the need to treat persons afflicted with mental disorders with compassion and argued that persons who commit a crime as a result of madness or disease should pay a fine but otherwise should be exempt from punishment.

The early Romans expanded upon and refined Greek ideas in regard to mental diseases. After the death in c. 199 C.E. of the Greek physician Galen, who practiced in Rome for most his lifetime, Roman medicine stagnated.

While Europeans abandoned scientific explanations for mental disorders, Islamic countries continued the inquiries initiated by the Greeks. In 792, the first hospital devoted exclusively to the care of mentally ill persons was opened in Baghdad. Humane treatment and a concern for the dignity of disturbed persons were key aspects of treatments recommended by Islamic physicians.



In 1811, Benjamin Rush, one of the founders of the American Psychiatric Association, invented what he called the "tranquillizing chair" to help calm patients with mental illness. (National Library of Medicine)

## EUROPEAN TRADITIONS

In contrast to the Islamic tradition, Europeans routinely expelled, tortured, abused, and murdered the mentally disturbed. With the rise of Christianity, insanity was variously ascribed to demonic possession, hormonal imbalances, and folk superstitions. While some monasteries offered healing rituals based on incantations and prayer, it was far more common to view the mentally disturbed as abandoned by God or in league with Satan and in need of redemption rather than assistance.

During the mid-thirteenth century, the Church focused on the need to search out and identify witches and warlocks. Mentally ill persons were perfect targets for the papal inquisitors, although it is believed that many more sane than insane persons died as a result of the Inquisition. Commonly, the accused were tortured until they confessed, after which they were burned to death.

The fifteenth century also saw a major movement that was directed toward the confinement of the mentally ill. The institutions for the mentally disturbed were administered by physicians, and as a result, doctors assumed primacy in the care of the mentally disturbed. While the care of persons with mental disorders was transferred from the clergy to physicians, the quality of the patients' lives showed little improvement. Bloodletting, emetic potions, straitjackets, chains, dunking chairs, spinning devices, and terror were the most frequently prescribed treatments.

It was not until the late eighteenth century that positive changes occurred in regard to the treatment of the mentally ill. In 1793 a French physician, Philippe Pinel, was put in charge of a Paris asylum. Dismayed by the treatment that was provided the inmates, Pinel initiated a series of reforms that became the foundation for what was later called the Moral Treatment Revolution. The Moral Treatment Revolution was founded on the principles that mental patients should be treated with compassion, provided with supportive counseling, housed in comfortable surroundings, and given purposeful work.

While a number of existent asylums adopted the Moral Treatment approach and new hospitals were dedicated to its principles, it did not take long for economics and neglect to make a mockery of the stated principles. Over time, mental hospitals became little more than warehouses where the mentally ill were admitted, diagnosed, and forgotten.

## THE MODERN ERA

While the late nineteenth century saw the development of new theories and techniques for the treatment of mental disorders that were based on free association and catharsis, only a few affluent persons with mental disorders received these treatments. Still, by the early twentieth century, bloodletting, purging, terror, and treatments designed to cause disorientation were being abandoned. These treatments were replaced by somatic therapies and pharmacological interventions. Major problems existed, however, in that the somatic therapies caused brain damage, and the drugs that were available prior to the 1950's were sedatives that caused extreme lethargy and sometimes death.

By the early 1930's, psychiatrists began experimenting with various types of somatic therapy. Insulin coma therapy involved administrations of toxic doses of insulin to nondiabetic patients. Electroconvulsive therapy (ECT) involved passing an electric current through a patient's brain, causing a seizure. Between the late 1930's and the 1960's, several hundred thousand mental patients were involuntarily treated with ECT.

During the mid-1930's, the Portuguese physician António Egas Moniz introduced a surgical procedure that evolved into the prefrontal lobotomy. Between 1935 and 1955, more than fifty thousand mental patients were subjected to lobotomies, in which healthy brain tissue was destroyed in a misdirected effort to treat mental illness.

By the mid-1950's, new pharmacological agents became available. The first of the drugs to be used was reserpine. Although the effects of reserpine on the behavior of psychotic patients were profound, the drug had dangerous side effects. Reserpine was soon replaced by the drug Thorazine. Over the next several years, hundreds of thousands of patients, some voluntarily and many involuntarily, were given Thorazine and other major tranquilizers. One side effect of Thorazine and other drugs of its class is tardive dyskinesia, a disfiguring disturbance that manifests as facial grimacing, palsy, and a staggering gait. For most patients, the tardive dyskinesia disappears when the drug is discontinued, but for some the symptoms are irreversible.

Partially as a result of the availability of psychotropic medications and as a result of changes in social policy, the 1960's saw the beginnings of the commu-

nity mental health movement. The community mental health movement promoted the concepts of deinstitutionalization, treatment in the least restrictive environment, and treatment as close to the person's home community as possible. Deinstitutionalization involved discharging as many patients as possible from state hospitals and discouraging new admissions. As a result of deinstitutionalization, state hospital populations went from a peak of more than 500,000 during the mid-1950's to fewer than 130,000 during the late 1980's.

### CLARIFICATION OF TERMS

Throughout the preceding narrative the terms "mental illness," "mental disease," "insanity," "madness," "mental abnormality," "mental disturbance," "mental dysfunction," and "mental disorder" have been used interchangeably. While this is a common practice, it can lead to misunderstandings.

While medical practitioners, legal documents, and the general public frequently refer to aberrant behavior and mental disorders as mental illness, this is a misuse of the term "illness." Illness implies that some underlying disease process exists. The American psychiatrist Thomas Szasz has argued that the complaints that are called symptoms of mental illness are simply communications concerning beliefs, discomfort, or desires that an individual experiences in regard to self or others. Labeling such communications as symptoms of mental illness is a sociopolitical process that vests authority in physicians to control and abuse persons whose communications make others uncomfortable or who are presumed to be dangerous.

While "insanity" is used interchangeably with "mental illness," it would be best if the term "insanity" were reserved to describe a mental state pertinent to legal proceedings. Most countries mitigate punishment if it is determined that a person was insane at the time of committing an illegal act. In fact, most states in the United States allow a finding of not guilty by reason of insanity. This means that a person who commits an illegal act while insane should be found not guilty of any criminal offense.

The terms "madness," "mental abnormality," "mental disturbance," and "mental dysfunction" are simply descriptive in nature. They have no particular standing in regard to the legal system or the medical establishment.

The term "mental disorder" is the official term adopted by the American Psychiatric Association and the American Psychological Association to describe abnormal behavioral or psychological states that cause personal distress, impaired functioning, or conflict with society. The Diagnostic and Statistical Manual of Mental Disorders catalogs the symptoms and behaviors of the various types of mental disorders. Only a minority of the several hundred disorders listed fit the criteria for identification as diseases. That is, it is not possible to identify infectious processes, biochemical imbalances, organ malfunctions, or physical trauma as causes of most disorders. Therefore, it is questionable to refer to them as illnesses.

### ETHICAL ISSUES

The treatment of persons with mental disorders brings into consideration a number of ethical issues. Among the ethical issues that are of importance in regard to the treatment of persons identified as mentally ill are the following: paternalism, confidentiality, right to privacy, autonomy, informed consent, right to treatment, right to refuse treatment, and criminal responsibility.

In the United States, persons may be involuntarily confined in mental hospitals if they are "mentally ill" and a danger to self or others. Additionally, many states allow the commitment of "mentally ill" persons who are likely to deteriorate mentally or physically if they do not receive care. While at one time simply having a mental disorder could serve as grounds for loss of freedom, states now require an additional finding of dangerousness or probability of deterioration. The right of the state to confine selected citizens involuntarily is based on the concepts of paternalism and police power. Paternalism, or *parens patriae*, allows the state to protect citizens from themselves.

### CONFIDENTIALITY

Confidentiality is central to the practice of psychotherapy. Professional codes and legal procedures require that certain communications be held in confidence. Still, all states provide exceptions to confidentiality, which include the following: when criminal charges have been filed, in child custody cases, when a criminal offense is planned, when the client is a danger to self or others, and when the client has been

informed that certain communications are not privileged.

While the right to privacy is a fundamental right that most citizens enjoy, it is frequently denied persons who have been diagnosed as mentally ill. If the mentally ill person does not cooperate with treatment, divulge personal secrets, and participate in routine hospital activities, he or she will be identified as an uncooperative patient and will find it very difficult to obtain his or her freedom.

Autonomy is the right to act in a manner that is consistent with one's personally held beliefs and to make decisions that affect one's fate and destiny. This is a right that is refused many mentally ill persons. Through involuntary commitment and forced treatment, persons deemed to be suffering from mental diseases are denied the right to make key decisions that affect their quality of life and their personal survival. Concerning personal survival, only two states have laws making suicide illegal. Furthermore, all states allow a competent adult to make decisions regarding the continuation of life-support devices. Most states either allow or are mute on the right of a competent person to terminate his or her life. Still, all states allow the forced incarceration of a mentally ill person who attempts suicide.

### PATIENT RIGHTS

Informed consent requires that persons understand the nature of the procedures they are to experience, that their participation be voluntary, and that possible consequences be explained. Involuntary commitment, forced treatment, and failure to discuss side effects of psychotropic medications are examples of violations of informed consent in regard to mentally ill persons.

Right to treatment refers to the concept that persons involuntarily confined in mental institutions have a right to humane care and therapeutic treatment. During the 1971 Alabama case *Wyatt v. Stickney*, Judge Frank Johnson stated, "to deprive any citizen of his or her liberty upon an altruistic theory that the confinement is for humane and therapeutic reasons and then fail to provide adequate treatment violates the very fundamentals of due process."

During the 1975 case *O'Connor v. Donaldson*, the Supreme Court ruled that Donald Donaldson, who had been confined to a mental hospital in Florida

for fourteen years, deserved a periodic review of his mental status and could not be indefinitely confined if he was capable of caring for himself and was not a danger to himself or others. While not directly ruling on the issue of right to treatment, the court let stand an earlier decision that if Donaldson was not provided treatment, he should have been discharged from the hospital.

The right to refuse treatment is an issue that causes a great deal of controversy. Prior to the 1960's, it was common practice to force patients to undergo dangerous and disabling treatments. Involuntary sterilizations, electroconvulsive therapy, and psychosurgery were frequently prescribed for recalcitrant or difficult patients. While patients now have specific rights in regard to certain invasive treatments, their right to refuse unwanted medications was undefined as late as the early 1990's. During the 1979 case *Rogers v. Okin*, a patient who had been committed to the Boston State Hospital complained that he should not be required to take psychotropic medications against his will. While the initial court finding was that Rogers should have had a right to refuse medication, the case was appealed, and no clear precedent emerged from the case.

The issue of criminal responsibility is bound up with the concept of insanity. If a person, because of mental defect or state of mind, is unable to distinguish right from wrong, then most states would find the person exempt from criminal punishment. Beginning in 1975, however, Michigan adopted an alternate verdict of "guilty but mentally ill." As of 2000, twenty states had followed the Michigan example. The option of finding a person guilty but mentally ill increases the probability that incarceration will follow a crime committed by a person who previously would have been declared insane. Additionally, it allows for mitigation of the length of sentencing and provides for specialized treatment in a prison hospital.

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SEE ALSO: Child psychology; Confidentiality; Electroshock therapy; Hippocrates; Institutionalization of patients; Lobotomy; Psychology; Psychopharmacology; Soviet psychiatry; Suicide.

## Mentoring

**DEFINITION:** Teaching or training relationship between a person acting as a counselor, or guide, to a person in a subordinate position

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Relationships between mentors and their charges, or mentees, must be founded on trust and devoted to increasing the skills, knowledge, and abilities of the mentees.

Mentors may be peers, colleagues, or friends and are usually persons with more experience than those whom they instruct. Mentoring may occur as the result of a planned, systematic process that is designed and supported by an organization or may develop as an unplanned process in which two parties naturally form a relationship and realize mutual benefits. Within organizations, mentors are usually selected because they exhibit positive character values, professional integrity, and high ethical standards in addition to their specialized knowledge, abilities, and skills.

In planned mentoring, mentors and their charges, known as mentees, are matched based on the charges' needs and what the mentors can provide to them. Regardless of the settings and the individuals involved in mentoring, however, there is an implicit understanding that mentoring is a special relationship whose success depends upon maintaining several ethical parameters.

The first parameter is confidentiality. Both the mentors and their charges must agree as to what issues are bound by limits of confidentiality and which are not. For example, in a situation within an organization in which a mentee expresses difficulty in resolving an issue that might negatively impact the organization, it must be clear to all parties whether or not the mentor is required to disclose that fact to someone else within the organization. Likewise, if the mentor discloses an issue as a teaching tool, the mentee must not betray trust by discussing the issue with anyone else. With that said, the limits of confidentiality should be discussed early in the relationship.

A second ethical issue involves maintaining the integrity of the relationship by not using it as a vehicle for self-promotion. That is, mentors should be never use information provided by their charges to advance their own interests. A third ethical issue involves not violating the trust of the relationship by



making inappropriate advances, contact, or innuendo. Because of the frequent contact and close nature of mentor relationships, it is not unusual for one or both parties to feel a degree of emotional intimacy. Such intimacy must be confined to the professional relationships and not be allowed to drift into more personal intimacies.

A fourth ethical issue also deals with trust and integrity. Mentors must provide safe and supportive environments in which their charges can openly discuss and explore their concerns, weaknesses, and anxieties without fear of adverse occupational consequences or diminution of personal standing. A final ethical issue is that both mentors and their charges should be sensitive to the impact of cultural differences on each others' values, ideas, and viewpoints.

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SEE ALSO: Confidentiality; Godparents; Moral education; Platonic ethics; Role models; Trustworthiness; Values clarification.

## Mercenary soldiers

**DEFINITION:** Soldiers who serve in government or private military forces for money or adventure, rather than for reasons of patriotism or idealism

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** By the end of the twentieth century, the use of mercenaries was rising throughout the world as the collapse of the Soviet Union made available large numbers of trained soldiers while at the same time the end of the Cold War led to increased instability that bred the kinds of small

Image not available

*One of the late twentieth century's most notorious mercenary leaders, Bob Denard (right) hands a surrender note to a Comorian policeman in October, 1995, one week after toppling the legal government of the Comoro Islands. Denard's short-lived coup was overturned by French forces invited in by the prime minister. Denard was later tried in France for the 1989 murder of an earlier Comorian prime minister. (AP/Wide World Photos)*

wars that employ mercenaries. Additionally, the United States increasingly employed civilian contractors for duties traditionally performed by soldiers.

While the rise of nationalism in the nineteenth century seemed to doom large-scale use of mercenaries, such soldiers continued to be employed throughout the twentieth century, mostly in colonial and post-colonial regions. During the 1970's, the rebel government of Rhodesia, for example, depended heavily on mercenaries from North America and Europe in its attempt to remain in power. During the 1990's mercenaries were used by several factions in the conflicts that followed the collapse of Yugoslavia.

By its nature, mercenary service is generally seen as unethical behavior. To most military professionals, the very term "mercenary" is an insult. However, there exists among mercenaries themselves at least a theoretical code of conduct. Soldiers of fortune, as they often call themselves, are expected to provide professional and competent service to whomever or whatever pays for their services. However, those who employ mercenaries are aware that while mercenaries might form tight bonds with their fellow soldiers, their loyalty to the causes for which they fight depends largely on the amount of their pay, and the mercenaries might switch sides if the opposition offers them more money. Moreover, while mercenaries are usually willing to kill other people, they seldom are willing to die for the causes for which they fight.

#### BLURRING OF ROLES

Within the United States military, the line between mercenary and contractor blurred during the 1990's and into the twenty-first century as growing numbers of civilian employees—both U.S. nationals and local hires in foreign countries—performed many functions traditionally performed by soldiers. During the 1991 Persian Gulf War, for example, U.S. Army units in the Middle East theater of war contained about one civilian contractor for each one hundred soldiers. During the 2003 war against Iraq, the U.S. military had about one contractor for every ten soldiers. The tasks these civilians performed ranged from erecting tents to calibrating weapons systems. Their status under international law was uncertain. Although none of the civilian contractors served as riflemen, civilian technicians were involved in activi-

ties such as targeting and even firing land-based and sea-based missiles. Performing such activities makes them combatants, but they are not entitled to protections afforded soldiers under international laws. Although few contractors consider themselves to be mercenaries, the distinction was unclear.

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SEE ALSO: Child soldiers; Geneva conventions; Land mines; Limited war; Military ethics; Patriotism; Prostitution; *Utopia*; War; War crimes trials.

## Mercy

DEFINITION: Compassion and leniency toward someone over whom one has power

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Mercy is generally thought of as a virtue on an individual level. On a social level it can be much more controversial, however, since by definition it entails either forgoing or lessening a punishment dictated by impersonal standards of justice.

Mercy originated as a theological term. Although it came into the English through the French and Latin, its meaning goes back to an ancient Israelite concept of how God acted toward people and how he expected people to act toward one another. Mercy most often is used to translate the word *hesed* in the Hebrew Bible, a word that is also often translated as "kindness," "loving kindness," and "steadfast love." In Jewish scripture, *hesed* denotes God's attitude toward people as pledged in a covenant relationship. If the people of Israel would be loyal to their agreement with God, then God's attitude would be one of mercy.

*Hesed* more often describes an activity than it does a disposition. Thus, after crossing the Red Sea and escaping from Egypt, Moses and the Israelites sang a song in which they called God's saving act *hesed*: "In your steadfast love [*hesed*] you led the people whom you redeemed; you guided them by your strength to your holy abode" (Exodus 15:13). *Hesed* is not used in the Hebrew Bible only to describe God's activity. It also denotes the mutual, right attitude that God expects of people in a covenant relationship. Thus, the trust and faithfulness that should characterize relations between relatives, friends, and other societal groups is *hesed*, and without *hesed*, society would be characterized by disorder. For example, the prophet Hosea (Hosea 4:1-3) claims that since the Israelites are living without *hesed*,

Swearing, lying, and murder, and stealing and adultery break out; bloodshed follows bloodshed. Therefore the land mourns, and all who live in it languish; together with the wild animals and the birds of the air, even the fish of the sea are perishing.

In the Septuagint, which is the oldest surviving Greek version of the Old Testament, *hesed* was most often translated as *eleos*. *Eleos* also carried the connotations of the Hebrew *hesed* into the Christian New Testament. For example, Matthew's Gospel twice cites the announcement in Hosea that God desires mercy (*eleos*) rather than sacrifice (Hosea 6:6; Matt. 9:13, 12:7).

*Eleos* also carried with it other meanings, however, and it is from this Greek heritage that "mercy" received connotations of a sentiment. In prebiblical Greek literature, *eleos* denoted that feeling or emotion that occurs when witnessing suffering that is undeserved. Aristotle defined it "as a feeling of pain caused by the sight of some evil, destructive or painful, which befalls one who does not deserve it, and which we might expect to befall ourselves or some friend of ours, and moreover to befall us soon." The sentiment described here resembles pity more than mercy. Indeed, for Aristotle, *eleos* was not a virtue; it was an impediment, along with fear (*phobo*), to living a productive life. The importance of tragic art, according to Aristotle, lay in its ability to purge its audience of both pity and fear so that they could leave the theater and return to their lives free of such emotional baggage.

## CHRISTIAN VIEWS

In the Christian New Testament, mercy is sometimes an activity and sometimes a sentiment. As in later Judaism, the merciful activity of God in the Christian scripture is sometimes connected to God's judgment at the end of time. In fact, the old French *merces* signified a payment or reward, and thus indicated the heavenly reward awaiting the compassionate person. Also, Christianity reinterpreted *eleos* in light of Jesus' death on the cross. Thus, there is more of a tendency in Christian literature than in the Hebrew Bible to think of God's mercy as preceding people's mercy and to relate mercy to suffering activity. For example, in the very influential parable of the Good Samaritan (Luke 10:29-37), the merciful Samaritan, following the model of Jesus, pays a price on behalf of the one who was assaulted. He is a good neighbor because he goes out of his way to care for another person who needs help.

In Jerome's *Vulgate*, the Hebrew *hesed* and the Greek *eleos* were often translated by *misericordia*, which combines the meanings of pity, compassion, kindness, and leniency. The Latin root emphasizes wretchedness and sorrow. Thomas Aquinas defines a merciful person as being sorrowful at heart (*miserum cor*); that is, as being affected with the sorrow or misery of another as if it were one's own. God's work of dispelling misery is the effect of his mercy. God's mercy, then, especially in medieval theology, connotes God's unmerited grace as he reaches down to wretched humans. Thus, Augustine can love and thank God "because Thou has forgiven me these so great and heinous deeds of mine. To thy grace I ascribe it, and to Thy mercy, that Thou hast melted away my sins as it were ice."

In modern usage, mercy retains elements of its earlier meanings, but it always connotes some form of leniency or restraint, whether from physical punishment or merely in the way one person judges another person's actions. Mercy always exists, then, within the context of an unequal power relationship. One could easily imagine, for example, that a subject would feel compassion for the troubles of a monarch, but that feeling would not under most circumstances be considered merciful. Normally, only compassion of the monarch for the subject could result in a show of mercy.

Although William Shakespeare claimed in *Titus Andronicus* that "Sweet Mercy is nobility's true

badge” and wrote in the *Merchant of Venice* that “It [mercy] blesseth him that gives, and him that takes,” mercy has not always been thought of as something good. For example, it was not included among Plato’s cardinal virtues (justice, temperance, prudence, and fortitude), and because the Stoic philosophers thought that mercy was an emotion that might sway reason and misdirect justice, they did not trust it.

The tendency of mercy to resist justice was a trait that nineteenth century philosopher Friedrich Nietzsche found admirable. Nietzsche thought of mercy as one of the noblest of all virtues. He saw two things to admire in mercy. First, because of the power relationship within which it took place, the exercise of mercy was always the exercise of strength. For Nietzsche, this meant that mercy was a virtue based on the positive values one possessed, making it preferable to virtues like meekness that were based upon the negative values one lacked. Second, and more important, an act of mercy according to Nietzsche was based in the personal value system of the actor, and was performed solely for the actor’s benefit. It was not based in supposedly universal values like justice which were meant to apply to everyone and which were meant to benefit society as a whole. For Nietzsche, this rendered mercy superior to justice, because he endorsed the development of distinctive, appropriate moral values for each individual and attacked universal systems of morality which expect everyone to share the same values. Mercy, Nietzsche said, is a virtue for the individual precisely because it is destructive to the general interests of society.

Likewise, the proponents of “lifeboat ethics” tend to think that the sentiment of mercy masks and makes it difficult for society to deal with the moral dilemma posed by a world population that is outstripping the available resources. Finally, from a different perspective, mercy’s close association with power has led liberation theologians to associate human mercy with paternalism and imperialism. They call for solidarity with the poor rather than for mercy upon the poor.

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*Updated by the editors*

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SEE ALSO: Aristotle; Christian ethics; Compassion; Forgiveness; Generosity; Jewish ethics; Lifeboat ethics; Nietzsche, Friedrich; Reconciliation; Religion.

## Merit

DEFINITION: Character, performance, or skill that deserves or is worthy of recognition or reward

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Merit is the basis for systems of social justice that are based primarily on desert rather than on need.

As Wolfgang von Goethe said, “It never occurs to fools that merit and good fortune are closely united.” Thus, types of justice can clash. Two main types of justice are meritocratic justice and distributive justice. Meritocratic justice requires that only the most qualified and worthy person be chosen for any position in question. Distributive justice requires people to minimize serious inequalities in well-being; for example, those arising from good or bad fortune.

Robert K. Fullinwider gives an example that undermines the decisiveness of meritocratic justice. He says that meritocracy is “too rigid and specific” and would condemn acts that “seem unobjectionable.”

Suppose . . . an employer had two well-qualified applicants for a position, the slightly better quali-

fied applicant already having a good, secure job, the other being unemployed. If the employer hired the unemployed applicant, would he have violated a . . . moral principle? To suggest [so] is . . . strongly counter-intuitive.

The distributive justice of hiring the unemployed seems to outweigh the problem with meritocratic justice. Moreover, Norman Daniels tries to show that the argument from meritocracy is not an argument from justice. Daniels considers the following example:

Jack and Jill both want jobs *A* and *B* and each much prefers *A* to *B*. Jill can do either *A* or *B* better than Jack. But the situation *S* in which Jill performs *B* and Jack *A* is more productive than Jack doing *B* and Jill *A* (*S'*), even when we include the effects on productivity of Jill's lesser satisfaction. [Meritocracy] selects *S*, not *S'*, because it is attuned to macroproductivity, not microproductivity. . . . It says, "Select people for jobs so that *overall* job performance is maximized."

Daniels anticipates the objection that meritocracy would select *S'*, not *S*, because meritocracy implies that "a person should get a job if he or she is the best available person for *that* job." He admits that this objection appears to be based on the point of justice "that it seems *unfair* to Jill that she gets the job she wants less even though she can do the job Jack gets better than he can." Daniels, however, thinks that the seeming unfairness derives from "inessential features of our economic system"; namely, that promoting microproductivity happens to be "the best rule of thumb" to follow to achieve macroproductivity. He says that favoring microproductivity (*S'*) over macroproductivity (*S*) because *S* seems unfair is relying on an intuition that is "just a by-product of our existing institutions" rather than based on justice. The happenstance that there is a mere rule of thumb in existing institutions is too superficial and arbitrary to be a fundamental consideration of justice. Once it is realized that the basis of meritocracy is macroproductivity, meritocracy will not support the intuition that Jill, in justice, deserves her favorite job *A* or the claim that justice requires *S'*. That the "inessential features of our economic system" are irrelevant to justice undermines that standing of meritocracy—

when conceived of as microproductivity—as a principle of justice. Meritocracy as macroproductivity survives.

Ronald Dworkin adds the following argument, which supports Daniels's claim that there is no merit abstracted from macroproductivity. Dworkin says,

There is no combination of abilities and skill and traits that constitutes "merit" in the abstract; if quick hands count as "merit" in the case of a prospective surgeon, this is because quick hands will enable him to serve the public better and for no other reason. If a black skin will, as a matter of regrettable fact [e.g., the need for black role models], enable another doctor to do a different medical job better, then that black skin is by the same token "merit" as well. That argument may strike some as dangerous; but only because they confuse its conclusion—that black skin may be a socially useful trait in particular circumstances—with the very different and despicable idea that one race may be *inherently* more worthy than another.

One may object that black skin cannot count as merit, since pigmentation is an inherited accident of birth rather than a matter of choice and achievement. As Dworkin argues, however,

it is also true that those who score low in aptitude or admissions tests do not choose their levels of intelligence. Nor do those denied admission because they are too old, or because they do not come from a part of the country underrepresented in the school, or because they cannot play basketball well, choose not to have the qualities that made the difference.

Tests allegedly measuring merit are often biased. Furthermore, a lower score under inferior conditions often indicates more ability than does a higher score under superior conditions. African Americans tend to take the tests under conditions (poverty, reduced parental supervision, reduced incentives, bleaker prospects caused by racism, and so forth) that are dramatically inferior to the conditions under which whites take such tests. For example, consider the dramatic differences between the best group and the worst group of American public high schools. The best group will generally give its students at least the



following advantages over the students in the worst group: better teachers, better equipment, more programs (for example, extracurricular activities), better atmospheres in which to learn (atmospheres with less crime, noise, and disorder), better role models, and more peer pressure to achieve.

For example, Peter Singer notes, affirmative action programs “taking into account a student’s race would merely be a way of correcting for the failure of standard tests to allow for the disadvantages that face blacks in competing with whites on such tests.” Such disadvantages include less ability to afford preparation courses, which whites commonly take and which the free market has specifically designed to boost scores on standard tests (such as the SAT).

Similarly, Richard Wasserstrom argues,

Most of what are regarded as the decisive characteristics for higher education have a great deal to do with things over which the individual has neither control nor responsibility: such things as home environment, socioeconomic class of parents, and of course, the quality of the primary and secondary schools attended. Since individuals do not deserve having had any of these things vis-à-vis other individuals, they do not, for the most part, deserve their qualifications.

In contrast, George Sher argues that society’s conventions establish merit. He takes his view to extremes when he says, “We could even flog or torture in direct proportion to merit. . . . If the convention existed, our suggestion would imply that the meritorious deserved their beatings and abuse.” Sher seems to be mistaken, since recognizing merit for what it is (good) implies that merit should be rewarded. If the convention were to punish merit, then the society would make the mistake of failing to recognize the value of merit, since its actions (punishment) speak louder than words (calling something merit).

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SEE ALSO: Affirmative action; Discrimination; Egalitarianism; Elitism; Equality; Excellence; Fairness; Hiring practices.

## Messianism

DEFINITION: Belief in a messiah, that is, a religious savior who will someday appear and lead humankind, or the followers of a particular religion, into an age of perfect justice, peace, and spiritual transcendence

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Messianism provides believers with two models of moral perfection by which to judge reality: the messiah, who represents the ideal person, and the utopian social order the messiah will bring about. Messianism also often entails belief in an apocalyptic event that will precipitate the messianic age, and this may strongly affect believers’ attitudes toward warfare, famine, and other similar events in the present.

Although the term “messiah” is rarely used in the Old Testament, the concept of an ideal ruler was expressed as early as the eighth century B.C.E. Isaiah 9 expressed hopes for a king who would give wonder-

ful counsel (Isaiah 11 spoke of his wisdom), be god-like in battle, be continuous in fatherly care, and establish peace. Jeremiah 33:14-22 and Ezekiel 34:23-24 spoke of a future David who would administer the future golden age that God would usher in. The idea of a permanent Davidic dynasty (2 Samuel 7) developed the royal ideology of ancient Israel (see Psalms 2, 72, and 110). Other passages (for example, Isaiah 24:23 and Zechariah 14:9) looked toward a messianic age with God ruling directly.

The Dead Sea Scrolls, the Talmud, and subsequent Jewish sources reveal an ongoing, though not universal, hope among Jews for a messiah. In debates with Jews, early Christians claimed that Jesus was the messiah; indeed, the title “christ” is the Greek translation of the Hebrew title “messiah.” Christians modified Jewish belief by identifying the messiah with the suffering servant (see Isaiah 52:13-53:12), claiming that he was divine, and looking forward to his return at the end of time. Certain rules of behavior (see, for example, Matthew 5:19, 6:1-6, 10:42, 16:27) tied gaining rewards to following the teachings of Jesus.

*Paul L. Redditt*

SEE ALSO: Christian ethics; Jesus Christ; Jewish ethics; Kabbala; Leadership; Nationalism; Religion; Talmud.

## Metaethics

**DEFINITION:** Specialization within moral philosophy that is concerned with fundamental conceptual and epistemological questions in ethics

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Essentially the theory of the theory of ethics, metaethics attempts to ground moral philosophy by specifying what counts as a legitimate question for moral philosophers to answer and what counts as a legitimate method for answering that question.

First and foremost, metaethics seeks to answer the question What is the subject matter of ethics? Moral philosophy may be divided into three sets of concerns: metaethical theory, normative ethical theory,

and applied ethics. In applied ethics, philosophers reflect upon the significance of some general moral point of view for a particular problem of moral decision making. For example, a philosopher might consider whether, according to rule utilitarianism, the practice of euthanasia is morally permissible. Further distinctions (such as the distinction between active and passive euthanasia) might be made to help clarify the difficulty. In contrast to applied ethics, normative ethical theory focuses upon a comparative study of such general ethical theories as utilitarianism, egoism, Kantian formalism, virtue ethics, and so forth. The fundamental question in normative ethics is What makes an action, any action whatsoever, right or wrong?

It can be seen from these brief descriptions of normative ethical theory and applied ethics that both are interested in deciding what is right and what is wrong. Normative ethical theory attempts to develop a completely general account of what is right and what is wrong. Applied ethics investigates the moral quality of agents and their actions in specific moral contexts, usually by appealing to some normative ethical theory.

Metaethics differs from both normative and applied ethics in that it explores conceptual and epistemological questions that arise for those who use moral discourse and who devise and apply normative theories of right and wrong. Conceptual questions are posed for moral terms and statements; epistemological questions are raised about the possibility and character of moral reasoning.

### CONCEPTUAL QUESTIONS

Metaethics did not emerge as a major preoccupation in philosophy until early in the twentieth century, when the problems of metaethics became insulated from the rest of moral philosophy primarily through the influence of Anglo-American linguistic philosophy. The change in path that led to the emergence of contemporary analytic philosophy has been called “the linguistic turn.” In ethics, this change meant refined analysis of the terms used in moral discourse and of the structure and meaning of moral utterances. Thus, terms such as “good,” “evil,” “right,” or “wrong” (called moral predicates) are examined directly. This sort of analysis is supposed to clarify what it means to use a moral predicate within a sentence of the form “X is right” or “X is wrong.”

Locutions of the form “X is right” or “X is wrong” have the grammatical appearance of being simple judgments of fact. Many modern ethicists have suggested, however, that their grammatical appearance may be misleading. It is not obvious what facts one could point to to determine the truth value of a statement such as “Unrestricted abortion is morally wrong.” Perhaps, then, such forms of discourse have no truth value at all; that is, perhaps they are neither true nor false. Perhaps they have a very different sort of meaning. Metaethicists who reach this conclusion about the general significance of moral utterances are called noncognitivists. They hold that normative ethics is impossible.

The cognitivists, those who believe that moral utterances are genuine statements with truth values, differ as to what sort of fact a moral fact is. Many have tried to analyze the good in terms of some more basic natural fact (such as pleasure or personal survival). They are called naturalists. G. E. Moore objected that all such attempts to define “good” commit the naturalistic fallacy. One cannot define “good” in terms of some natural property, since one can always ask without redundancy whether that property itself is good. Instead, he argued, the good should be regarded as a basic, indefinable, nonnatural property.

### EPISTEMOLOGICAL QUESTIONS

If one adopts the cognitivist view that moral expressions are genuine judgments with truth values, a further question arises: How does one go about determining which moral judgments are true and which are false? Clearly, the possibility of genuine moral disagreement presupposes that moral utterances of the form “X is right” are either true or false, but how does one know which statements of that form are true? What sorts of reasons are relevant for adjudicating between conflicting moral judgments and between systems of normative ethics?

A related but even more fundamental question intrudes as well: Why adopt the moral point of view at all? This question demands the presentation of nonmoral reasons why one ought to be moral. Some have suggested that no nonmoral reasons can be given and that it is therefore not rational to adopt the moral point of view. Others agree that there are no nonmoral reasons for being moral but that this is unimportant since the question itself is mistaken. For them, moral philosophy begins with the observation

that people do care about being moral. Still others have attempted to provide nonmoral reasons to justify taking the moral point of view.

### SIGNIFICANCE OF METAETHICS

It is commonplace to assume that the questions of metaethics are logically prior to those of normative and applied ethics, and that there is no use proceeding with either normative or applied moral philosophy without coming to certain definite conclusions about matters of metaethical concern, but this assumption has also been disputed. For one may be right in regarding moral statements as cognitive and moral argument as possible without having any sort of elaborate metaethical theory to justify this view.

R. Douglass Geivett

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SEE ALSO: Cognitivism; Epistemological ethics; Ethics; Fact/value distinction; Intuitionist ethics; Moore, G. E.; Naturalistic fallacy; Normative vs. descriptive ethics; Reason and rationality.

## Milgram experiment

**THE EVENT:** Series of studies designed to determine the degree to which subjects would be willing to obey an authority's instructions to harm another person

**DATE:** Conducted in 1961-1962

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** The Milgram investigations produced unexpected data regarding the willingness of people to violate their own moral values when instructed to do so by an authority figure. They also created extreme stress for their participants, leading to a reconsideration of the ethical guidelines governing such research.

Psychologist Stanley Milgram, horrified by the atrocities that had been committed by the Nazis during the Holocaust, conducted a program of research designed to explore the process of obedience to authority. The disturbing nature of his results and the ethical issues raised by his methods make this some of the most controversial and widely discussed research in the history of social science.

Recruited through a newspaper advertisement, a diverse group of adult subjects reported (individually) to Milgram's laboratory at Yale University expecting to participate in a study of memory and learning. Each participant was greeted by an experimenter dressed in a lab coat. Also present was a middle-aged gentleman, an accomplice who was ostensibly another participant in the session. The experimenter then described the research, which would investigate the effect of punishment on learning. Then, through a rigged drawing, the accomplice was assigned the role of "learner," while the actual subject became the "teacher."

### THE EXPERIMENT

Next, the three went to an adjacent room, where the learner was strapped into an "electric chair" as the experimenter explained that shock would be used as punishment. The teacher was then escorted back to the first room and seated in front of a shock generator, the front panel of which consisted of a series of thirty switches that could be used to administer shock. Each was labeled with a voltage level, starting with 15 volts and increasing by 15-volt increments to 450 volts; several verbal labels below the switches also

indicated the severity of the shock. After receiving instructions and a demonstration from the experimenter, the teacher presented a sequence of simple memory tests to the learner through an intercom. The learner made "errors" according to a script, and the teacher was instructed to respond to each error by pushing a switch, thus delivering a shock to the learner. The teacher started with 15 volts and was directed to use the next higher switch with each successive error.

The goal of this procedure was simply to determine how long the subject/teacher would continue to obey the order to administer shock. (The accomplice/learner never actually received any shock.) As the shocks grew stronger, the learner began protesting—eventually pleading to be let out, then screaming, and finally ceasing to respond at all. When the teacher balked, the experimenter provided one of several firm verbal "prods" to continue (for example, "you *must* go on"). The procedure was discontinued if the teacher refused to obey after four such prods for a given shock level.

Milgram and other experts felt that few if any participants would demonstrate obedience under these circumstances, particularly after the learner began protesting. Nearly two-thirds of them, however, obeyed the experimenter's orders all the way to the highest level of shock (450 volts). This result occurred with both men and women, even in a version of the study in which the learner was portrayed as having a heart condition.

The typical subject in these studies showed clear signs of distress over the plight of the learner. Subjects often perspired or trembled, and some exhibited nervous laughter or other indications of tension. Indeed, it is this aspect of the research that has been cited most frequently by those who consider the studies unethical. Critics argue that Milgram compromised the welfare of the participants in this research by subjecting them to inappropriately high levels of stress. Many of these same critics have also suggested that Milgram failed to provide his subjects with enough advance information to enable them to make a fully informed decision about whether to participate.

In his defense, Milgram points out that his procedure was not intended to cause stress for the participants. Furthermore, he and other experts did not anticipate the stress that did occur because they

expected that subjects would be reluctant to obey these orders. It is also important to note that Milgram did take care to protect these subjects and their dignity, as indicated by the activities that followed the experimental sessions. These measures included a discussion of the experiment and its rationale, a meeting with the learner involving an explanation that he had not really been shocked, and reassurances that the subject's behavior (obedient or not) was entirely normal given the circumstances. Some three-fourths of all the participants indicated that they had learned something personally important as a result of being in the study, and additional follow-up by a psychiatrist a year later found no evidence of lasting psychological harm in any of those examined.

### THE ETHICAL DILEMMA

More generally, this research illustrates a basic ethical dilemma faced frequently by experimental social psychologists. These researchers often need to create and manipulate powerful situations if they are to generate enough impact to observe something meaningful about social behavior, but doing so sometimes risks causing undue stress to subjects. This ethical issue is sometimes complicated still further by the need to deceive participants in order to preserve the authenticity of their behavior.

Few will deny that Milgram's research yielded significant insights into how obedience to an authority can prevent a subordinate from taking responsibility for inflicting harm on another person, but does the end justify the means employed to gain this knowledge? Ultimately, decisions of this sort must be made by carefully weighing the costs and benefits involved. Regardless of one's position on the ethics of the obedience studies, Milgram's work has done much to heighten sensitivity to ethical considerations in social research. Since Milgram's investigations were conducted, psychologists have adopted a more conservative set of principles governing research with people—guidelines that today would probably not allow the procedures he used.

*Steve A. Nida*

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SEE ALSO: Collective guilt; Conscientious objection; Ethical Principles of Psychologists; Experimentation; Harm; Holocaust; Obedience; Psychology; Science.

## Military ethics

**DEFINITION:** Codes of acceptable behavior in military situations, particularly those related to the conduct of war, that are unique to military cultures

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** In most modern cultures, military ethics combine professional standards of conduct with more specific codes of conduct designed to regulate the behavior of military personnel in their dealings with their services, governments, enemies, and one another.

In Western culture, military ethics first arose as a field of ethics in ancient Greece. While other earlier cultures certainly had military subcultures that held values different from those of civil society, Greek philosophers began to explore more precisely the relationships between ethical conduct and war during and immediately after the Peloponnesian Wars of the early fifth century B.C.E. Greek conceptions of military ethics held sway, with some modification, through much of the Hellenistic and later Roman periods.

Military ethics underwent a profound shift by the fourth century C.E. The rise of Christianity in the



Mediterranean world replaced earlier concepts of ethical conduct in war with a philosophy based on forgiveness, brotherly love, and pacifism. With the triumph of Christianity over paganism as the official Roman religion, Christianity moved from its earlier position as a sometimes despised and persecuted sect to become the dominant cultural and political force of the Mediterranean world. Military ethics reappeared in the fifth century C.E. with St. Augustine's concept of just war. Augustine attempted to reconcile Christian notions of passivism with the need of societies to defend themselves. Although Augustine's complex work is often oversimplified, it provides much of the underlying moral justification for waging war in modern Western societies, for nations as well as for individual soldiers.

### UNIQUENESS OF MILITARY ETHICS

Military ethics must of necessity differ from civilian ethics in that militaries at root use violence and threats of violence to achieve national aims. That violence can be against counterforce targets, which are the means of an enemy to wage war. These can be enemy soldiers as well as the economic infrastructures, such as factories, roads, and communication systems, that support them. Both types of targets are normally accepted as ethical targets in war. Less acceptable are so-called countervalue targets, such as large population centers, whose losses enemy nations cannot bear. Within that broad framework a varied concept of military ethics exists.

Most militaries around the world hold to codes of ethical military behavior, at least in theory. These codes typically set standards for differentiating between combatants and noncombatants in selecting targets for armed attack. Killing enemy soldiers in combat situations is universally seen as legitimate in military cultures. However, killing civilians and captured or wounded enemy soldiers is not considered ethical behavior in most modern militaries. Likewise, the destruction of factories producing military equipment, or military training centers, would be seen as ethical, whereas the destruction of schools, hospitals, and museums would not be.

### ALTERNATIVES TO WESTERN THOUGHT

Western military ethics have come to dominate most of the militaries of the world to some extent, mainly as a result of Western military supremacy,

which began to assert itself around the beginning of the sixteenth century. However, other value systems have also had lasting impacts on what is considered ethical or moral in war. The most important of these in the Eastern world has been Confucianism.

Confucian philosophy was mostly concerned with maintaining stable order in society and saw war as the opposite of an orderly society. The unavoidable existence of war forced Confucianists to grapple with the ethical implications of their philosophy on war. In general, most Confucian concepts saw the necessity of separating combatants from noncombatants and the need for soldiers to obey their commanders. In these views, Confucian ethics were similar to later Western military ethics. The main difference came in the status of soldiers in Chinese society. Whereas soldiers in modern Western societies—especially officers—hold privileged positions, soldiers under Confucianism held much lower places in society—even lower than that of peasants.

The other philosophy to challenge Western domination of military ethics came from Marxism in the late nineteenth century. Fundamentally a political and economic philosophy of revolution, Marxism holds that traditional Western military ethics are unethical because they allow military and economic elites to maintain their control of society. Moreover, the societies that they control have perpetuated injustice and misery. Marxists have seen themselves as the vanguard of the final revolution to end human inequality and suffering. Thus any efforts to lessen the impact of wars have only prolonged the suffering of the masses. For these reasons, Marxist armies have tended to feel less restrained by more traditional Western military ethics.

### THE MILITARY AND CIVILIAN GOVERNMENT

The militaries of most modern liberal democracies hold a firm ethos for civilian control of the military. In this view, the military exists to fight foreign wars under the orders of civilian authorities. In some nations, however, soldiers have seen their military organizations as the repositories of virtue and thus felt justified in seizing political power when their nations drift too far from what the military regards as government's proper values.

In nations whose militaries hold this value, typically those of developing nations, a central purpose of the military is typically to keep governments in

power, with the fighting of foreign wars a secondary purpose. In such military systems, the involvement of the military in politics, including the seizure of power from civilian control, is not seen as unethical conduct for soldiers. Indeed, it is often seen as highly moral and patriotic.

#### INTERNATIONAL LAW

Most general modern military ethics, including special protections for wounded and surrendered enemy soldiers, avoidance of civilian casualties, and respect for cultural and historical artifacts in the area of military operations, became codified in international law during the twentieth century. However, only when the internal culture of the military organization of a given nation shares the same ethical standards do international laws of war have much impact.

By the early twenty-first century, wealthy industrialized nations were finding themselves fighting increasing numbers of wars against smaller and weaker nations or against nonstate military forces. Such nonstate forces often see international military ethics as a luxury they cannot afford. The established military sees itself fighting savages, while their opponents see themselves fighting for their very survival.

*Barry M. Stentiford*

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SEE ALSO: Biochemical weapons; Chemical warfare; Child soldiers; Homeland defense; Just war theory; Limited war; Mercenary soldiers; Peacekeeping missions; Vietnam War; War; Weapons research.

## Mill, John Stuart

IDENTIFICATION: English philosopher and economist

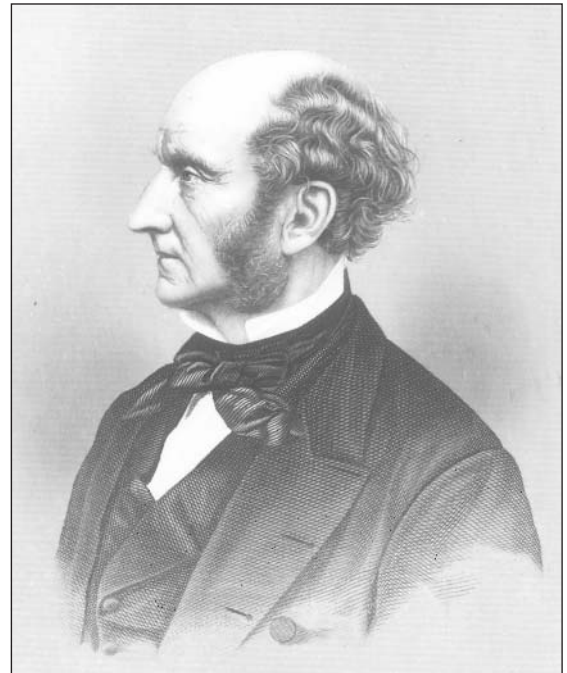
BORN: May 20, 1806, London, England

DIED: May 7, 1873, Avignon, France

TYPE OF ETHICS: Modern history

SIGNIFICANCE: The most famous modern proponent of utilitarianism, Mill revised and enhanced that philosophy by incorporating a discussion of intangible “spiritual” values. His most important works include *On Liberty* (1859), *Utilitarianism* (1863), and *The Subjection of Women* (1869).

Maintaining that a science of society was feasible, Mill focused his philosophic writings on four major issues: the methodology of the social sciences, the principle of utility, individual freedom, and the structure of government. While Mill supported Jeremy Bentham’s corollary that moral problems could never be resolved through sentimental appeals to righteousness, he emphasized the importance of developing the spiritual aspects of humanity. Mill developed an “ethology” that consisted of the elements that were essential in the development of “character”—individual, societal, and national; he argued



*John Stuart Mill*. (Library of Congress)

that secular society must define and expand its ethical base so that happiness—freedom from pain—may be attained. Unlike Bentham, Mill maintained that an educated elite was necessary to guide society; Mill agreed with Alexis de Tocqueville’s concern that democratic sentiments may lead to the “tyranny of the majority.” Mill’s fullest statement on ethics was advanced in *Utilitarianism*.

*William T. Walker*

SEE ALSO: Bentham, Jeremy; Freedom and liberty; Liberalism; *On Liberty*; Political liberty; Social contract theory; Utilitarianism.

## Minimum-wage laws

**DEFINITION:** Laws requiring that workers’ salaries fall no lower than specified hourly rates

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The central ethical issue raised by minimum-wage laws is whether government has a duty to require employers to raise the wages of low-paid workers above what free market forces would dictate. In the background is the deeper problem of whether it is unjust for there to be unequal distribution of wealth.

In medieval Europe, local governments often fixed wages at customary levels for various kinds of work. However, they typically imposed maximum wage levels, rather than minimum levels. During the nineteenth century, classical economists strongly opposed the fixing of wages by government, and comparatively little such wage-fixing occurred. During that period, however, workers, especially those in factories, often labored for low pay under bad conditions. As public concern for their well-being gradually increased, laws setting minimum wages were proposed as one way to help workers. Such laws were enacted first in Australia and New Zealand during the 1890’s. Many other countries soon followed suit.

Massachusetts was the first U.S. state to set a minimum wage, in 1912. Afterward, other states enacted laws setting minimum wages for women and children; however, these laws had little effect. Finally, the federal Fair Labor Standards Act of 1938, one component of Franklin D. Roosevelt’s New Deal, es-

tablished a uniform minimum wage for all workers who were directly or indirectly engaged in interstate commerce. Later, Congress repeatedly raised minimum wage levels and extended them to cover ever more types of employment. Democrats usually have been eager to raise the minimum wage, while Republicans have been less eager to do so. In 2003 the U.S. federal minimum wage stood at \$5.15 per hour.

### ARGUMENTS FOR MINIMUM-WAGE LAWS

Advocates of minimum-wage laws hold that without this form of government intervention the lowest-paid workers would be paid less than they need to live on, and this would be unfair, when others are living well. Setting minimum wages is thus seen as a move toward greater justice in the distribution of wealth.

Those who think this way tend to presuppose the view that society is more just when its wealth is more evenly distributed. Historically, one inspiration for this egalitarian view was the Judeo-Christian tradition that stressed the duty of the well-to-do to share with the poor. Another was criticism of the capitalistic system that came from socialists and communists; greedy employers, they said, exploited workers by taking, as profits, revenue that should rightly have belonged to the workers.

A modified version of egalitarianism, not based on religion or on communism, was formulated by the American philosopher John Rawls. He held that if a society is to be just, wealth and other advantages must be distributed equally, except when inequalities serve to raise the level of well-being of the least well-off group in the society. For example, paying physicians high salaries could be just, if that were the only way to ensure that health needs are met. Rawls’s theory offers a rationale for minimum-wage laws, and for much else in the New Deal’s program.

Advocates have often proposed as a guideline that minimum wage levels must be high enough to enable each worker to support a family of four.

### ARGUMENTS AGAINST MINIMUM-WAGE LAWS

Opponents of the minimum wage argue that it has bad economic consequences for others in society, especially in that it increases unemployment. Those who fail to notice this are wrongly overlooking the fact that in a free market economy, wage levels affect how many job openings there will be. If minimum wage levels are high enough to have any effect, they

must increase unemployment, because the labor of some would-be workers will have a market value less than the minimum wage, so employers will not hire them. The higher the minimum wage level, the more would-be workers will be excluded in this way.

If there were no minimum-wage law, these would-be workers could find jobs at wages proportionate to the market value of what they can do. Such workers probably would not earn enough to support families of four, but most of them do not have families, as many are adolescents. Those who work but earn too little to avoid poverty could be offered government welfare payments to supplement their low wages. This arrangement would be more efficient than having a minimum wage, since support would go only to those who need it, and the total cost to society of helping the least-well-off would decrease.

Opponents of the minimum wage generally agree with Adam Smith and later classical economists who argued that free market capitalism, functioning without government control over such economic variables as wages and prices, can unleash individual enterprise and make society much richer. Government intervention to set wages will introduce distortions in the allocation of resources, thereby reducing the national income. Instead of emphasizing equality, this way of thinking recommends that members of society tolerate inequality in the distribution of income, in order that total national income will be maximized. Here the idea is that a society is just in which owners who have acquired their property in noncriminal ways are protected in their possession of it, and wages that have been set through free market bargaining will not be altered by government edict. Robert Nozick was an American philosopher who defended this conception of justice.

*Stephen F. Barker*

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SEE ALSO: Child labor legislation; Corporate compensation; Cost-benefit analysis; Equal pay for equal work; Fair Labor Standards Act; Income distribution; Professional athlete incomes; *Theory of Justice, A*; Tipping; Wage discrimination.

## ***Miranda v. Arizona***

THE EVENT: U.S. Supreme Court decision mandating that all criminal suspects taken into police custody be informed of their constitutional rights prior to any questioning

DATE: Ruling made on June 13, 1966

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: The *Miranda* decision fundamentally altered basic police procedure and sought to ensure that accused citizens were aware of their rights under the Fifth and Sixth Amendments.

The manner in which Ernesto Miranda's rape confession was obtained—without coercion but without benefit of counsel—aroused the conscience of the nation. Despite the fact that he had not been informed of his right to an attorney prior to signing it, Miranda's written confession was admitted as evidence at his first trial, resulting in his conviction and imprisonment. His conviction was appealed to the Supreme Court, however, where Chief Justice Earl Warren, speaking for a divided Court, established guidelines for police interrogations: "Prior to any questioning, the person must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed."

This decision, denounced by presidents from Richard M. Nixon to Ronald Reagan, has served to

## Miranda Warnings

Minimal warning, as outlined in the *Miranda v Arizona* case:

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to be speak to an attorney, and to have an attorney present during any questioning. If you cannot afford a lawyer, one will be provided for you at government expense.

Full warning:

You have the right to remain silent and refuse to answer questions. Do you understand?

Anything you do say may be used against you in a court of law. Do you understand?

You have the right to consult an attorney before speaking to the police and to have an attorney present during questioning now or in the future. Do you understand?

If you cannot afford an attorney, one will be appointed for you before any questioning if you wish. Do you understand?

If you decide to answer questions now without an attorney present you will still have the right to stop answering at any time until you talk to an attorney. Do you understand?

Knowing and understanding your rights as I have explained them to you, are you willing to answer my questions without an attorney present?

they are perceived as unfairly interfering with competition. They are thus said to infringe on the rights of companies to compete equitably in the marketplace, and on the rights of consumers to benefit from that competition.

In 1340, an English listing of the “evils of trade” included such things as forestalling (the physical obstruction of goods coming to market, or cornering the supply of goods, which deprived the owner of the market stall his rental), regrating (buying most or all the available goods at a fair for resale at a higher price), and engrossing (contracting for control of goods while they are still being grown or produced). These are all attempts at monopolization of a market, and such actions have been thought wrong since they began. The United States has had laws against monopoly since its founding, based on these terms taken from English common law and justified by reference to an abiding public interest in the maintenance of competition. Competition by ethical individuals results in the completion of mutually beneficial transactions, protects consumers from unreasonable price increases, and, according to Adam Smith (*An Inquiry Into the Nature and Causes of the Wealth of Nations*, 1776), leads to the greatest wealth for the nation.

*Sandra L. Christensen*

protect the ignorant and the indigent and has resulted in a profound change in police procedure, popularized in the media as the so-called Miranda Warning.

*Lisa Paddock*

SEE ALSO: Accused, rights of; Arrest records; Bill of Rights, U.S.; Civil rights and liberties; Due process; Police brutality; Supreme Court, U.S.

## Monopoly

DEFINITION: Exclusive ownership or control of a good or service in a particular market

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: Monopolies are illegal in the major modern industrialized capitalist nations because

SEE ALSO: Antitrust legislation; Capitalism; Consumerism; Fairness; Price fixing; Profit economy; Smith, Adam.

## Monroe Doctrine

IDENTIFICATION: American foreign policy conceived to confine the political spheres of influence of Europe and the United States to their respective hemispheres

DATE: Promulgated on December 2, 1823

TYPE OF ETHICS: International relations

SIGNIFICANCE: The Monroe Doctrine required the United States to refrain from interfering in the internal affairs of European powers or in their intra-European wars. It also declared that any attempt



to interfere with the governance of a nation anywhere in the Western Hemisphere would be treated as a hostile act against the sovereignty of the United States. The Roosevelt Corollary of 1904 later made explicit an always implicit aspect of the Doctrine: that the U.S. was asserting its own rights to intervene in the Americas in whatever fashion it deemed appropriate.

After the defeat of Napoleon Bonaparte in 1815, the continental European leaders, led by Prince Klemens von Metternich of Austria, were concerned with keeping a lid on revolutionary disturbances. During the Napoleonic years, the New World colonies of Spain successfully gained their independence through revolution. Between 1815 and 1823, the European leaders discussed the idea of returning the colonies to Spain. These discussions inspired the Monroe Doctrine, put forward by president James Monroe in his annual address to Congress.

In essence, the Doctrine declared that the United States would keep out of the territories, wars, alliances, spheres of influence, and politics of the world outside the Western Hemisphere, and in return non-American powers would be expected to stay out of the political affairs of the Americas. Non-American countries with colonies in the Western Hemisphere could keep them, but they were to acquire no more colonies.

*Bill Manikas*

SEE ALSO: International law; Intervention; Isolationism; Manifest destiny; National security and sovereignty; Sovereignty.

## Montesquieu

IDENTIFICATION: French political philosopher

BORN: January 18, 1689, La Brède, near Bordeaux, France

DIED: February 10, 1755, Paris, France

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: As the leading *philosophe* during the early French Enlightenment, Montesquieu stimulated discussion on the nature of government, laws, and society with works such as *The Persian*



*Montesquieu.* (Library of Congress)

*Letters* (1721) and *The Spirit of the Laws* (*De l'esprit des loix*, 1748).

Born Charles-Louis de Secondat, Montesquieu grew up in and around Bordeaux, where he studied law and sat in the French parliament. He disliked the tyrannical and warlike tendencies of the governments of Louis XIV and the Regency. Montesquieu became the most popular critic of the French government, Church, and social customs with his satirical *Persian Letters*. After being admitted to the French Academy, he traveled throughout Europe. He idealized England as a model of liberty, independent judiciary, and commerce.

Montesquieu's *Spirit of the Laws*, which influenced both the French and American revolutions, considers various types of constitutions and laws. He examined societies in terms of their customs and history, not as abstract types. The work's critical tone marks it as the foundation of modern political science. In addition to providing a detached analysis, the *Spirit* argues for personal freedom, toleration of opposing views, separation of church and state, intermediate bodies (particularly a hereditary aristocracy)

to prevent royal despotism, sensible and equitable laws, a more rational and just criminal law system, and the separation of powers.

*Thomas Renna*

SEE ALSO: Democracy; Enlightenment ethics; Freedom and liberty; Justice; Voltaire.

## Moore, G. E.

IDENTIFICATION: English philosopher

BORN: November 4, 1873, London, England

DIED: October 24, 1958, Cambridge, England

TYPE OF ETHICS: Modern history

SIGNIFICANCE: In *Principia Ethica* (1903) and *Ethics* (1912), Moore propounded the view that “goodness” is an unanalyzable, indefinable property which is nevertheless discoverable through human intuition.

Moore was professor of mental philosophy and logic at Cambridge (1925-1939) and editor of the philosophical journal *Mind* (1921-1947). In ethics, he thought it quite important to distinguish two questions: “What ought to be?” (or “What is good in itself?”) and “What ought we to do?” The first question can be subdivided: “What is the nature of goodness?” and “What things possess the property of goodness?” Regarding the nature of goodness, Moore was a nonnaturalist. He maintained that the term “good” stands for a basic or ultimate property that could not be defined in terms of anything else. Every attempt to define the good in terms of something else commits what Moore called “the naturalistic fallacy.” Indeed, even to assume that “good” “*must* denote some *real* property of things” is to make this same mistake.

With regard to the question “What things are good?” Moore was an intuitionist. The answer to this question is self-evident, but only in some defeasible sense. Finally, the question of morally obligatory conduct “can only be answered by considering what effects our actions will have.” Thus, Moore was a consequentialist, though not of the egoistic or hedonistic utilitarian variety. For him, an action is right if it is, among all alternative actions, most productive of the nonnatural property “goodness.” Moore was a se-

vere critic of all forms of ethical subjectivism, including emotivism.

*R. Douglas Geivett*

SEE ALSO: Consequentialism; Emotivist ethics; Good, the; Hare, R. M.; Intuitionist ethics; Metaethics; Naturalistic fallacy; Perry, R. B.; Utilitarianism.

## Moral education

DEFINITION: Inculcation of children with moral values

TYPE OF ETHICS: Beliefs and practices

SIGNIFICANCE: Moral education is a key component of the process whereby individuals come to understand themselves as citizens of a given society, members of a given religion, and so on. It is in large part the source of shared moral systems and common languages for talking about moral issues.

Instruction in morality has traditionally been considered to be the province of the home or of the church. Parents are the child’s first teachers and are obligated to communicate to their young what behaviors and attitudes are socially acceptable and what behaviors and attitudes will not be tolerated. “Listen, my son, to your father’s instruction and do not forsake your mother’s teaching” (Prov. 1:8), wrote King Solomon thousands of years ago. “Then you will understand what is right and just and fair—every good path” (Prov. 2:9). The approach used was didactic, unilateral, and passed down from generation to generation. Directly telling the child what is right and what is wrong has long been the most popular way of inculcating morality.

Indoctrination is also used by religious groups. The minister or rabbi or priest, being ordained of God, interprets the sacred writings of the faith in order to convey to the people what is good and what is evil. This interpretation is put in the context of what is pleasing to God. A moral person loves and fears the Lord, obeys God’s commandments, and treats others in a way that makes for harmonious living. The question of whether a person can be morally educated without having religious faith has long been debated. The question “Why be moral?” has both philosophic and religious implications.

### MORAL EDUCATION IN SCHOOLS

Provision must be made for those children who are not taught in the home or do not attend a place of worship where ethical instruction is given. The logical answer is the school. A few have argued that the school is even preferable because it introduces the child to a larger, more democratic community. Émile Durkheim, a French sociologist, maintained that the school frees the child from excessive dependency, from being a slavish copy of the family.

Jean Piaget, a Swiss philosopher, believed that the morality of cooperation (autonomy) encouraged by the school was more mature than the morality of unilateral constraint (heteronomy) taught in the home. Durkheim and Piaget differed, however, on the method to be used. Durkheim favored the direct teaching of moral values as essential for the child to become a fully functioning social being. Piaget opted for the use of moral dilemma stories to encourage the child's natural propensity to understand the good as a consequent of a maturing intellect.

During the last quarter of the twentieth century, moral education programs became part of the regular school day in many public and private institutions. This was done in one of two ways. Either the teacher would set aside a special period for a moral lesson or a discussion of an ethical problem would be incorporated into the regular academic curriculum. Which method is better has long been debated, and it is not expected that an agreement will be reached.

In England, the best-known program was designed by British philosopher of education John Wilson, who combined universally accepted principles with individual personal ideals. Wilson believed that the morally educated person has incorporated within the self the principles of a concern for others based on an understanding of the concept of "person," a sense of feeling for others as well as for oneself, basic knowledge and skill in knowing how to deal with moral situations, and acting upon that knowledge in real-life situations. There are sixteen subcategories within these four major areas, each one contributing to the formation of a rational, autonomous, morally educated person. Curricular materials have been developed but are not in a form that makes for ease in implementation in some educational settings. Wilson's desire to have in place a carefully developed philosophy of moral education before it was practiced in the classroom has contributed to the

slow and deliberate pace with which it has been used.

In the United States, the two major programs are Lawrence Kohlberg's moral reasoning and Sidney Simon's values clarification. Both Kohlberg and Simon believe that indoctrination is unacceptable, that a person is not morally educated unless he or she has developed within the self an understanding of what is good and right. Morality by definition must come from within; it is never imposed by an outside source. This stance came in part from research that shows that only a minor portion of moral education occurs at the "facts" level. Simply knowing what society expects does not ensure that one will act in accordance with that knowledge. This idea of self-developed morality also came about because in a pluralistic society there is not always agreement among the groups that constitute a community regarding what is right and what is wrong.

### OTHER APPROACHES

Borrowing from Piaget, Kohlberg made use of the moral dilemma story. Each child in the classroom states a position on the dilemma. Responses fall into one of six stages of moral understanding with two stages at each of three levels. At the first level (pre-conventional), the child makes statements that show an egocentric orientation: "It is good if it's good for me." At the second (conventional) level, the young person is concerned with pleasing others and winning their approval. Obeying the law and doing one's duty are also important: "A good person does what society expects of its members." At the third level, the adult wants justice for everyone alike: "Do unto others as you would have them do unto you." As students discuss the stories, they advance in moral understanding by listening to the reasoning of others within the classroom who are one stage or one level higher than their own.

The values-clarification approach used by Simon begins by asking students questions about the way they look at such topics as money, friendship, religion, prejudice, or love. The student must be able to state a position freely, consider alternatives as given by other students, make a choice after considering the possible consequences of each alternative, be happy with the choice made, tell others about the choice, act upon it, and incorporate the choice into his or her lifestyle. Curricular materials abound and are available for use not only in the school but also in

the home and the church. According to Simon, the morally educated person is one who is given the freedom to choose, to affirm, and to act upon those values that make him or her a fully functioning individual.

*Bonnidell Clouse*

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SEE ALSO: Aristotelian ethics; Children; Dilemmas, moral; Durkheim, Émile; Head Start; Kohlberg, Lawrence; Mentoring; Values clarification.

## Moral equivalence

**DEFINITION:** Term commonly used to equate the morality and ethics of two entities that are not usually seen as comparable

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The term “moral equivalence” is typically employed to justify proposed courses of action that are controversial.

Social commentators, politicians, and other public officials often evoke the term “moral equivalence” in their public discourses. There are several reasons they do so. Whenever the word “morality” is used in reference to public policy, people tend to pay closer attention, and intellectual curiosity is aroused. The term is thus used as a means of gaining an audience. Also, its usage often refers back to events about which people feel strongly and for which they hold nearly consensual feelings, thus evoking a strong sense of emotional nostalgia. Using the expression is a way of trying to build popular and political support for new ideas, developments, or proposals by likening them to known and accepted past events.

The phrase seems first to have emerged during the mid-1960's in reference to American participation in the Vietnam War. Some commentators on the war saw the communist Viet Cong as “morally equivalent” to the American patriots of the Revolutionary War era. During the 1970's and 1980's, the term was used to stress the severity of the economic problems in the United States, by comparing them to the magnitude and severity of wartime conditions.

Critics might assert that evoking moral equivalence is senseless, worthless, and immaterial, arguing that it runs counter to the old adage that history does not repeat itself, and adding that any such comparisons are inherently futile. The claim of moral equivalence equates apples and oranges, doing credit to neither. Another ethical issue is that these comparisons are by nature subjective, as are the responses to them, and often are made only for political or partisan reasons, advancing no worthy goals.

*Thomas W. Buchanan*

SEE ALSO: Accountability; *Beyond Good and Evil*; Conscience; Ethics/morality distinction; Incommensurability; Moral-sense theories; Morality; Narrative ethics; Nussbaum, Martha; Vietnam War.

## Moral luck

**DEFINITION:** Chance occurrences, beyond the control of an individual, which nevertheless affect the ethical character or culpability of that individual

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The concept of moral luck has been



used by some ethicists to refute several traditionally held views about morality. The most significant of these are the idea that people can be held morally responsible for all of their morally significant features and the assumption that morality is a trump value (that is, that given a choice between two alternatives, moral considerations are more important than all other considerations in determining which alternative to choose).

Before considering the possibility of moral luck and its implications for ways of thinking about people, it is important to explain the notion of moral luck in some detail.

First, consider the notion of a morally significant feature. People have many features, but only some of them are morally significant. For example, the following features are clearly not morally significant: being six feet tall, being born on a Monday, and having brown eyes. By contrast, the following features are morally significant: being cruel, having murdered someone, being loving, and having saved someone's life. These examples also illustrate the different kinds of morally significant features: some involve character traits, including beliefs and emotions, whereas others concern specific actions from one's personal history.

The notion of having control over a feature is also important for explaining the notion of moral luck. Roughly speaking, people have control over a feature only if there is something that they can do to acquire it or something that they can do to get rid of it. For example, it seems clear that nobody has control over the following features: having been born during the night, having a body that is mostly water, and being unable to run faster than the speed of sound. By contrast, it is typically believed that most people have control over the following features: being excessively selfish, being very generous, being rude to a stranger on a particular occasion, and being patient with a child in a specific instance. Given these notions, it is possible to explain the concept of moral luck with some precision: Moral luck involves people possessing morally significant features over which they have no control.

Is moral luck possible? Are there any actual cases of moral luck? These questions are controversial. Before considering an apparent case of moral luck, it will be helpful to explore the significance of moral luck for ways of thinking about people.

One often holds people responsible for the morally significant features that they possess. For example, if one learns that certain people are greedy and have been caught stealing, typically one thinks of them (rather automatically) as being blameworthy for having these features. Similarly, upon discovering that people are generous and regularly help less fortunate people, typically one thinks of them (rather automatically) as being praiseworthy for having these features. (Besides evaluating other people, one often evaluates oneself in these same ways.)

These nearly automatic reactions to the morally significant features that people possess are called into question by the possibility of moral luck. If moral luck is possible, then it could turn out that some people possess morally significant features over which they have no control; therefore, it would be completely inappropriate to hold them morally responsible for those features. (After all, typically, one does not hold people morally responsible for features over which they have no control, such as the fact that they are unable to jump over the moon.) Therefore, the possibility of moral luck suggests that people's relatively automatic practices of evaluating others may be hasty and superficial.

#### LUCK AND CHARACTER

Furthermore, the possibility of moral luck also seems to threaten people's conception of themselves as people who have control over their moral characters and actions. Although it is not surprising that there are some features over which one has no control, one's individual autonomy and self-determination seem to be undercut if one possesses morally significant features over which one has no control.

Given the significant implications of the possibility of moral luck, it is not surprising that questions concerning moral luck generate a great deal of controversy. Many people argue that moral luck is possible by appealing to the following kind of case: Imagine a truck driver who fails to stop at a stop sign and passes through an intersection without incident. Now imagine a second truck driver who does exactly what the first one does in similar circumstances but who also runs over and kills a small child who has darted into the street suddenly. This seems to be a case of moral luck, since it is a matter of luck that the second truck driver has a morally significant feature that the



first truck driver lacks (namely, the feature of having killed a child).

Many people think that cases such as this demonstrate the possibility of moral luck. Some of them insist further that people's ways of evaluating others and their concepts of themselves as self-determining agents should be revised. Others simply deny the claim that a person must have control over a feature in order to be held morally responsible for possessing it. Still others, who are not persuaded by cases such as the one described above, reject the claim that moral luck is possible by restricting the notion of a morally significant feature in some way (for example, so that all such features are features over which persons have control). It is hard to say which approach to the question of the possibility of moral luck is best; reflective persons must decide themselves what to think.

Scott A. Davison

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SEE ALSO: Accountability; Autonomy; Determinism and freedom; Equality; Fairness; Guilt and shame; Impartiality; Luck and chance; Merit; Moral responsibility; Ought/can implication.

## Moral principles, rules, and imperatives

**DEFINITION:** Comprehensive, absolute, universalizable rules governing the judgment of right and wrong and the actions of those who desire to do right

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The principles, rules, and imperatives which together make up morality are taken by definition to apply universally to everyone and to be the proper basis for all human action. Moral philosophers who subscribe to this model of morality take the enumeration of these imperatives, rules, and principles to be their primary task. Exponents of systems such as pluralism which deny the existence of universal values eschew morality in favor of more modest or situated types of ethics.

All people have notions of right and wrong. These notions manifest themselves in a variety of ways. Some of these beliefs pertain to simple matters such as manners or taste, others pertain to more general matters such as customs and laws, and others guide the most fundamental aspects of human life: These are the beliefs that shape one's character and determine what others think about one as a human being. One's moral beliefs say more about one as an individual than does any other aspect of existence. Whether one is rich or poor, old or young, one's moral beliefs do more to define one's life than anything else.

The terms "morality" and "ethics" are often used interchangeably, but the distinction between the two is important to any serious study of ethical matters. The clearest distinction can be revealed by noting that there is a school of ethics called "situational ethics"; there is not, however, a moral school of thought that could be described as "situational." Morality can never be relative. What distinguishes morality from ethics is that morality is always universal and prescriptive. For this reason, the notions cited above about manners, taste, customs, and even laws may be considered ethical beliefs, but they are not part of a moral code. When ethical views and moral beliefs come into conflict, morality must prevail, because moral beliefs are universal and fundamental.

Looking at the negative connotations of these two terms is a helpful way to highlight their differences.

A person who cheats at cards may be considered unethical, but that does not necessarily mean that the person is immoral. Being immoral is a much graver character flaw than is being unethical. A person may behave unethically on occasions and in certain circumstances, but to be immoral is to possess fundamental—if not permanent—character flaws that render one untrustworthy in most situations.

It must be noted that some people are amoral. They have no broad system of beliefs that guide their behavior. This does not mean that they have no notion of dos and don'ts in life, only that their beliefs are not guided by a universal system that provides justification for human actions.

### **MORAL PRINCIPLES**

The best example of moral principles continues to be the one articulated by Aristotle in his *Nicomachean Ethics*. Aristotle's moral principles were guided by a teleological concern. The teleological concern central to Aristotle was happiness. For Aristotle, morality meant doing what would provide a happy life as opposed to doing simply what one desired at the moment. Happiness, in this sense, has more to do with one's total lifestyle than it does with a few activities. It would be fair to say that Aristotle's understanding of happiness is more closely related to satisfaction or contentment than it is to simple pleasures. This is why reason plays such a large role in Aristotle's moral teachings.

Moral principles generally depend on reason. One must first understand the principle and then be able to apply it to different situations as they occur. Utilitarianism provides another good example of moral principles. The principle that guides utilitarianism is "the greatest good for the greatest number." One must understand this principle in order to exercise the judgment necessary to apply the principle.

The moral principles developed by Aristotle lead to a broad discussion of character. To him, morality is what determines who as well as what one is. Morality does much more than merely determine one's actions; it also determines one's thoughts and shapes one's soul.

### **MORAL RULES**

The Ten Commandments listed in the Old Testament of the Bible represent a clear set of moral rules.

The prescribed and prohibited forms of behavior cited in the Ten Commandments provide more specific guides to human actions than do abstract principles. Moral rules place less emphasis on reason and more on authority or obedience. The "thou shalt" and "thou shalt not" of the Ten Commandments do not leave as much room for judgment as one usually finds in moral principles.

It is much easier to provide children with moral rules than it is to describe moral principles. Children are often told to share their toys or not to hit one another. These are good rules, and children are often expected to follow these rules because they have been told by their parents or other adults to behave that way. People often assume that any further explanation would be beyond the reach of very small children.

In a similar manner, religious rules are often presented as rules that should be accepted as an article of faith. While this is true to some extent of all moral guides, rules tend to provide fewer opportunities for individual judgment than do principles. Rules tend to be more rigidly prescriptive than principles. Like the parental rules cited above, they rely on the authority of the rule givers—authority that the rule receiver is in no position to question or challenge.

Moral rules function in much the same way as laws: They spell out, in the most direct and detailed manner, what one should or should not do, and those who fall under their jurisdiction are expected to be obedient. When Moses came down from the mountain with the Ten Commandments, he appeared in the capacity of a lawgiver, not that of a seminar leader. He appeared as a messenger from God with a strict set of specific orders that were intended to shape and guide the lives of the people. The only choice given to the people was obedience and salvation or disobedience and eternal damnation.

Moral rules are the simplest and most direct form of moral guide, but as people become more inquisitive about moral issues, certain moral rules may prove less clear and simple. Most often, moral rules are an effort to apply less tangible moral principles. When this occurs, the justification for the moral rules is found in the moral principles that guide them. When this is the justification for moral rules, it is important to remember that the rules are guided by the principles.

### MORAL IMPERATIVES

Immanuel Kant established the most basic set of imperatives found in moral literature. Imperatives are commands or orders, so moral imperatives should be viewed as basic moral commandments or orders. Kant defines two distinct types of imperatives: hypothetical and categorical. Kant's hypothetical imperative is a means to some other end. If one desires a certain end, it is imperative that one employ a particular means. In contrast, a categorical imperative is an end with no reference to something beyond itself. Most ethical rules are hypothetical imperatives; morality, in contrast, consists of categorical imperatives. In the simplest terms, categorical imperatives are obeyed for their own sake.

Moral references to imperatives are generally considered to be references to what Kant defined as categorical imperatives, but it is important to keep the other alternative in mind when the general topic of moral imperatives arises. Kant further considered obligations and duties that accompany imperatives to be limited to rational creatures, for only rational beings can abide by such universal laws. If this is true, one might add that only rational beings are capable of moral considerations of any kind.

### MORAL TENSIONS

Alexis de Tocqueville, the nineteenth century French philosopher and social historian, once made a distinction between what he called "instinctive patriotism" and "reflective patriotism." While either might produce the same behavior in a person, the former was akin to a reflex reaction that required little or no thought; the latter was the result of careful consideration and extensive reflection.

Morality would seem to have a similar distinction. There is the morality that is so deeply ingrained in one from an early age that it guides one's actions without one's ever giving it a moment's thought. There is also morality that is the result of extensive study and careful analysis. Generally, there is a link between the two, but not everyone is curious enough to want to examine the basic moral assumptions. Some people feel that a careful examination or questioning of their moral beliefs is heresy. For this reason, certain moral beliefs are caught in a tug-of-war between reason and revelation.

The conflict between reason and revelation can be explained in the light of the realization that some

moral beliefs are the result of factors that claim to be beyond human comprehension, while others are considered the result of human comprehension. Faith in a superior being who reveals moral laws through a person, persons, writings, or acts provides the clearest example of rules that must be accepted yet might never be understood.

The quest to understand moral matters encompasses a wide range of competing notions about how one comes to such an understanding. Ancient philosophers considered understanding to be a matter of discovery. The laws that should guide human behavior were determined by nature and preceded human existence. The task of understanding is one of using intellectual ability to learn the truths over which one has no control. Many modern philosophers believe that people can understand only what they themselves create. Existentialism is the philosophical school most often associated with this belief.

### HOW PEOPLE ACQUIRE MORAL BELIEFS

In *A Question of Values*, Hunter Lewis describes six ways of acquiring moral beliefs: authority, logic, sense experience, emotion, intuition, and science. This is a good representative sample of the different ways in which people develop moral beliefs. If one is taught to obey parental authority in one's early years, one will generally find it easier to accept other authorities in later years. For most people, parental authority is their first exposure to subordinating bodily desires to some other influence. If one learns to control one's desires, one can then substitute other influences for parental authority in later years. One's ability to respond to any kind of moral guidance is dependent upon one's ability to control one's own actions.

The factors that influence beliefs usually change as people mature emotionally and intellectually. For this reason, simple rules provide people's first exposure to moral codes. As people grow older, these rules become more complex, and as people develop greater intellectual abilities, they become more likely to look to broader principles for moral guidance. Eventually, an individual should reach the point at which he or she can understand the most compelling and imperative moral guides. This moral maturation should lead from acceptance of authority or emotional considerations to more sophisticated guidance via logic or science.

Moral development need not, however, be linear in nature. David Hume argued that there is a moral sentiment that directs human moral behavior; reason does not have the authority to do so. Moral philosophers have never agreed on the main source of morality or on its final justification; they agree only that moral theories and moral actions are a necessary part of being human.

### CONCLUSION

Since the days of Socrates, morality has played a central role in the battle between passion and reason. How people temper their most basic desires and behave in a moral manner has been one of the truly great questions of moral philosophy. This concern has produced many competing theories over justification. How can one convince an individual or a community of individuals to behave in ways that appear to contradict the most basic instincts?

Reason, salvation, and self-interest have all been used to explain why one might choose to combat these most basic and primitive drives. A society's ability to convince its population to adhere to a set of moral rules, principles, or imperatives is what has determined whether that society is judged to be civilized or barbaric. The United Nation's Universal Declaration of Human Rights has become the global barometer that is used to determine which nations are civilized and which are not. In fact, it refers to violations of its moral code as "barbarous acts." The assumption behind this declaration is there are some common and universal moral principles that should guide the activities of any nation or state.

To use the terminology of the United States of America's Declaration of Independence, there are certain "unalienable rights" that human beings naturally possess. These "unalienable rights" constitute the moral imperative that should guide all civilized nations. The general principles called "human rights" are a direct result of this moral imperative.

*Donald V. Weatherman*

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Foot, Philippa. *Virtues and Vices, and Other Essays in Moral Philosophy*. 1978. Reprint. New York: Oxford University Press, 2002. This classic collection of essays in virtue-ethics includes an essay on morality as a set of hypothetical imperatives and an essay on whether moral considerations always override all others.

Lewis, Hunter. *A Question of Values*. San Francisco: Harper & Row, 1990. A good introductory work that divides moral topics into a series of questions. Especially helpful is the way it breaks down the different approaches one can take in choosing a moral system. Contains a good mixture of theoretical issues and their behavioral applications.

Pojman, Louis, ed. *Ethical Theory: Classical and Contemporary Readings*. Belmont, Calif.: Wadsworth, 1989. As the title indicates, this volume contains both classical and contemporary writings on moral issues. A good reference work with very helpful reading lists at the end of each chapter.

Rachels, James. *The Elements of Moral Philosophy*. New York: Random House, 1986. One of the best topical introductions to morality in print. It examines religious and social approaches to moral theory in an objective manner. The suggestions for further reading are as good a guide to major writings on moral theory as can be found.

Solomon, Robert. *Ethics: A Short Introduction*. Dubuque, Iowa: Brown & Benchmark, 1993. This work is especially valuable because of the distinction it makes between ethics and morality. There is also a wonderful discussion on the tensions that can develop between community values and individual values.

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SEE ALSO: Absolutism; Ethics/morality distinction; Moral luck; Moral realism; Moral responsibility; Moral-sense theories; Morality; Pluralism; Universalizability.

## Moral realism

**DEFINITION:** Theory that moral facts have an objective existence, independent of the individuals who may or may not come to know and recognize them

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Moral realism holds that morality exists as a set of objective facts in the world, rather than residing in the judgments of moral agents. Thus, a properly trained or intuitive person may be capable of determining moral truth, but someone lacking such training or sensitivity may spend his or her entire life transgressing moral law without ever knowing it.

Moral realism is a philosophical position that views moral facts such as good, right, and wrong in the same way that scientific realism views natural facts: that is, these facts are independent of and exist prior to their being thought, understood, and believed by individuals. G. E. Moore, in his book *Principia Ethica* (1903), was the first to formulate this position. Moore argues that beauty, goodness, right, wrong, and so forth are features of the world and actions that are true whether anyone recognizes them or not. When one claims that someone has done something good, for example, this does not reflect simply what one thinks of the action (as subjectivists argue), but reflects the intuition of a property that this action *really* has: goodness.

Moral properties, however, are not natural properties, or properties that one can recognize with one's natural faculties (senses). Moral properties are what Moore refers to instead as simple, unanalyzable, nonnatural properties. To clarify this idea, Moore compares the intuition of moral nonnatural properties to the intuition of mathematical axioms and proofs. One does not use one's senses to see that one step in a mathematical proof follows from another; likewise, one does not use one's senses to see that an act is good, but it is nevertheless seen to be good.

### PROBLEMS WITH MOORE'S POSITION

There are some problems with Moore's position, however, and much of the work in moral realism since Moore has been an effort to resolve these difficulties. For example, since moral properties are nonnatural and are not perceived by the senses, Moore must account for people's intuition of these proper-

ties by claiming that people have a moral intuition, a moral sense. The notion of a moral intuition or sense, however, is itself a rather mysterious notion that is left unexplained. Some proponents of moral realism, agreeing with Moore's claim that there are moral facts, have simply accepted this mystery. Philosophers such as William D. Ross, in *The Right and the Good* (1930), accept the notion of moral intuition as a commonsense given. Just as many people would accept the use of intuition in mathematics as a given, so do Moore and those who follow him accept the use of moral intuition in making moral claims.

A more troubling problem with moral realism involves explaining the ontological status of moral facts. If, as moral realists argue, moral facts have a reality that is independent of thinking, desiring subjects, and if these facts can give direction to and place constraints on actions, then the question of what this independent reality is arises. The reality of moral facts is not the same as that of natural facts, yet they have the power to motivate individuals to place constraints upon themselves. How do they do this? Critics argue that in answering this question, moral realists must argue for an extravagant and unnecessary ontology. In short, they must unjustifiably attribute rather strange attributes to an equally strange entity called a moral fact if these facts are to do what the moral realist says they do.

There have been many attempts to resolve this apparent problem, but two are of particular note. Richard Boyd, in "How to Be a Moral Realist" (1988), argues that moral properties can indeed be identified with physical properties, though in a sophisticated and peculiar way, and hence a moral realist need not be committed to the view that moral properties are nonnatural. The difficulty with Boyd's position lies in explaining this peculiar identification of moral properties with physical properties while avoiding what Moore calls the "naturalistic fallacy"—the fallacy of identifying simple, unanalyzable moral properties with identifiable natural properties. Boyd's response is to state that a moral realist can claim that moral properties are in some sense physical properties and also claim that these moral properties remain undefinable or unanalyzable. Precisely because moral properties are undefinable, the way in which the property of goodness is to be understood as physical will also always remain undefinable.

John McDowell, in "Values and Secondary Qual-



ities" (1985), argues that moral properties are to be identified with physical properties (he avoids non-naturalism in this way) but are to be identified in the same way that secondary qualities such as color are identified with physical things. Thus, in the same way that red, a secondary quality, emanates from a physical object (which is a primary quality) by means of this object's reflection of light at a certain wavelength, so too are moral properties to be understood as an emanation from a primary quality such as a physical action or an event. Secondary qualities are inseparable from primary qualities, and therefore moral properties are inseparable from physical properties, but they are not strictly identical to primary qualities. For example, one can turn off the light in one's room at night and the objects (primary qualities) in the room will still be there, but the colors (secondary qualities) will not. Secondary qualities and moral properties are real, but they are not real in the same sense, or in the same way, that primary qualities and physical properties are real.

There are many variations among those who argue for moral realism, but they are all agreed, following Moore, that moral facts are independent, real, and distinct from the individuals who know and are motivated to act on the basis of such facts.

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SEE ALSO: Absolutism; Fact/value distinction; Good, the; Moore, G. E.; Moral principles, rules, and imperatives; Moral-sense theories; Morality; Nagel, Thomas; Naturalistic fallacy.

## Moral responsibility

DEFINITION: Quality that renders one subject to ethical judgment, blame, or praise; accountability

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: To determine the conditions under which one is morally responsible for a given action, ethicists must first determine the nature of the connection between people and their actions. Thus, theories of moral responsibility necessarily engage theories of mind and of free will versus determinism.

Many philosophers claim that determinism and moral responsibility are compatible. Austin Duncan-Jones claims that the statement, "He deserves blame for doing that wrong" simply means, "Blaming him for doing that wrong will favorably influence him and others." In that case, even if the man was causally determined to act as he did, blaming him could favorably influence him and others, and therefore determinism and moral responsibility are compatible.

Duncan-Jones's account cannot make good sense, however, of one person's being more blameworthy than another person. One person's deserving more blame than another person is not simply a matter of his being more favorably influenceable by blame. The person who is least blameworthy may be the person who is most favorably influenceable. Moreover, deserving blame and being overtly blamed to a good effect do not amount to the same thing. A wicked king on his deathbed may deserve blame for some wrong even if overtly blaming him for it will not favorably influence him or very many others.

P. H. Nowell-Smith defends the compatibility of determinism and desert as follows. "Finding the cause of a thing does not necessarily affect our evaluation of that thing. For example, finding that Wolfgang Amadeus Mozart's musical ability was due to his education, practice, and heredity would not diminish our admiration for his ability. Similarly, no

matter how a person came to have his moral principles, they are his and he is judged for them. Explaining how one came to be as he is does not save the bad pianist who reveals his incompetence; nor does it save the bad man who reveals his wickedness."

Typically, people do ignore determinism when making judgments of praiseworthiness and blameworthiness. Yet if one cannot help being the way one is, can one really deserve credit or blame? This challenge to the typical approach is not adequately answered by merely redescribing that approach. Determinism would not rule out excellent qualities or the appreciation of them, but in spite of Nowell-Smith's argument, determinism might rule out the deserving of credit for such qualities.

In *Freedom and Resentment* (1977), P. F. Strawson argues as follows that determinism would not rule out the rationality of blame. "Because of our human nature and our membership in society, we have a certain way of looking at human relationships. For example, whether we feel grateful or resentful depends on what we think of other people's attitudes and behavior toward us. And we connect blame with wrongdoing. This way of looking at human relationships is part and parcel of being human and living in society. It is not something we choose or something that we can give up. It needs no further justification. But if we could give it up, our choice in this matter would not depend on whether determinism is true, but instead on whether giving up these attitudes would lead to an improved life in society. Therefore, whether we can give up blame or not, determinism would not rule out the rationality of blame."

Even if one cannot give up blame, however, that does not mean that blame is justified. If one cannot help feeling regret over something, it does not follow that one is adequately justified in having this feeling. If one had absolutely no control over what one did, it would make no sense to regret. It also might be possible to give up blame, since a society in which wrongs are viewed as illnesses beyond one's control is conceivable. If it is possible to give up blame, the question of whether it would be in the interests of society to do so is important. The main question at issue, however, is whether determinism would provide the kind of excuse that would rule out blame. It may be in the interests of society not to regard determinism as an excuse, even if, in all fairness, it is one.

### OBJECTIONS TO DETERMINISM

In contrast to Strawson, Nowell-Smith, and Duncan-Jones, C. A. Campbell maintains that determinism is incompatible with moral responsibility. To support his position, Campbell cites the testimony of those he regards as being at an advanced stage of moral reflection. Such individuals are aware that everything may be causally determined and have wondered whether people really have a choice about what they do. They agree that one must have a choice in order to be morally responsible. For them, a person is blameworthy only if he or she could have chosen otherwise without being caused to do so. Campbell is making an appeal to moral authority. For it to succeed, there must be a consensus among the authorities. The problem for his argument is that such a consensus is lacking.

Even if the moral authorities agreed with Campbell, there would still be the following basis for maintaining the compatibility of determinism and moral responsibility. Making choices without being caused to do so would seem to be a matter of chance. If such choices are matters of chance, they seem to be things that simply happen to turn out well or ill and therefore are not things for which people deserve praise or blame. Thus, making choices without being caused to make them would seem to rule out moral responsibility. Also, if not being causally determined rules out being morally responsible, then being morally responsible requires being causally determined, in the same way that if being nonperfect rules out being God, then being God requires being perfect. Thus, it seems that moral responsibility is compatible with causal determination. A major question for this argument is, "Can making a choice without being caused to make it be plausibly construed as something besides a matter of chance?"

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## Moral-sense theories

**DEFINITION:** Set of theories locating morality within a human sense or faculty

**DATE:** Developed during the eighteenth century

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Moral-sense theories assert that humans are innately moral and that morality is a function of this innate faculty or capacity. They oppose attempts to locate moral codes in trans-human sources such as objective moral facts or divine revelation.

The best summary of moral-sense theory as a philosophical movement can be found in the Preface to James Bonar's book *Moral Sense* (1930):

The subject [of this book] is the rise, progress, and decline of a theory of moral philosophy which prevailed in this country [England] for the greater part of the eighteenth century.

Founded by Shaftesbury, and built up by Hutcheson, it derived our moral perceptions from a special Moral Sense, interpreted on the analogy of the Five Bodily Senses.

The book attempts an account of these two leaders, and of their principal followers and critics. The followers include the doubtful supporter David Hume [and] the critics Adam Smith and Immanuel Kant.

The movement had its origin in reaction, its growth in the positive statements of its principals, and its decline as much in changing fashions of explanation as in actual criticism.

## ORIGINS

By the end of the seventeenth century in England, conventional religious morality, with its imposed standards of behavior, had come into serious question for a number of reasons. First, the rise of Protestantism had introduced an antiauthoritarian note into much of the discussion of the subject. The rationalist-materialist philosopher Thomas Hobbes argued that the human organism was a mechanical object whose principal motivation was avoidance of pain and death, and that what passed for social morality was the calculating surrender of certain rights to avoid these unpleasantnesses; no positive source of morality existed. Second, Isaac Newton's mathematical demonstrations loosened God's hold on the physical universe, so to speak, as the motions of stars and planets and of microscopic particles were explained without recourse to divine intervention.

The bodies of animals and humans had been found by Stephen Hales and William Harvey, among others, to be governed by mechanical principles; perhaps human spirit and morality might find a similar explanation. Finally, John Locke's relentless questioning of sources of knowledge—how can one truly know anything when the connection between the senses and brain impressions is so tenuous (a problem that continues to exist even in the present state of knowledge: Does translation of diverse stimuli into chemical-electrical impulses mean that one knows the world about one?)—suggested that new explanations were in order for morality and much else.

## THE MORAL-SENSE ANSWER

The man who proposed and named the "moral-sense" was Anthony Ashley Cooper, the third earl of Shaftesbury. Principally in reaction to Hobbes's idea of the innate selfishness of man, Shaftesbury pointed out that, far from being selfish, humankind must necessarily possess a capacity for moral cooperation, or a successful society could not exist. Moral behavior, therefore, is that which works for the public interest, an argument later expanded by Hume. Francis Hutcheson developed the idea of the moral sense as a sense, explaining that good and bad actions arouse in people feelings of pleasure or revulsion, and feelings are the results of a sense like any other. The moral sense mediates between moral knowledge and moral behavior, and it is the motivation for the latter. It is also innate, not the result of moral education. One

could not, in fact, be morally educated if one's moral sense were not present to identify virtuous and benevolent actions.

### CRITICISM AND DECLINE

Moral-sense theory was not without its critics even as it was being developed. At the lowest level, equating it with sight, hearing, and so forth was derided because there was no moral sense organ comparable with the eyes or ears. Hume answered this objection by sidestepping it: People know their senses through their characteristic perceptions, and it is clear that people perceive the morality of behavior. Other objections had to do with the nonuniversality of moral standards and the lack of symmetry between pleasure and virtuous action—that is, one recognizes a virtuous action by one's feeling of pleasure at it, but a feeling of pleasure by itself does not imply a virtuous action. In these matters Hume, as already noted, strengthened the argument that human morality is largely societal and the greatest good for the greatest number is therefore a primary moral principle.

Other moral faculties were proposed: Samuel Clarke and others held that moral perception is the province of reason or understanding, not feeling. Adam Smith argued for "sympathy," which today people tend to call "empathy," the recognition of the passions or affections of others that leads to benevolent consideration of their welfare. The cleric Joseph Butler chose conscience as his implement of moral discrimination. Finally, Kant, in his monumental summation of the philosophy of reason at the end of the eighteenth century, rendered the question moot by stating that no logical or scientific demonstration was possible for God, freedom, or immortality, but that these were nevertheless logical necessities in a system that contained morality. Thus, a special moral sense or faculty was not necessary and efforts to demonstrate one gradually fell off.

### AFTERMATH

Although identification of a moral faculty or sense is no longer considered a valid philosophical preoccupation, a number of the concerns of the moral-sense thinkers have persisted. Among these are the identification of morality as social in nature and the positions that feeling has a legitimate place in a system of morals, that there must be general rules

for judging conduct, and that one of these rules should be the greatest good for the greatest number.

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## Moral status of animals

DEFINITION: Presence or absence of innate moral worth in animals

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: One's moral obligations to other people may be seen as arising from people's innate

moral worth. If animals possess a moral status similar to that of human beings, then one may have similar obligations to them.

In many respects, nonhuman animals are treated as morally irrelevant. Humans eat them, conduct painful experiments on them, and use them for entertainment and sport; animals are seen as a part of the material world to be manipulated for the benefit of humankind. This attitude has its roots deep in Western culture. In Genesis 1:28, God says: “Be fruitful, multiply, and replenish the earth, and subdue it; and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth,” and philosophers including Saint Thomas Aquinas and Immanuel Kant have echoed this attitude. John Locke, whose ideas helped to shape capitalist democracies, regarded the dominion over nature given to humankind by God as the source of human rights to property.

A number of arguments have been put forward against this “dominion position.” The indirect-value argument holds that, although humans are the only morally relevant beings, other animals are essential for human well-being and are valuable as means to that end. A sophisticated version of this argument merges the need for human well-being with a recognition of the need for biodiversity. This view, however, gives animals only the most tenuous grip on moral relevance. If people found that the eradication of crocodiles had no effect on the integration and stability of the ecosystem, then crocodiles would suddenly become morally irrelevant. Furthermore, the worth of the animal in question still depends on its contribution to human welfare, and this misses an important part of what it means to have moral worth. No one wishes to be regarded merely as a means to an end, and any morality that regarded people as such would be fundamentally impoverished.

The second counterargument to the dominion position is utilitarian. Utilitarianism holds that the only morally relevant feature in any situation is the presence or absence of pain and pleasure, and that in moral calculations everyone’s pain or pleasure counts for one and no one’s for more than one. Concerning animals, Jeremy Bentham argued: “The question is not ‘Can they reason?’ nor ‘Can they talk?’ but ‘Can they suffer?’” (*Principles of Morals and Legislation*, 1789).

### THE UTILITARIAN ARGUMENT

The utilitarian argument is powerful and for many people has proved decisive. Trips to a slaughterhouse, factory farm, or cosmetics testing laboratory, the utilitarian’s visual aids, have often proved more powerful than a thousand academic discussions.

The third common route out of the dominion position is via a consideration of moral rights. A strong case for this approach is made by Tom Regan in *The Case for Animal Rights* (1983). Regan argues that, contrary to utilitarianism, in which value is attached simply to the pains and pleasures that people experience, individuals, as agents, have inherent value. This value is independent of gender, race, age, birthplace, or abilities and is founded on the fact that all people are “experiencing subjects of life.” Each person is “a conscious creature having an individual welfare that has importance to us whatever our usefulness to others.”

Regan then sets out to show that animals are just as much experiencing subjects of life as are humans and therefore also have inherent value, by showing that the differences postulated between humans and other animals are not significant. The primary supposed difference is reason—people are said to be the only rational animals. Regan argues that many animals have reasoning capacity and that although some humans don’t have that capacity (infants, the comatose, and so forth), it is not assumed that they are less morally valuable than other humans.

In response to the utilitarian or rights argument, some people have tried to argue that animals do not feel pain or have interests. This argument is clearly vacuous. The question is really whether that pain and those interests count in the moral calculus in the same way that human pain and interests count. Someone who accepts that animals feel pain and have interests but claims that these features do not count in the same way that they do for humans may be immune to both the utilitarian and rights arguments. To argue that one should accept the moral significance of the pain of the animal on grounds of the pain of the animal, or the moral significance of its being an experiencing subject of life on the grounds of its being an experiencing subject of life, is clearly circular. Simply to argue on grounds of consistency and relevant similarity will not work, since the idea that those similarities are relevant in this case has already been rejected. This difficulty is experienced by all those who try to expand



the circle of moral concern. It faced those who tried to abolish slavery and to extend full consideration to women and minorities.

Despite their difficulties, these three arguments have proved to be powerful and persuasive. International concern for the welfare of animals has led to the founding of groups campaigning for the ethical treatment of animals. The latter part of the twentieth century, in particular, has seen an intense focus on human attitudes toward animals and other elements of the natural world.

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SEE ALSO: Animal consciousness; Animal research; Animal rights; Endangered species; Environmental ethics; Nature, rights of.

## **Morality**

**DEFINITION:** Set of personal and social values, rules, beliefs, laws, emotions, and ideologies collectively governing and arbitrating the rightness and wrongness of human actions

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The nature, basis, and meaning of morality, and even assertions that morality has a nature, a basis, or a meaning, are all the subjects of enduring controversy.

Although less inclusive than ethics, morality encompasses a wide variety of areas related to the field of ethics. Many but not all ethical theories come

within the sphere of morality. Theories that lack a primary notion of obligation or duty, concern for the noninstrumental good of other persons, the demand for responsibility, and the recognition of the distinction between moral and nonmoral reasons cannot be accounted moral theories.

Morality includes within its scope far more than ethical theories, however, for it accounts for (or attempts to account for) the human mechanisms for the choice between good and evil. In addition, since there is a social aspect to human moral adherence, the structures of religion, law, and society are often examined from the perspective of the roles they play in promoting morality.

#### **VARIETIES OF MORALITY**

Personal codes of morality and societal structures supportive of morality are an obvious reality in the world, but the theory of ethical nihilism (amoralism) holds that morality is based upon illusions and that moral enforcement by, and the supportive structures of, society serve other purposes.

Friedrich Nietzsche denied the legitimacy of any objective or totalizing theories of morality, claiming instead that different values were appropriate for different people. Whether familiar with the original or not, Nietzsche seemed to have divined the truth of Hume's is/ought dichotomy and its implications for objective morality. Nietzsche claimed that the question left unanswered by all systems of morality was "Why be moral?"

Additionally, Nietzsche's hard determinism led him to the same conclusions about the impossibility of any objective moral order, with its necessary dependence upon moral responsibility. Interestingly, Nietzsche ascribed the institution of a singular unified morality to the attempt of the weak and inferior members of the herd to restrain the strong and superior members. In doing so, the German philosopher was only elaborating and making more sophisticated the arguments put forward by Thrasymachus in Plato's *Republic*.

Immanuel Kant's critical philosophy was, in Nietzsche's view, an attempt of the class of the clergy to retain its influence and power by mystification and mysticism, and this was especially true of the moral philosophy surrounding the doctrines of the categorical imperative. Nietzsche may be credited with further developing the sociological critique of

morality, but Karl Marx, the father of communism, competed with him in that enterprise. The Marxian socioeconomic analysis of morality may be seen as the mirror image of the Nietzschean.

Karl Marx interpreted all history as the history of class conflict; particular forms of morality represented reflections of the economic orders out of which they arose. Thus, in the Marxian view, morality in general, along with religion, arose from the interests of the upper classes in controlling the proletariat—impeding both general uprisings and lesser depredation against property.

### RELIGION AND MORALITY

For many people, religion is inextricably associated with morality, and the taboo systems of primitive mythic religions bear a distant but discernible relationship to the more elaborate and sophisticated systems of philosophy-based morality. Fear of vengeance by gods, demons, or animistic spirits for trespasses against sacred taboos may seem to be a long way from the Kantian categorical imperative or John Stuart Mill's act utilitarianism, but many moral systems—including many of great complexity—rely at least in part upon the fear of supernatural reprisals for violations against the moral law.

In Christian natural law ethics, acts done for the love of God, without fear of punishment and without desire for reward, are the most meritorious—the very embodiment of pure *caritas*. Despite this judgment, Saint Thomas Aquinas enthusiastically endorsed the biblical maxim that “Fear of God is the beginning of wisdom.” Indeed, even Immanuel Kant declared posthumous rewards and punishments to be necessary so that the virtuous person not be proved a fool.

Historically, the notion of after-death rewards and punishments seems to have developed slowly. Taboo violations were usually punished here and now, as in Greek mythology, where various wrongdoers were cursed and punished in this life by the gods and Furies. Hades—the underworld abode of the dead—was a place of universal assignment of the shades of the departed, where the good and bad alike enjoyed a fleshless, tepid existence, as portrayed in the eleventh book of Homer's *Odyssey*. Tartarus was a place of special torture for those who, like Tantalus and Sisyphus, had directly offended the gods, while certain heroes, such as Hercules, underwent apotheosis, becoming divine. Such extraordinary positive and

negative sanctions were rare, however, and the ordinary mortal could expect neither.

In like manner, the divine justice recorded in the early books of the Old Testament seemed to stop at the grave. In both the Hebrew and the classical traditions, this incomplete vision of justice may finally have culminated in the supreme artistry of the Greek tragedy and the Hebrew Book of Job. The unique tension in both forms arose from the development of full moral codes in the absence of a full theodic system at those times in those cultures.

In the *Republic* and elsewhere in the Platonic dialogues, Socrates spoke of souls that went before the lords of the underworld to be judged and suitably rewarded or punished for moral decisions made during their lives. Likewise, in Vergil's *Aeneid* (reflective of the ideas of the late Roman Republic and the early Roman Empire), the afterworld has become much more a place of reward, punishment, and purgation, and in Christianity, of course, the dogmas of Heaven, Hell, and purgatory combined with the doctrine of an all-loving, all-just God to provide a more thoroughgoing theodic system that served to reinforce the laws of morality.

### CONSCIENCE AND MORALITY

In addition to promoting the idea of external reinforcement of the moral law, Christianity gave great prominence to the notion of *conscientia* (“conscience”), an interior faculty of the soul that aided the intellect in the recognition of the good. Medieval commentators attempted to relate the ancient Greek notion of *synderesis* to conscience, but although there were similarities between the two concepts, they were scarcely synonymous.

With the concept of conscience, late Judaism and early Christianity made the moral law an intimate and essential part of the individual person rather than a purely external constraint only. Natural law philosophers had to face the fact that many cultures did not conform to their moral teachings. If conscience were a natural faculty of soul, how could it be possible for diverse cultures to take such remarkably divergent positions regarding moral law? One society condemns cannibalism, while another condones it. In one nation, sexual libertinage is a punishable offense, while in another it is an unsanctioned common practice. In one land, slavery is an accepted practice; in another, it is the gravest of evils.

Natural law ethicists traditionally answered this problem by maintaining the position that although the conscience was a natural faculty of the soul that was not a social construct by one's culture, one's conscience could be perverted so that it would endorse evil. Such a perversion of conscience could be one of two kinds: Persons attracted to an evil action often indulge in elaborate self-deception in order to pervert conscience in a culpable manner. The most common form of nonculpable perversion of conscience is by an invincible ignorance of the good that blinds a person to certain moral truths, often because of the training, education, and orientation provided by the person's culture.

Morality is often enforced by the external constraints of society as well as the influences of conscience and reason. The training and instruction of society—in the family, in the church, in formal education, and in the structuring of life experiences—reinforces or undermines the official moral codes promulgated by society.

#### MORALITY AND LAW

In regard to the legal codes of society, as viewed by natural law analysis, a distinction may be made between two types of relations to the moral law. First, not all moral law needs to be enforced by positive law. Even the most theocratic of societies usually leaves a space between moral law and positive law—not every vice is punishable by the state. Few societies, for example, punish gluttony or private drunkenness (if they permit the drinking of alcohol) or simple lying (as opposed to fraud, perjury, or libel).

Within the law, however, another distinction applies—that between intrinsic and extrinsic morality. Acts forbidden or commanded by intrinsic morality are held to be obligatory or, alternatively, morally wrong in themselves (*malum in se*). When positive law commands or forbids acts under intrinsic morality, it is merely recapitulating and sanctioning the moral law. Divine law, ecclesiastical law, and civil law all have aspects of intrinsic morality. God commands humankind not to steal, but in the natural law view, stealing is wrong in itself, apart from being forbidden in the Decalogue. In Roman Catholic ecclesiastical law, priests are forbidden to perform the sacrament of matrimony in order to link a brother and a sister in marriage, but incest is wrong apart from this rule of canon law, and the positive law only recog-

nizes and articulates this inherent evil. Finally, the laws of New York State outlaw murder, but the willful killing of the innocent is a moral wrong that is independent of any statute law against it.

#### EXTRINSIC MORALITY

In the case of extrinsic morality, the act commanded or proscribed by the positive law is morally neutral in itself but is made morally wrong or morally obligatory by being commanded by just authority. In divine law, God commands the observance of the sabbath, but a day of rest, let alone a particular day of rest, is scarcely obligatory by virtue of the moral law written in human nature. It is obligatory only because it is commanded by just authority. In Catholic ecclesiastical law, priests in the Latin Rite are forbidden to marry. This is simply a rule of the Church that could be altered at any time. A priest who violates this rule does wrong not in the act itself, but because the Church is presumed to have the right to make that morally neutral act impermissible (*malum prohibitum*). Finally, residents of the United Kingdom are instructed to drive on the left-hand side of roadways. A British subject who drives to the right is not directly violating a moral law but is doing wrong because he is defying the Queen-in-Parliament.

Extrinsic morality, furthermore, is held to have three clear relations to intrinsic morality. First, extrinsic morality can never contradict intrinsic morality but may only supplement it. Second, the purposes served by extrinsic moral commands are ones that ultimately would be endorsed by values inherent in intrinsic morality. To take an example, most traffic regulations are in the sphere of extrinsic morality, but saving innocent persons from death and injury and facilitating commerce relate to values of the intrinsic moral order. Finally, obedience to just authority is itself a principle of intrinsic morality.

Many of the particular moral rules and structures of society are of the extrinsic moral order, although tradition and long usage may lend them sacrosanctity in the eyes of the people.

#### MORALITY AND PSYCHOLOGY

The psychological mechanisms of moral choice have also been a central concern of morality from the earliest days of ethical theory. In less-complex theories, such as hedonism, the mechanism of choice could be described simply. An individual instinctually

pursues pleasure, and when he or she makes a choice that results in pain rather than pleasure, or in less pleasure than that which an alternative choice would have produced, that can be explained by ignorance. Even in the theory of the Cyrenaic (or irrationalist) school of hedonism, which clearly maintained the subjectivity of values, errors about consequences of actions or about one's own anticipated reaction to those consequences were still the source of "evil" actions.

In Immanuel Kant's deontology, there was, to a great extent, the assumption that freedom of the will, which itself was made central by the principle that "'Ought' implies 'can,'" explained the selection of evil. In the *Groundwork for the Metaphysics of Morals* and the *Critique of Practical Reason*, Kant spoke as if there could be such a thing as freely chosen evil, but by the time of his last work, *Religion Within the Limits of Reason Alone*, he had clearly abandoned that position as untenable. He took the Judeo-Christian story of the Fall in Eden and applied his own analysis. Did the tempter's wiles, or weakness of will, or the promptings of the first parents' lower natures cause the choice of evil? From the Kantian perspective, the problem in each of these explanations was that if they forced the will, then the will would not seem to be free. If the tempter's temptation was irresistible, then how could the Fall have been the moral fault of Adam and Eve, since they could not have acted otherwise, but if the serpent's seduction was resistible, why was it not resisted?

Given the full implications of Kant's moral psychology, there could be no such thing as freely chosen evil, and Kant ended by denying the possibility of "devilish minds"—that is, minds that freely and knowingly select evil over the good.

### THOMISTIC ETHICS

It is, perhaps, in Thomistic ethics that the most detailed and complex explanation of the agathokakological (containing good and evil) paradox appears. Thomas Aquinas explained that all human action arises from a desire (*appetitus*) in the subject. This desire aims at obtaining a good (*bonum*) that the subject lacks, as a state of being (*ens*). All action, therefore, seeks self-perfection (*perfectio*), which is only completely achieved in the state of blessedness in Heaven (*beatitudo*). For Thomism, problems arise because every good can be a personally held value (*bonum proprium*), but such personally held values

may be truly good (*verum bonum*) or may be only an apparent good (*apparens bonum*). For Thomism, evil consists in the pursuit of a relative, apparent good in place of a true, absolute good.

Despite the sophistication of the Thomistic analysis of moral choice, serious questions remain unanswered: Why would the subject select an apparent good over a true good? If that choice had been made deliberately, how could the decision to pursue the apparent good over the true good have been made? If such a pursuit had not been deliberately chosen, how could the subject be morally responsible for that pursuit?

Another aspect of morality concerns the relationship of interior intentionality to exterior moral action. The subjective and objective elements in moral and immoral actions are necessarily related in all serious theories of moral philosophy. In the primitive taboo ethic, the simple act alone was sufficient. Speak the words, eat the substance, touch the object, and divine retribution followed, no matter what the motivation for the act, no matter what the subject's knowledge of the nature of the act.

Among libertarians and determinists alike, there is a recognition of the need for an interior disposition to the objective moral or immoral act for that act to make its perpetrator culpable. Habituation of vicious or virtuous actions eliminates the direct intentionality before particular acts of vice or virtue, but it is generally held to meet the standards for moral responsibility because the general intention in the course of habituating the action is held to replace the specific intention that would normally be present before each particular act.

### MORALITY AND LAW

Although much of the relationship between interior disposition and external act has been explored in moral philosophy, it has not all been sufficiently explained. Why do moral philosophy and the law alike regard the actual accomplishment of external, objective acts of evil as crucial to the degree of immorality or of criminality in the intention? It is clear that without the intention, killing is not murder, but the justification of the greater immorality and the greater criminality in murder over attempted murder is not so easily justified. If one clearly intended to kill an innocent person without justification and carried out the attempt, but the attempt failed through some techni-

cal flaw, how might one be said to be less blameworthy than if one had succeeded?

From the point of view of human positive law alone, the sharp distinction between the criminal act that has been completed and that which has been merely attempted may, in fact, rest upon no more than accident or chance. One attempted to shoot a man, but one's aim proved faulty, and the bullet missed. One's intention has been precisely the same as that of a successful murderer, and it is only a matter of moral luck that one is not guilty of murder, but only of attempted murder. Why should the fact that one is a bad shot excuse a degree of guilt for what one has both intended and attempted?

Since the civil law deals with the needs of society as well as the moral values of its citizens and since the law can only very imperfectly scan the intentions of the human heart, it may well be understandable that the law of the state differentiates between crimes attempted and crimes completed, but why should the moral order make such a distinction? Intuitively, such a distinction seems to be reasonable, but no carefully articulated justification of such a distinction has been successfully made.

Morality is at the core of the ethical sciences, and the most interesting problems in ethics are concentrated in the sphere of morality. The nature of obligation, the logic and mechanism of moral choice, and the relationship of intentionality to the objective factor in the blameworthiness and praiseworthiness of moral actions are among the most challenging areas for further intellectual investigation.

*Patrick M. O'Neil*

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SEE ALSO: Ethics/morality distinction; Good, the; Intrinsic good; Moral equivalence; Moral principles, rules, and imperatives; Moral realism; Moral responsibility; Natural law; Private vs. public morality; Right and wrong; Universalizability.

## Moses

IDENTIFICATION: Ancient Hebrew leader

BORN c. 1300 B.C.E., near Memphis, Egypt

DIED: c. 1200 B.C.E., place unknown

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Moses delivered the Hebrews from Egyptian slavery, introduced the concept of ethical monotheism, and created or transmitted the first legal code to be based on the idea of a divine covenant. He is traditionally regarded as the author of the Torah.

Moses is best remembered for delivering the Hebrew people from Egyptian slavery and subsequently providing them with a legal code that he claimed he re-



ceived from God. Questions of authenticity, dates, and other issues raised by critical scholarship are beyond this article's scope. Rather, it is assumed here that the books of Genesis, Exodus, Leviticus, Numbers, and Deuteronomy, sometimes referred to as "The Laws of Moses," or simply the Torah (or Pentateuch), constitute a distinct body of literature. The latter four volumes contain specific directives that the ancient Hebrews believed to be a divinely sanctioned basis for their legal, political, religious, and social systems.

### DIVISIONS WITHIN THE LAW

There are three primary divisions within the Hebrew law. The first division is the Decalogue, or Ten Commandments (Exod. 20:1-17; Deut. 5:1-21). The first four commandments define the proper attitude that one should exhibit toward God. Commandments five and ten establish the sanctity of the family, while commandments six through nine establish individual rights. Each commandment is a moral injunction aimed at establishing a code of right conduct.

Civil legislation marks the second division in Moses' law. These laws focus mainly on Hebrew interpersonal relationships. For example, between Exodus 20:18 and Exodus 23:33 there are more than seventy specific statements delineating between accidental and premeditated acts. Hebrew civil law usually determined the appropriate compensation that one should receive in the event of property loss.

The third division in Moses' law involved ceremony (Exod. 24-34; Lev.). This was perhaps the most far-reaching element of the Hebrew legal code. Whereas the civil law concerned individual relationships, the ceremonial law focused on the relationship between God and humanity. These laws outlined every facet of Hebrew worship, ranging from the construction of a suitable place of worship to the role that priests played both in religious ritual and society in general. The ceremonial law also outlined an elaborate system of offerings that Hebrews were commanded to offer to God. In some cases, these offerings were animal sacrifices; in others, grain offerings. In any event, the ceremonial law was designed to keep the Hebrews' religion pure and free from pagan influence. Moreover, since Moses described God both as holy and as expecting the Hebrews also to be holy, the ceremonial law provided a means whereby they could express a wide variety of spiritual needs,

ranging from ceremonial cleansing from sin to joy and thanksgiving.

### OLD TESTAMENT ETHICS

Ancient legal codes, most notably the Babylonian Code of Hammurabi, addressed legal issues on a case-by-case basis and emphasized retribution—"an eye for an eye." Certain features of the Mosaic code also called for retribution, but Moses' Law was more far-reaching. In *Toward Old Testament Ethics*, Walter C. Kaiser, Jr., enumerated characteristics of Old Testament ethics. First, they were personal. Since God used himself as the standard of absolute righteousness, he expected his people to obey the law. Second, Old Testament ethics were theistic. In addition to believing that God had given the law to Moses personally, the Hebrews also believed that the law reflected God's character. Third, Old Testament ethics were internal. Moses indicated that God's law was not merely an external checklist. Rather, God was concerned about the Hebrew's internal spiritual condition. Additionally, these ethics were future oriented.

Throughout the Old Testament, biblical writers indicate that a Messiah will ultimately fulfill the law perfectly. Hence, Old Testament ethics are rooted in hope. Jesus claimed to fulfill all requirements of the law (Matt. 5:17-18). Other New Testament writers likewise claimed that Jesus was the fulfillment of the law (Rom. 10:4; Gal. 3:24). Finally, Old Testament ethics are universal. Even though Moses delivered the law to the Hebrews, it is understood that God's standard of holiness was applicable to all nations (see Gen. 13:13, 18:25).

### SIGNIFICANCE

Moses' significance to ethics is that he introduced ethical monotheism. If the Hebrews were to be God's people, Moses explained, they were obligated to obey God's commandments. Yet the Hebrews were not to keep Moses' law simply to win God's favor. Rather, Moses said that God was infinitely holy and, hence, the law was a standard of personal rectitude. Moreover, since the Hebrews saw God as infinitely good, the law was good because God himself had given it. Moses, therefore, revealed God as an ethicist. Additionally, Moses' law revealed a God who was genuinely interested in humanity. True, he could be offended, but he also provided forgiveness. He

likewise promised to bless the Hebrews and go with them wherever they went. This concept of a holy God who placed just expectations upon people and cared about them personally laid the foundation for the ethics of the Western world.

*Keith Harper*

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SEE ALSO: Christian ethics; Ethical monotheism; Hammurabi's code; Jewish ethics; Ten Commandments; Torah.

## **Motion picture ratings systems**

**DEFINITION:** Formal systems for classifying films based on content which may be deemed inappropriate for children, detrimental to society, or objectionable on moral or religious grounds

**TYPE OF ETHICS:** Arts and censorship

**SIGNIFICANCE:** Ratings systems may be created by third-party organizations independently of film studios, or they may be self-regulatory systems instituted by the studios themselves. In the latter case, they raise issues regarding the boundaries between voluntary self-regulation and institutionally imposed censorship.

The motion picture industry of the United States of America has long attempted to forestall government controls by observing self-imposed regulations. Originally, those regulations were proscriptive, intended to make a preponderance of exhibited films palatable to general audiences, but subsequent policy, using ratings to influence public exposure, enabled a wider range of material to appear in major releases. Regulatory systems have been established elsewhere, but the varying U.S. approaches provide excellent studies in the application of standards.

State and local government attempts to censor film date back to a 1907 Chicago ordinance that was upheld by Illinois's supreme court in 1909. The potential impact of such rulings was evident in the proliferation of state and local censor boards as well as a 1915 U.S. Supreme Court determination that cinema was not protected under the First Amendment. With the goal of curtailing widespread government censorship, from 1909 to 1921 the National Board of Censorship assumed some responsibility for the pre-release evaluation of film content. This citizens' group, supported by the film industry, was the nation's first voluntary censorship body.

In 1922, the major Hollywood studios appointed Will Hays the head of their newly formed association, the Motion Picture Producers and Distributors of America (MPPDA). Created to maintain industry sovereignty, the MPPDA in 1934 enacted a code of ethics known as the Production Code, or "Hays Code." Arising out of the Mae West era, the code combined lofty statements of principle ("No picture shall be produced which will lower the moral standards of those who see it") with a battery of specific regulations (for example, "*Methods of Crime* should not be explicitly presented" and "The treatment of bedrooms must be governed by good taste and delicacy").

#### **THE RATINGS**

Two major ratings systems originated during this period. In 1933, the Film Board of National Organizations formulated the MPPDA-supported Green Sheet, which used age and educational criteria to classify films as *A* (Adult), *MY* (Mature Young People), *Y* (Young People), *GA* (General Audience), *C* (Children, unaccompanied), or a combination of those ratings. The following year, a committee of bishops formed the influential Legion of Decency, which

rated movies on a scale from *A-I* (morally unobjectionable for general audiences) to *C* (condemned).

Movies without the Production Code Seal were effectively banned from theaters. Code stipulations were, however, periodically amended and perennially subject to administrative give and take (intense lobbying won a place for Rhett Butler's "forbidden" last word in 1939's *Gone with the Wind*). The Code remained in place during the 1940's, as Eric Johnston replaced Hays, the MPPDA became the Motion Picture Association of America (MPAA), and antitrust decisions forced studios to sell their theaters.

After the Supreme Court overturned its 1915 ruling in 1952, the newly opened theater market exhibited not only unapproved foreign features but also domestic productions such as *The Moon Is Blue* (1953),

which had been denied the Seal for its treatment of virginity. The commercial viability of such films, together with the precedent-setting releases of *Son of Sinbad* (1955) and *Baby Doll* (1956)—the first *C* films to receive the Seal—heralded further shifts in standard application. Additional Court decisions and jolting thrillers such as *Psycho* (1960) and *Cape Fear* (1962) built momentum for extensive Code revision in 1966, when Jack Valenti became the third MPAA president. Early frustrations with language in *Who's Afraid of Virginia Woolf* (1966) and nudity in *Blow-Up* (1966) influenced his replacement of proscription with a voluntary film rating system in 1968.

Officially intended to place responsibility for children's moviegoing with parents and guardians, the new system reflected contemporaneous rulings on children and obscenity. Overseen by the MPAA, the National Association of Theatre Owners (NATO), and the International Film Importers and Distributors of America, it classified submitted films according to their appropriateness for one of four possible audience groups. *G* for General Audiences, *M* for Mature Audiences (parental guidance suggested), and *R* for Restricted Audiences were trademarked; *X* (no one under 17 admitted), adopted at the urging of NATO, was not. *M*, which parents misinterpreted as being sterner than *R*, was initially replaced with *GP* (implying a "General Audience" film for which "Parental Guidance" was suggested) and later with *PG*. In 1984, the young audience categories were expanded to include *PG-13*.

#### ADULT FILMS

Adult film classification also changed. At first, some *X* features won significant mainstream interest. Soon, however, the rating became identified with pornography, to which it was frequently self-applied. Excluding the young audience market by definition, the rating also precluded advertising in most outlets, leading many major producers to edit movies from *X* to *R*. (Some features, such as *Midnight Cowboy*, 1969, eventually made that transition without cutting.) Ongoing debate over film tailoring and the need for another "adults only" category sparked the creation of the MPAA's federally registered certification mark, *NC-17*,

Image not available

*Dustin Hoffman (left) and Jon Voight in Midnight Cowboy, the first major motion picture to receive an X rating.* (Museum of Modern Art, Film Stills Archive)

first assigned to *Henry and June* (1990). During the early 1990's, the MPAA also began issuing explanations of specific ratings to theaters and critics.

Although criticized for representing an abandonment of moral and ethical responsibility, the shift from proscription to ratings has been praised for enabling major producers to exercise greater freedom of expression. Despite such increased license, the questions of the ratings system constituting a form of self-censorship remained.

Because ratings greatly influence a project's viability, films are not simply rated after completion; throughout the creative process there may be ratings-oriented interplay involving filmmakers, the Rating Board, and occasionally (after the code has been assigned) the Appeals Board. This process may receive wide public attention, often dwelling on potentially offensive material and sometimes leading to the creation of alternate versions aimed at different markets. Naturally, content not recognized as potentially offensive may be perceived as implicitly approved. The MPAA uses regular polling to establish that its standards represent the views of a majority of citizens.

Besides advising parents and guardians about film content, the ratings system, which encompasses trailers and film advertising, requires the cooperation of theater owners. At the box office, administrators discriminate according to age and appearance (sometimes requiring potential consumers to identify themselves by birth date), as well as geographic location. This approach reinforces and establishes taboos and hierarchies related to age, appearance, maturity, and media.

The ratings system has been endorsed by the Video Software Dealers Association. Similar systems of self-regulation have been adopted or proposed for recording, video games, and television programming.

*David Marc Fischer*

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SEE ALSO: Art; Art and public policy; Censorship; Children's television; Consistency; Family values; First Amendment; Freedom of expression; Language; Pornography; Self-regulation.

## **Motivation**

DEFINITION: Purpose behind an action

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Motivation is important to virtue-based ethics and other systems that judge actions according to their intent. It is irrelevant to consequentialist theories, which attend only to the effects of one's actions. Some models of behavior hold that human action is overdetermined, that is, that there are so many separate motives behind an action that it is impossible to know or evaluate them all.

Ethics deals with determining what is good and bad and with moral principles and values. These are all aspects of behavior. In order for behavior to occur, a person must be motivated. Without motivation, the person would do virtually nothing. Driven to action by a motive, however, the person engages in behavior that persists until the motive is satisfied. The word "motive" derives from the Latin *movere*, meaning "to move."

One of the prevailing issues of motivation is the nature of human motives and thus the nature of human nature. As Charles N. Cofer and Mortimer H. Apley have stated the issue in *Motivation: Theory and Research* (1964):

Is man—unfettered and untarnished by the experiences and constraints of society—essentially good, altruistic, brotherly, creative, peace loving? Or, alternatively, is he essentially evil, egocentric,

aggressive, competitive, warlike, requiring the constraints of society in order to keep him from destroying his fellows and himself?

### EARLY CONCEPTIONS

In Aristotelian ethics, as in ethics generally, the issue concerned the appropriate direction of desire and action (that is, motivation). Good or right action was a product of reason and a strong will. Practicing performing good or just acts caused those acts to become pleasurable and habitual, and the will then chose freely that which knowledge determined to be good. Through the ensuing centuries, this belief that the will controlled the animal side of humanity and guided it toward right virtue and salvation persisted. The philosopher Immanuel Kant believed that good actions originated from a sense of duty or moral law. The will is motivated to choose a course of good action in the light of moral law.

A different view was elaborated during the mid-nineteenth century by the philosopher Arthur Schopenhauer. Will was viewed as a basic force or striving and was evil. The impulses of the will brought no pleasure, only pain. Gratification of the will's impulses did not produce happiness, only satiety.

These philosophical views have been carried into modern times by psychology. "Will" has been replaced by "motivation." The issue of whether human motivation is good or evil is addressed by three major theoretical systems, each of which provides a different answer: behavioral theory, psychodynamic theory, and humanistic theory.

### BEHAVIORAL THEORY

Behaviorism was founded by John B. Watson in 1913. Behaviorists viewed motives as internal stimuli that persist and dominate behavior until the person reacts to satisfy the motive. Human motives are, however, neither good nor evil. Good and evil depend on conditioning provided by the environment. One of Watson's most famous (and outrageous) statements says: "Give me a dozen healthy infants, well formed, and my own specified world to bring them up in and I'll guarantee to take any one at random and train him to become any type of specialist I might select—doctor, lawyer, artist, merchant-chief and, yes, even beggar-man and thief, regardless of his talents, penchants, tendencies, abilities, vocations, and race of his ancestors." Although modern behaviorists are

no longer such extreme environmental determinists, they would agree with Watson that ethics is primarily a matter of environmental conditioning.

### PSYCHODYNAMIC THEORY

To Sigmund Freud, the true purpose of life lay in the satisfaction of its innate motives. These motives derive from bodily needs, produce tension, and cause all activity. The two classes of motives are the life-sustaining motives (sex, hunger, and so forth) and the death or destructive motives (cruelty, sadism, violence, destruction, and murder).

The life and death motives arise from the oldest and most primitive part of the mutual apparatus: the id. The id is not conscious of reality; it is illogical and irrational, has no values and no concept of good or evil, has no morality, and continually seeks instant discharge and pleasure. In part, the functions of the other two divisions of the mental apparatus, the ego and the superego, are to control, regulate, and contain the id in a manner consistent with the demands of external reality. Acts of destruction and aggression, such as war, represent a failure to regulate and control the expression of the death motive.

The idea that the id knows no values and has no sense of good, evil, or morality is similar to the behavioral view of neutrality about the nature of human nature. Psychodynamic theory, however, is essentially a pessimistic view of human nature. The true purpose of life is not some lofty or idealistic state, but the satisfaction of the motives of the id in a manner consistent with maintaining civilized society. World War I and other widespread acts of death and destruction convinced Freud of the primacy of aggression and that the ego and superego often lose the battle to effectively control and regulate it.

### HUMANISTIC THEORY

According to the clinical psychologist Carl Rogers, "The basic nature of human beings when functioning fully is constructive, trustworthy, forward-looking, good and capable of perfection." In 1956, John Adelson stated: "Man is born without sin, aspiring to goodness, and capable of perfection; human evil is exogenous, the betrayal of man's nature by cruel circumstance." This motive of full functioning or self-actualization is part of an inherent process called syntropy, a movement toward growth, expansion, and realization of the self.



That self-actualization is difficult to achieve is a result of societal constraints and the false goals set by society. Society often rejects, punishes, ridicules, or threatens nonactualized individuals, rather than helping them.

#### EVIDENCE

The nature of human nature has been debated since antiquity. Since humans are capable of both good and evil behaviors and amply exhibit both types, and since it is conceptually and ethically impossible to conduct an appropriate experiment to resolve the issue, the nature of human motivation will no doubt continue to be debated for many more centuries.

*Laurence Miller*

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SEE ALSO: Behaviorism; Consequentialism; Freud, Sigmund; Intention; Mean/ends distinction; Motivation; Psychology.

## Mozi

IDENTIFICATION: Ancient Chinese philosopher

BORN: c. 470 B.C.E., China

DIED: c. 391 B.C.E., China

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The founder of the Mohist school of philosophy, Mozi (Mo Tzu in Wade-Giles spelling) maintained that wars, social disasters, and similar forms of chaos resulted because people did not love one another. He was alone among the Chinese philosophers of his day in not only condemning acts that were harmful to others but also calling on people to care for others as they cared for themselves and their own families.

Mozi lived during the fifth and fourth centuries B.C.E., an era of Chinese history known as the period of the “hundred philosophers” for its flowering of philosophical and religious thought. According to tradition, Mozi came from a declined noble family, served as an official of the kingdom of Sung, and studied the Chinese classics, including the writings of Confucius. Confucian thought maintained that social order could only be achieved if mutual responsibilities were fulfilled in a clearly defined hierarchical system.

Some sources say that although Mozi was born into a clan of the kingdom of Song, his family later emigrated to the kingdom of Lu, home of Confucius. It is said that here Mozi grew increasingly hostile to the Confucian classism and political conflicts of his day and abandoned Confucian thinking to establish the Mohist school, a system of thought based on principles described in the *Book of Mozi*. In this work, Mozi calls for a new, egalitarian society based on a sense of mutual aid and commitment to the common good.

#### THE BOOK OF MOZI

The collection of philosophical essays bearing Mozi’s name was probably compiled by his disciples in the generations after his death. In this document, Mozi condemned the desires for profit, luxury, and wealth as the societal ills of his day. He also condemned the corresponding manifestations of these desires, including the practice of offensive warfare, the development of military power, the use of rituals, the pursuit of entertainment, and the cultivation of music. He considered offensive warfare to be mere

thievery and supported strong defensive preparations only to prevent it. He deemed music, entertainment, and rituals to be costly activities of the wealthy that detracted from the material well-being of the poorer classes. As remedies for these desires and the conflicts they produced, Mozi championed frugality, strict respect for laws, advancement of people based on performance instead of class, and fear of the gods and spirits. The coordinating mechanism for these was the principle of universal love, of loving all others equally.

The religious characteristic of Mozi's thinking derived from his admonitions concerning the Will of Heaven and a belief in spirits. Mozi maintained that Heaven rewarded those who conducted themselves in a manner consistent with universal love—loving others as themselves and engaging in activities that benefited everyone. He believed that Heaven punished the evildoers—especially those who had been charged with the job of ruling others. He opposed fatalism, insisting that through work and honorable hardship, order could be achieved.

Mozi held that knowledge came through the experiences of the senses. In judging the validity of knowledge, he applied three criteria: the basis of the knowledge itself, its potential for verification, and its utility.

### THE MOHISTS

During the last two hundred years before the unification of China (221 B.C.E.) Mohism attracted numerous converts. Its philosophy of defensive warfare, coupled with the belief that promotion should be based on merit rather than social status, led to the growth of a sect whose behavior was characterized by a soldierly discipline. Probably recruited from among the knights for hire or petty aristocrats, Mohists sold their services as specialists in defensive warfare. When a leader planned to invade or annex another territory, Mohists argued eloquently and passionately against it. If the leader could not be dissuaded, they joined the opposite side, defending the attacked kingdom. Hence, Mohists became known as both noteworthy orators and skillful defensive soldiers. Their obedience to the law and unswerving loyalty were also legendary, for they would even kill their own sons if they had committed crimes requiring the death penalty.

### LEGACY OF MOHISM

The philosophy of Mozi lost ground after the onset of China's imperial period in the third century B.C.E. Mohism maintained that wars were unjust because they interfered with the survival of the agricultural classes by interrupting planting and harvesting as well as by destroying fields. Although the assessment of the impact of war on farmers was accurate, the conclusion that war was to be avoided was incompatible with the objectives of early imperial Chinese leaders, who saw territorial expansion as a means of obtaining more power and resources. Mozi's admonition against preferential treatment based on status was also distasteful to the increasingly hierarchical society that attended imperial rule. Consequently, the Mohist sect declined after the third century B.C.E. Its unique contribution to Chinese ethical thought lies in advocating universal love as the operative method for ordering society and avoiding chaos and harm.

Margaret B. Denning

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SEE ALSO: *Art of War, The*; Confucian ethics; Confucius; Egalitarianism; Fatalism; Military ethics; Pragmatism.

## Muhammad

**IDENTIFICATION:** Founder and Prophet of Islam and author of the Qurʾān

**BORN:** c. 570, Mecca, Arabia (now in Saudi Arabia)

**DIED:** June 8, 632, Medina, Arabia (now in Saudi Arabia)

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Muslims believe that Muhammad received the visions from Allah that constitute the Qurʾān, the scripture of Islam, and that his life served as a model for proper living.

Born in Mecca, Muhammad was orphaned at age six. After being reared by his grandfather and an uncle, he became a caravan driver. At twenty-five he married Khadija, a wealthy widow who bore him two sons who died in infancy and four daughters. Around the age of forty, Muhammad received the first of the

many revelations that would become the Qurʾān. The monotheism of Muhammad's new religion created friction with the polytheistic Meccans, leading to his famous flight, or *hijra*, to Medina in 622.

Medina's citizens pledged to follow Muhammad both politically and religiously, a connection between religion and the state that became the norm for traditional Muslims. Military conflicts between Medina and Mecca were fought from 624 to 630, ending in victory for Muhammad. After becoming Mecca's political ruler, he cleansed Mecca of its idols to various gods and resumed his annual pilgrimages, making his final trip in 632.

The basic principles taught Muhammad are largely contained in the Five Pillars, one of which directly concerns ethical behavior. Muhammad taught that his followers should give alms of two types: obligatory assistance to the poor and charity beyond that. Such almsgiving was based on idea that the more one owns, the more one should give.

Muhammad has occasionally been criticized, by Westerners especially, for taking several wives after the death of Khadija, and allowing his followers to take as many as four. During his time, however, when women outnumbered men and had few rights, polygamy may have been the best way to ensure the care of widows and others who might otherwise have gone unmarried.

Accountability for ethical decisions may presuppose freedom to choose among more or less equal alternatives. Muslims have nevertheless often been deterministic and fatalistic. Muhammad was less so, or not consistently so. He spoke on determinism in at least three different ways in the Qurʾān. Sura 18:28 says that God allows people to believe or disbelieve as they wish. By contrast, Sura 35:9 says that God leads astray or guides correctly whomever God wishes. Sura 2: 24-25, however, may mediate between these two views by saying that God leads astray only those who would go wrong anyway.

Much of Muhammad's ethical teachings seems to have the pragmatic end of preserving and expanding his community and defending it from attack. Consequently, he permitted plunder, revenge, and war at the collective level and expected obedience to authority.

*Paul L. Redditt*

### Muhammad's Place in Islam

It is incorrect to say that Muhammad is "worshipped" in Islam: Muslims worship only God (Allah). Muhammad and his family are, however, deeply revered. Pilgrimage to Muhammad's mausoleum in Medina is common, and the image of Muhammad as merciful intercessor on behalf of the faithful emerged early in the history of Islam. Popular songs and poetry celebrate Muhammad's life, and numerous stories of miracles have grown up around his biography. Intellectuals who are skeptical of many of the popular tales nevertheless have profound respect for the Prophet and his guidance of the Muslim community.

Muhammad's life often has been interpreted in Sufism as having mystical and allegorical meaning. The *Isrā'* and *Mi'rāj* (the traditions of Muhammad's nocturnal tours through Hell and through Paradise, respectively), in particular, have been fecund sources of Sufi literature, in which those journeys are seen as allegories representing the journey of the soul from worldly attachments, along the path of spiritual development, to the state of final mystical bliss. The Prophet is also seen by some philosophers, as having an eternal essence that exemplifies Divine Reason and is manifested in the Prophet's temporal life and teachings.

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SEE ALSO: 'Alī ibn Abī Ṭālib; Fāṭima; *Ḥadīth*; Holy war; Islamic ethics; Qur'ān; Revelation; Sharī'a; Sufism.

**Muir, John**

IDENTIFICATION: Scottish American naturalist

BORN: April 21, 1838, Dunbar, Scotland

DIED: December 24, 1914, Los Angeles, California

TYPE OF ETHICS: Environmental ethics

SIGNIFICANCE: Muir lobbied for the establishment of Yosemite, Sequoia, and General Grant National Parks; was a founder of the Sierra Club; and increased general public interest in preservationism.

John Muir moved to a Wisconsin homestead when he was eleven and attended the University of Wisconsin from 1858 to 1863. After a year of farming while waiting for a draft call, he decamped to stay in Canada from 1863 to 1864. In 1867, he began a full-time career in nature study, starting with a projected thousand-mile walk to the Gulf of Mexico on his way to South America. Frustrated by serious illness, he



*John Muir.* (Library of Congress)



went to California and lived in the Yosemite Valley for five years. In 1873, he began a full-time career as a nature writer and preservationist, spending summers hiking and observing natural phenomena in the mountains.

In 1889, Muir began writing and lobbying to preserve Yosemite Valley as a National Park. In 1896, as one of its founders, he became the first president of the Sierra Club; he remained in that position until 1914. He was preeminent in publicity and lobbying (1905-1913) against San Francisco's Hetch Hetchy water project. Although unsuccessful, this effort broadcast the preservationist ethic nationwide. Muir's contributions to glaciology and geomorphology give him minor scientific status. He published more than 500 articles and essays, many of which were based on his mountaineering journals. His books include *Mountains of California* (1894), *My First Summer in the Sierra* (1911), and *The Yosemite* (1912).

*Ralph L. Langenheim, Jr.*

SEE ALSO: Bioethics; Conservation; Endangered species; Environmental movement; Leopold, Aldo; National Park System, U.S.; Sierra Club.

## Multiculturalism

**DEFINITION:** Position that education should reflect various cultures, ethnic backgrounds, and traditions, not merely the culture and traditions of the dominant segment of society

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** For educational traditionalists, multiculturalism represented an attack on the ethical core of modern society, because education was improperly politicized and universities were teaching ideology instead of timeless truths and core ethical values. Proponents of multiculturalism, on the other hand, asserted that education had always been political and that the truths and ethical values which traditionalists called "timeless" were merely the ones which embodied their own, dominant politics and ideologies.

Although the concept of multiculturalism is as old as the ancient Greeks and Hebrews, its advent as a ma-

ajor issue in American education during the 1980's brought it into the mainstream of public debate. Questions about multiculturalism and the related "political correctness" movement were among the most widely discussed and divisive in the United States during the late 1980's and early 1990's. Particularly on college and university campuses, clashes over alleged sexism, racism, and insensitivity attracted extensive media attention. In public schools, where ethnic and racial diversity was a fact of life, parents, students, and public officials struggled with the complicated question of how to balance the broader community's interests with those of Native American, Mexican American, African American, and other minority groups.

The rights and dignity of women, homosexuals, and others not adequately represented, in the multiculturalist perspective, in American education or in the use of resources were basic concerns of the movement. Advocates of multiculturalism argued that traditional education ignored, and even distorted, the contributions of people outside the European American mainstream.

### CONFLICTING ETHICAL VIEWS

Both advocates and critics of multiculturalism have appealed to ethical principles to justify their perspectives. Supporters have generally emphasized the need to correct the alleged harmful effects of traditional policies on the grounds that these policies have distorted the truth and have encouraged isolation and self-doubt. Growing evidence that many ethnic minority children were losing self-confidence and falling behind in their education seemed to substantiate the claims of multiculturalists that something was seriously wrong with the American educational process. As the proportion of minority children in American schools climbed from 21 percent in 1970 to more than 26 percent in 1984, public awareness of cultural diversity and related problems significantly increased. To many multiculturalists, it seemed obvious that inherent bias, especially in schools and colleges, was a major cause of inequality and its many socially harmful effects.

Critics, however, argued that the real causes of inequities lay elsewhere—in social history rather than the educational system and its support mechanisms—and that multiculturalism actually made matters worse by heightening tensions and group



identity at the expense of community. Historian Arthur M. Schlesinger, Jr., wrote that multiculturalism encouraged the fragmentation of American society into “a quarrelsome spatter of enclaves, ghettos, tribes.” Former secretary of education William J. Bennett dismissed multiculturalism as a symptom of the “disuniting of America.”

### POLITICAL CORRECTNESS AND CULTURAL PLURALISM

Complicating the quest for an ethical consensus on multiculturalism during the early 1990's was the “political correctness,” or PC, movement, which sought to eradicate racist, sexist, and ethnocentric language from the classroom and public forums. When political correctness first appeared in public discussion around the turn of the twentieth century, it was a slogan among Marxists and certain other ideology-intensive groups indicating adherence to accepted party principles and interpretations. In the later environment of the multiculturalist movement, it was applied to the treatment of minorities, women, and ethnic groups. This added to the task of defining common ethical and political ground by subtly transforming the issue of community into one of words about community and symbolic behavior that might offend or discourage a particular group or individual within it.

Supporters of multiculturalism insisted that sensitivity to the feelings and positions of all people is not only ethically compelling but also politically and economically essential for the effective functioning of a democratic society. Without it, larger numbers of people drop out in one sense or another, to the detriment of the entire society. The art, historical contributions, and personal worth of all people, it is argued, augment the traditional culture with creative new elements that benefit all. If they are ignored, a potential enrichment of the culture is lost, and tragic consequences can result in regard to the ability of those left out to find a productive place in society.

### IMPLICATIONS FOR ETHICS

In his *Civilization and Ethics* (1923), Albert Schweitzer observed that “ordinary ethics” seek accommodation and compromise. That is, “they try to dictate how much of my existence and of my happiness I must sacrifice, and how much I may preserve at the cost of the existence and happiness of other

lives.” In essence, that is the pivotal issue in current multiculturalist theory. Its ethical norms are centered in the need to balance the individual's interests with those of the larger community.

For Schweitzer, the solution lay in envisioning a higher ethic that he called “reverence for life”; that is, an absolute regard for all life in a broadly inclusive ethic. The ethical challenge of multiculturalism is to find ways to avoid violating basic individual rights such as freedom of speech and conscience while protecting the rights of all segments of society and incorporating their identity and contributions into the whole. This thrusts it inevitably into the realm of politics, where moral vision is often blurred by considerations of resources, the need for competent personnel to lead multicultural educational programs in schools and elsewhere, and the development of cooperative undertakings that give substance to theory. In that sense, multiculturalism, to be meaningful, must defy the image that it is merely a buzzword or a new kind of oppression and ground itself in its most basic ethical principles of responsibility and cooperation to ensure both justice and respect for all.

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SEE ALSO: Bilingual education; Comparative ethics; Diversity; Ethnocentrism; Justice; Moral education; Pluralism; Political correctness; Postmodernism; Tolerance.

## Multinational corporations

**DEFINITION:** Large commercial organizations that conduct business in more than a single nation

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Ethical issues arise due to the very existence of multinational corporations in foreign countries, especially with respect to fundamental human rights and the problem of ethical relativism.

The single most important objective of any business enterprise is to create a monetary surplus, which, in turn, allows the business to reinvest in itself in order to continue to pursue the same fundamental objective. Should the business be a corporation with publicly held shares, its financial profits are also used to pay dividends to its shareholders. Should the corporation engage in any business activity with people in any country other than the one in which it is legally incorporated, it achieves the status of a multinational corporation. Such activities include, but are not limited to, the advertising and marketing of the corporation's products or services to people in other countries, the establishment of manufacturing plants in other countries, and the hiring of employees in other countries to work in such plants.

A variety of special ethical issues arises in the context of the normal business practices of any corporation. They concern workplace conditions, including health and safety issues; employee financial compensation issues; employee privacy issues; race, gender, and age discrimination issues; issues of due process when it comes to hiring and firing and the promotion and demotion of employees; product safety

issues; issues concerning the environment; and many others. In addition to all these issues is the problem of ethical relativism.

### ETHICAL RELATIVISM

Every culture has, to varying degrees, unique standards of morality that might conflict with those of other cultures; this is an empirical fact and is usually referred to as cultural relativism. Some people assume that, because cultural relativism is a fact, so too is ethical relativism. "Ethical relativism" is the belief that because people in various and different cultures do, in fact, adhere to different and sometimes conflicting standards of morality, there is (and can be) no objective standard of morality that applies equally to all people in every culture and throughout all of human history. In addition to the fact that the belief in the accuracy of ethical relativism does not logically follow from the empirical fact of cultural relativism, there are numerous beliefs that do logically follow from the belief in ethical relativism but that, typically, are found to be unacceptable even by proponents of ethical relativism. For example, to take seriously the belief in ethical relativism is to obligate one to accept the belief that there neither exists nor should exist any absolute moral prohibition of any type of human behavior, including murder.

### EFFECTS OF ETHICAL RELATIVISM

Through the last four decades of the twentieth century, numerous Western-based multinational corporations attempting to start up business activities in foreign countries such as Indonesia, Nigeria, and Malaysia immediately faced threats of being prohibited from conducting any such business unless they paid what were, in effect, bribes to foreign officials. Despite the fact that most Western multinational corporate executives find such ultimatums to be morally offensive, they tend to attempt to justify compliance with such requirements on grounds of ethical relativism.

One of the most significant cultural distinctions to be found among various nations is the host of different positions of their respective governments on the question of fundamental human rights and the extent to which such rights are, and/or are allowed to be, abused. Historically, relationships between multinational corporations of industrialized Western nations and developing countries in South America, Africa,

the Middle East, and the Far East are such that any of a variety of fundamental human rights are routinely neglected, if not abused outright. Again, executives of multinational corporations in such situations typically attempt to justify human rights abuses of foreign citizens on grounds of ethical relativism.

It is not uncommon for Western multinational corporations operating in poor foreign countries to hire children to work in unsafe and unhealthy conditions for long hours each day for the equivalent of only a few dollars per day. Despite the fact that such working conditions might be consistent with what is normally expected in the host countries and the fact that the wages that are paid might actually compare favorably to standard local wages, employing children raises serious ethical questions.

One might reasonably argue that children, in any country, have the right to at least a modicum of a formal education as well as the complementary right to not be coerced to work. Moreover, one could argue that employees (typically, as adults) have the right to reasonably safe and healthy workplace conditions as well as the right to financial compensation that is commensurate with work performance that is both of good quality and of whatever duration. Such rights are consistent with the Universal Declaration of Human Rights that was adopted by the United Nations in 1948. It was designed to be an objective standard by which to measure the extent to which any nation on Earth either respects or abuses the fundamental human rights of its citizens.

#### ABUSE OF THE PROFIT MOTIVE

Sometimes, attempts to justify, on grounds of ethical relativism, the business practices in each of the two types of examples as set out above, specifically, the bribery of government officials and the use of child labor (both in poor foreign countries), are really only veiled attempts to justify what is, arguably, the abuse of the profit motive. For multinational corporations, as for any businesses, the more that the executive decision makers are committed to the fundamental objective of creating profits, the more they are tempted to venture into business practices that may be morally suspect.

If bribing government officials is not the normal business practice within a foreign country, then such a practice cannot be justified on grounds of cultural, much less ethical, relativism. In such cases, the most reasonable explanation for bribes is greed on the part of the foreign government officials and abuse of the profit motive on the part of the multinational corporation's executives.

It is arguable that in the vast majority of cases of morally questionable business practices, from workplace conditions to issues concerning the environment, abuse of the profit motive is the most reasonable explanation.

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SEE ALSO: Agribusiness; Antitrust legislation; Business ethics; Downsizing; Environmental ethics; Ethical codes of organizations; Globalization; Outsourcing; Telemarketing; World Trade Organization.

## Mutually assured destruction

**DEFINITION:** Cold War doctrine in which nuclear powers are deterred from attacking each other by the fact that any resulting conflict would utterly destroy both nations

**DATE:** Term coined during the 1960's

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Mutually assured destruction (MAD) was, in retrospect, a successful doctrine, but it also created a pervasive, semiconscious fear that arguably colored the lives hundreds of millions of people for the duration of the Cold War. Moreover, the post-Cold War nuclear landscape contains new threats, such as nuclear terrorism, against which MAD is no longer a practical defense, and the nations which once relied upon MAD have been faced with the challenge of developing effective alternative strategies.

To protect and preserve values is the only justifying cause for the use of force that is admitted in civilized moral tradition. The defense and protection of the innocent is one of the cardinal points of those values. Counterpopulation destruction deterrence—that is, the threat to destroy civilian population as retaliation against a nuclear strike—is thus immoral, even when this threat is part of a strategy to prevent war. MAD defies one of the most fundamental traditional ethics of warfare, the principle of noncombatant immunity, which has been in operation since World War II and which requires that deliberate physical harm be limited to military targets. Others will argue, however, that even if it is morally wrong under any circumstances to deliberately kill innocent civilians, it is not necessarily wrong to threaten (or intend to risk) such killings, provided that such threats are necessary to deter greater evils. Nevertheless, it is virtually impossible to untangle the good and the evil elements in this concept; the good is an aspect of the evil, and the evil is both the source and the possible outcome of the good it seeks to achieve.

*Olusoji A. Akomolafe*

**SEE ALSO:** Atom bomb; Cold War; Deterrence; Hiroshima and Nagasaki bombings; National security and sovereignty; Nuclear arms race; Nuclear energy; SALT treaties; Unconditional surrender; Union of Concerned Scientists; War.

## Mysticism

**DEFINITION:** Belief that there is a single objective reality beyond or in excess of the tangible world, and that this reality may be accessed or known through subjective experience

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Controversy exists about the relationship of mysticism and ethics. Some claim that mystical experience supports ethical behavior, while others claim that it can lead to indifference to ethical issues.

Some religious thinkers and philosophers condemn mysticism because they view it as an attempt to escape from the duties and responsibilities of life. Ethical behavior presupposes a concern for self and others. Mystical experience occurs when a person directly perceives an undifferentiated unity that is beyond the deepest center of the individual self. While in the grip of mystical experience, one forgets everything else, including oneself and the world. Apologists for mysticism assert that although mystical experience involves a temporary withdrawal from the world and its problems, it is not intrinsically escapist. Mystical experience supports better ethical choices by expanding and sharpening awareness, making the person who has such an experience better able to assess the ethical ramifications of conduct.

### DEFINITION OF MYSTICAL EXPERIENCE

Mystical experience is best defined first in terms of what it is not. Mysticism does not seek experience of the occult, such as that of ghosts or disembodied spirits. It does not include parapsychological phenomena, such as telepathy (communication at a distance), clairvoyance (perception beyond natural range of the senses), or precognition (knowledge of an event in advance of its occurrence). Mystical experience does not necessarily involve seeing visions or hearing voices. Individuals who are not mystics may possess supernormal powers or experience visions. Mystical experience is not necessarily associated with religion, although it is often sought for religious reasons and described in religious language.

The core of mystical experience involves an apprehension of an ultimate nonsensuous unity beyond all created things. Extrovertive mysticism finds the fundamental Unity manifesting itself in the diversity

of the world, while introvertive mysticism finds the One beyond the deepest center of the individual self. The Upaniṣads of India, spiritual treatises that date from 800 to 400 B.C.E. and provide some of the oldest descriptions of mystical experience in the world, record experiences of both extrovertive and introvertive mysticism. The Upaniṣads claim that the Ultimate Reality is both inside and outside creation. The person who beholds all beings in the Ultimate Reality and the Ultimate Reality in all beings is truly wise and free.

The extrovertive mystic perceives the One by looking outward. While appreciating the diversity of the created world, the extrovertive mystic perceives the objects of perception in such a way that the One shines through them. The medieval German mystic Johann Eckhart described an experience in which he found the grass, wood, and stone that he observed to be distinct and yet One. The extrovertive mystic perceives the One in all things. It is a type of experience that tends toward pantheism, the view that God and creation are identical.

Extrovertive mysticism is not the predominant way of experiencing the Unity beyond the multiplicity of the created universe. Introvertive mysticism is the most common kind of mystical experience. The introvertive mystic finds the One beyond the deepest center of the self in an experience of pure consciousness. Conscious but not conscious *of* anything, the mystic is absorbed in a state of alertness that does not contain any concept, thought, or sensation. The mystic's individuality seems to melt away into infinity. This oneness, encountered beyond the deepest level of the self, is often identified with God because it is experienced as being eternal and infinite, beyond space and time. Saint John of the Cross, the sixteenth century Spanish poet and mystic, described pure consciousness as a state in which the person is so united to the simplicity and purity of God that the awareness is pure and simple, devoid of all objects of perception.

The actual experience of undifferentiated unity is said to be independent of the interpretation given to it. Religious people associate the experience with God. The Jewish tradition identifies pure consciousness with the apprehension of divine glory, not with God's being; while the Christian and Islamic traditions identify it as an experience of union with God. Other philosophies and religious traditions, such as

Hinduism, tend to view pure consciousness as an experience of the impersonal Absolute in which the individual self merges with the Ultimate Reality.

Evidence of mystical experience is found in religious and philosophical traditions all over the world and in all periods of history. Mystical experience is usually incorporated into a religious or philosophical tradition the purpose of which is to secure full knowledge, salvation, or liberation for the people who participate in it. Each tradition recommends ascetical practices to prepare a person for mystical experience. These include the practice of virtue and right action, the removal of sin and inclinations toward evil, and the renunciation of personal desires. Ascetical disciplines are practiced to remove obstacles between self and the Ultimate Reality and to prepare the person to enjoy direct contact with the One beyond all created things.

#### **OBJECTIONS TO MYSTICISM ON MORAL GROUNDS**

Although virtuous behavior is usually considered to be a prerequisite for mystical experience, some philosophers and religious thinkers have objected to mysticism on the basis of their belief that it undermines the basis for ethical decision making. The experience of a fundamental undifferentiated unity beyond perception causes the experienter's awareness to transcend all distinctions, including the duality of good and evil. Mystical experience implies that the separation of the individual self, the created world, and the Absolute are illusions and that the eternal One is the only reality. All these ideas about the nature of mystical experience and the Ultimate Reality have implications for the mystic's approach to ethical issues.

The twentieth century theologian Paul Tillich objects on moral grounds to the experience of pure consciousness because individual identity seems to disappear when the mystic's awareness transcends all objects of perception. The experiencing individual, who is involved in relationships with self, others, and the wider environment, is necessary for morality. If all contents of consciousness disappear in mystical experience, the mystic steps outside both the positive and the negative elements of concrete experience. Those who transcend experience altogether allow themselves to forget about the existence of evil and problems in themselves and in the world. A truly



moral person cannot withdraw from life, from relationships with others, or from involvement with the community. By retreating into oneself in search of a private experience of union with Ultimate Reality, the mystic neglects ethics and social obligations.

Another twentieth century theologian, Martin Buber, objects to mysticism because the loss of awareness of individuality in pure consciousness leaves open to doubt the reality of each individual self and each thing in the world of ordinary experience. Ethical values and obligations can be applied only to real selves and real things. In addition, a relationship between real selves and real things is a prerequisite for moral and ethical activity.

Mysticism is also attacked on the ground that morality has no basis if the phenomenal world is considered to be an expression of the infinite and eternal One beyond space and time. If individuals are not really separate beings, then the mystic might conclude that the wrong perpetrated by one person against another is an illusion. There is no reason to intervene to stop injustice if the person who is being wronged and the offender are two aspects of one reality. In transcending all differentiation in pure consciousness, the mystic also transcends the distinction between good and evil. A person who considers evil to be an illusion may be apathetic in the face of it, choosing to accept it rather than change it or fight it. Since the mystic makes no moral distinctions while united with the Ultimate Reality, one might conclude that mysticism is amoral at best.

In early Christianity contemplation of the divine essence was valued more highly than action. Since the ultimate goal of moral action in the world is salvation or the contemplation of God in Heaven, life's highest aspiration is to gain pure consciousness, which prefigures life in Heaven. When the would-be mystic is advised to reject all love and attraction for created things in order to direct all love toward God, he or she is encouraged to neglect social and moral obligations. The pursuit of mystical experience seems to undercut morality when it is considered to be superior to ethical action. Work in the world is downgraded to second-class status.

Hinduism and Buddhism are especially criticized on moral grounds for emphasizing contemplation of the Ultimate Reality over action. Both traditions define salvation as *mokṣa*, or liberation from ignorance about the true nature of the self. Enlightenment

or salvation means the direct experiential knowledge that the individual self is in reality the Cosmic Self, the Ultimate Reality. The pursuit of *mokṣa* involves efforts to transform one's own state of consciousness and thereby change the quality of one's experience. The person is not primarily concerned with changing the world or fulfilling personal and social duties.

### MYSTICISM'S CONTRIBUTION TO ETHICS

While apparently selfish reasons, such as the desire to escape personal suffering or gain eternal happiness, do inspire people to seek mystical experience; most mystics come to realize that mystical experience is not an end in itself. Supporters of mysticism on ethical grounds point out that the mystic prepares for mystical experience by concentrating on growing in virtue, developing self-discipline, and acting in accord with moral principles. In turn, mystical experience accelerates the growth of virtue and brings greater ethical effectiveness to the mystic's activity. Direct contact with the Ultimate Reality in pure consciousness has very direct and beneficial ethical consequences. Rather than a selfish and self-centered withdrawal from the world of action, the experience of pure consciousness is considered to be a most effective means of fostering right action.

The arguments against mysticism on moral grounds take the description of pure consciousness out of context. They disregard the ethical frameworks surrounding mystical experience, which demand moral conduct to prepare for it and consider moral conduct to be its fruition. They conclude that the experience of pure consciousness can have negative consequences for morality only in the sense that all distinctions are transcended within it. Although pure consciousness is an experience of undifferentiated unity, it does not necessarily lead the mystic to conclude that multiplicity and distinction are inconsequential. It does not make the mystic apathetic in the face of suffering and evil in the world. Mystics do not abandon ethical action because their enlightened state allows their awareness to go beyond distinctions between good and evil.

Such conclusions reflect a one-sided judgment of the impact of the experience of pure consciousness on the lives of the people who experience it. Advocates of mystical experience counter the objections to mystical experience on moral grounds by pointing to

the descriptions of enlightened individuals found in different traditions and the testimony of the lives of great mystics. It is a paradox that the experience of pure consciousness in which individual identity seems to dissolve into absolute nothingness can improve the quality of the person's action. Critics of mysticism fail to recognize that the experience of unity can provide a basis for ethical decision making and conduct that is as good as or better than that provided by the experience of the separateness.

Mystics are described as friends of God whose extraordinary virtues follow from the powerful intimacy with God that union with God in pure consciousness creates. They are held up as models for others to emulate. In the Christian tradition, a person's spiritual attainment is found lacking if that person claims to enjoy mystical experience but does not lead a life of exemplary virtue. The Christian tradition considers charity or love of self and others because of God to be the most important virtue. Charity requires the mystic to tend to the needs of others and not only focus on mystical experience.

Gregory the Great, a sixth century pope and theologian, maintained that mystical experience reinforces morality. He advocated a lifestyle that combined the cultivation of mystical experience (the contemplative life) with active service to others. According to Richard of St. Victor, a twelfth century Scottish mystic, after enjoying the heights of mystical experience, the contemplative goes out on God's behalf in compassion to others.

The Advaita Vedānta tradition, founded by the ninth century Indian philosopher Śankara, maintains that *Brāhmin*, the Ultimate Reality, is all that exists. The person who views *Brāhmin* as the only Reality does not engage in immoral acts. The enlightened person works for the benefit of others.

### BUDDHIST MYSTICISM

According to Buddhism, the goal of mystical experience is nirvana, the annihilation of desire in pure consciousness. Four virtues grace the person who experiences nirvana: friendliness toward all creatures, compassion for all sentient beings and the desire to remove their suffering, joy in the happiness of all creatures, and impartiality toward them all. Since an enlightened person is no longer governed by egocentric considerations, he or she acts for the benefit of others. The *bodhisattva* exemplifies the highest ex-

ample of virtue and enlightenment in the Buddhist tradition. Just as the Buddha worked in compassion to relieve the suffering in the world by making known the experience of nirvana, the *bodhisattva* renounces nirvana out of compassion for all created things, vowing not to step out of time into eternity until all other created things have entered nirvana first.

In Buddhism the emptiness of nirvana is said to manifest as infinite compassion toward all created beings. The goal of the *bodhisattva* is to lose all ego-consciousness through expanding in boundless giving to others. Separateness of individual persons and things from each other and from the Ultimate Reality is not necessary to motivate virtuous behavior. The compassionate conduct of the *bodhisattva* exemplifies this fact. Oneness can also serve as the basis for ethical conduct.

### CHRISTIAN MYSTICISM

Christian mystics especially emphasize that mystical experience overflows into love for others and action for the benefit of others. Pure consciousness in the form of the secret infusion of God's love into the soul is the source of moral activity. When the person loses the awareness of the boundaries of the individual self in pure consciousness, the once-separate self is aligned with the Ultimate Reality. The love that flows out of mystical experience has its basis in the realization of the One, which eliminates the separation between one's neighbor and oneself. All selfishness, cruelty, and evil originate in alienation from self and others.

The relationship between mystical experience and ethics is also explained by the paradoxical assertion that absolute fullness and virtue is located in unmanifest form in the apparent nothingness of pure consciousness. Saint John of the Cross, a sixteenth century Spanish poet and perhaps the most important European mystic, describes pure consciousness as the nothingness (*nada*) that contains everything (*todo*). Every experience of pure consciousness infuses absolute divine attributes into its recipient.

The process of personal development through mystical experience involves the progressive infusion of these divine qualities. The infusion of divine attributes implies a corresponding process of purification, the removal of personal limitations that disallow that infusion to be complete. The Upaniṣads call the Ultimate Reality the source of all virtue and

the destroyer of sin. The mystic's transformation through this dual process of illumination and purification improves his or her activity. The mystic performs action with a more finely tuned appreciation of right and virtue because contact with pure consciousness results in greater alertness and freedom from personal limitation.

Although initially a person might shun worldly concerns in order to concentrate on acquiring mystical experience, at some point, the mystic becomes concerned about moral issues. The life of Thomas Merton, the twentieth century writer and mystic, unfolded in this way. After seeking refuge from worldly life by entering a Trappist monastery near Louisville, Kentucky, he became increasingly concerned with the world he thought he had left behind. He called himself a guilty bystander who was implicated along with the rest of humanity in the crises and problems of society. His physical withdrawal from the world outside the monastery walls did not prevent him from trying to change the world. He attacked racism, the existence of nuclear weapons, and U.S. participation in the war in Vietnam. Merton exemplifies the contemplative who, by withdrawing from the world and devoting time to cultivating mystical experience, creates a certain distance between himself and the rest of the world that allows him to perceive evil more clearly. Merton became the prophet whose voice was heard in the wilderness, demanding the end to the madness of the nuclear threat and the injustice of racial discrimination. As prophet, the contemplative becomes involved and tries to communicate a vision of what God wants for society and for the world.

Personal limitations in the would-be mystic might initially motivate the person to seek mystical experiences in order to avoid problems or find personal salvation. Since mystical experience fosters increased awareness and removes personal limitations, however, at some point the mystic renounces such selfishness. The mystic's personal growth eventually translates itself into love and concern for others, two virtues that are fundamental for ethical decision making.

Mysticism does support ethics. The personal development that results from mystical experience provides the mystic with the means to reflect and to act in greater harmony with ethical and moral principles. Those who attack mysticism on moral grounds seem to disregard the evidence of the experience of the great mystics, who inspire others to emulate such high levels of personal integration and moral conduct that their admirers are tempted to proclaim them to be nothing less than perfect reflections of the divine on Earth.

*Evelyn Toft*

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SEE ALSO: Asceticism; Bergson, Henri; Christian ethics; Existentialism; Ḥallāj, al-; Jain ethics; Kabbala; Rābi'ah al-ʿAdawīyah; Scientology; Sufism; Upaniṣads.

# N

## Nader, Ralph

**IDENTIFICATION:** Pioneer crusader for consumer rights

**BORN:** February 27, 1934, Winsted, Connecticut

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Noted for his advocacy of consumer rights, Ralph Nader merged his socioeconomic interests with a political agenda by running for president of the United States in four elections. Although his campaigns did not win, they succeeded in focusing debate on violation of citizen and consumer rights.

Born to Lebanese immigrants to the United States, Ralph Nader graduated from Princeton University and the Harvard Law School. While working in the federal Department of Labor during the Kennedy administration in the early 1960's, he began his crusade as a consumer advocate and published a scorching exposure of safety abuses in the auto industry, *Unsafe at Any Speed*, in 1965. By the end of the 1960's, Nader and his "Nader's Raiders" had effectively pressured Congress to pass legislation to improve the safety of automobiles, the quality of meat and air, and open access to government information. Founding organizations for responsive law and public interests, Nader argued that producers had responsibilities to paying consumers and that government officials had legal and ethical duties to monitor the producers' fidelity to these responsibilities.

Throughout his reform campaigns, Nader found a common political problem. Corporations and business interests protected them-

selves from regulatory legislation by financing the election of politicians and by funding lobbyists to mold the legislation and regulations. As such funding mushroomed during the 1980's, Nader decided that he had to enter the national political arena in order to address that threat directly.

Nader's first presidential campaign, as a write-in candidate in 1992, was weakly organized and overshadowed by the antilobbyist rhetoric and fortune of Reform Party candidate H. Ross Perot. At that time Nader published *The Concord Principles*, his statement of ethical conduct in government. The document suggested ten procedures and practices citizens and their elected representatives could pursue in order to regain and maintain control of government against a minority of corrupted political and economic power brokers. Nader's 1996 bid for the presi-

Image not available

*Ralph Nader speaking at a political rally in Portland, Oregon, in April, 2004. (AP/Wide World Photos)*

dency attracted support from the Green Party, a political entity dedicated to protecting the environment from industry.

Nader's 2000 presidential campaign, again waged with Green Party support, proved controversial among his supporters. Many thought that he pulled away votes from the ecology-minded Democratic Party candidate, Al Gore. Nader divided the environmentalist vote against the Republican Party candidate, George W. Bush, allowing the latter's victory. To Nader the key issue was the financial corruption of the electoral system, in which he thought that both major parties were hopelessly mired. The Green Party needed to win 5 percent of the national vote to qualify for federal funding in the 2004 election and thereby obtain a sustaining political status to combat both political corruption and environmental pollution. Nader failed to obtain enough votes to achieve future federal campaign funds but nevertheless ran for president again in 2004.

In 2001 Nader founded Democracy Rising, a non-profit organization, to continue the objectives of his campaign. Through its "People Have the Power" rallies in cities throughout the country, it alerted citizens to the need to combat public apathy and wrest civic interests from corporate manipulation.

Crucial to the support of Nader's efforts for consumer rights and responsible government has been the uniform recognition of his ethical integrity. Supporters and even foes of his efforts have repeatedly acknowledged the upright dedication of his work.

*Edward A. Riedinger*

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SEE ALSO: Business ethics; Consumerism; Green parties; Lobbying; Product safety and liability; Profit economy; Voting fraud; World Trade Organization.

## Nāgārjuna

IDENTIFICATION: Indian Buddhist philosopher

BORN: c. 150, India

DIED: c. 250, India

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Nāgārjuna founded the Mādhyamaka school of Mahāyāna Buddhism and developed the philosophy of *śūnyatā*, or "emptiness."

Nāgārjuna was an Indian Buddhist thinker central to the Mādhyamaka school of Mahāyāna Buddhism. He lived from approximately 150 to 250 and continued the classic Buddhist approach to liberation from suffering through mental discipline.

Nāgārjuna's innovation was the concept of "emptiness," or *śūnyatā*. This is a recognition that things have no meaning in themselves; instead, they derive significance from their relationship to other things. (For example, "day" has no meaning apart from "night.") This contextual understanding of meaning is called *pratītya-samutpāda*, or "dependent co-arising."

Despite the essential emptiness of the categories that people employ to understand the world, on a pragmatic level people have to use those categories in order to live. In terms of ethics, Nāgārjuna's contribution was to separate ultimate from conventional truths, because although people should live fully aware of the basic illusoriness of reality, they should also uphold a moral path in their daily lives. Rather than release from this world (*nirvāṇa*), Nāgārjuna believed the ideal to be that of the *bodhisattva*, or "enlightened being": living in the world but being aware of its insubstantiality and working for the benefit of all beings.

Nāgārjuna's thought has influenced Buddhism in Tibet, China, Korea, and Japan for the nearly two millennia since his death, particularly in the Zen tradition.

*Cynthia Keppley Mahmood*

SEE ALSO: Bodhisattva ideal; Buddha; Buddhist ethics; Zen.



## Nagel, Thomas

IDENTIFICATION: American philosopher

BORN: July 4, 1937, Belgrade, Yugoslavia

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Best known for his books *The Possibility of Altruism* (1970) and *The View from Nowhere* (1986), Nagel formulates a version of ethical realism that recognizes the existence of both objective and subjective reasons for action.

In his first book, *The Possibility of Altruism*, Thomas Nagel defends an extreme form of objectivism in ethics. He argues that objective reasons are the only legitimate kinds of reason. Thus, if someone has a reason to act in a way that will bring about some end, then everyone has a reason to bring about that end. Nagel's early view, then, was that there are only "agent-neutral" reasons, and thus there are no reasons that are simply "agent-relative."

### SUBJECTIVE AND OBJECTIVE PERSPECTIVES

Nagel modified his view in *The View from Nowhere* by allowing for the possibility of agent-relative reasons. This change was, in part, due to his analysis of philosophical problems resulting from the human capacity to occupy increasingly objective perspectives. Nagel points out that transcending one's own subjective perspective is important in both science and ethics since new facts and values are revealed from the objective standpoint. However, it is a mistake to conclude from this that subjective perspectives are unreal or reducible to something more objective.

The recognition of irreducible subjective perspectives thus provides a metaphysical framework for acknowledging the reality of agent-relative reasons. These reasons stem from an agent's own desires and projects, deontological obligations not to mistreat others in certain ways, and special obligations to family members. However, such reasons cannot be explained in neutral terms making no reference to the agent, or in terms of the impersonal good.

### ETHICAL REALISM

Nagel also employs the distinction between subjective and objective perspectives in his formulation of realism about values. The central claim of his version of ethical realism is that ethical propositions can be true or false independently of human judgment.

While Nagel's realism about science is based on the fact that there are mind-independent facts, his realism about ethics does not rest on an analogous view regarding the metaphysical status of values.

Many ethical realists are Platonists and thus believe that values are nonnatural entities or intrinsic properties of states of affairs. In contrast to this more metaphysical conception of ethical objectivity, Nagel's view is that people can transcend their own subjective perspectives and evaluate their reasons and motives from more objective standpoints. This process can lead them to reorder their motives in order to make them more acceptable from an external standpoint. Thus, they can discover motives and reasons for action that they did not have before. Nagel's later view thus endorses realism for both objective reasons that hold for everyone, independently of their individual perspectives, and subjective reasons that do depend on the specific standpoint of an agent.

David Haugen

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SEE ALSO: Epistemological ethics; Luck and chance; Moral luck; Moral realism; Plato; Practical reason; Reason and rationality; Values clarification.

## Nānak

IDENTIFICATION: Indian religious leader

BORN: April 15, 1469, Rāi Bhoi dī Talvaṇḍī, Punjab (now Nankana Sahib, Pakistan)

DIED: 1539, Kartārpur, Punjab, Mughal Empire (now in Pakistan)

TYPE OF ETHICS: Religious ethics

**SIGNIFICANCE:** The founder of the Sikh faith, Nānak put forward a religious code of ethics that emphasized the equality of all people.

Nānak, who was born in Punjab, in what is now Pakistan, founded the faith known as Sikhism. Nānak was called *guru*, or spiritual teacher, and his followers were called Sikhs, or disciples. The religious system established by Guru Nānak was firmly monotheistic, rejecting idolatry and ritualism of all kinds. The Sikh community, called the *Panth*, was egalitarian in its social life, emphasizing rejection of the Hindu caste system through its tradition of eating at community kitchens. Charity toward the poor and defense of the weak characterized the Sikhs.

After Guru Nānak's death, there were nine successor gurus who led the Sikh *Panth* in turn. Various innovations were introduced, most notably involving greater militancy in the face of persecution, but all of them continued to build on the ideals established by Guru Nānak. After the death of the last guru, Guru

Gobind Singh, leadership passed to the holy book of the Sikhs, the *Guru Granth Sahib*. It is housed in *gurdwaras*, Sikh shrines where people gather to worship, eat together, and discuss community events. By the end of the twentieth century, there were about 16 million Sikhs in the world who claimed the heritage of Guru Nānak, most of them in the state of Punjab in India.

*Cynthia Keppley Mahmood*

SEE ALSO: Golden rule; Hindu ethics; Sikh ethics.

## Napster

**IDENTIFICATION:** Site on the World Wide Web through which computer users share digital recordings of music

**DATE:** Began operation in early 1991

**TYPE OF ETHICS:** Arts and censorship

Image not available

*Rapper Ludacris studies his song listings on the Napster Web site after the music-downloading site began offering downloads for fees in October, 2003. (AP/Wide World Photos)*

**SIGNIFICANCE:** Napster's song-sharing software and Web site allowed Internet users to download songs to their own computers for free, prompting lawsuits from artists for copyright infringement, launching a major fight between the newest information technology and established copyright protections. Napster's eventual agreement not to violate copyright law saw the Internet partially brought under the control of the legal system.

The Napster Web site, with its song-sharing technology, prompted one of the earliest clashes between the Internet and some of the oldest laws in the United States. Users of Napster downloaded digital files of songs from the site and shared those songs with other users. Most of the songs distributed through Napster were protected under federal copyright law, which required the Web site to pay for their use and distribution. When Napster was sued by the copyright owners, ethical questions were raised about artistic freedom and property rights.

Copyrights are issued by the federal government, providing artists, writers and composers monopoly power over their creations for limited periods of time. Copyrights are given to provide incentives to creative persons, who earn money by selling access to their work. Eventually, all copyrighted works fall into the public domain and can be used by anyone without a fee. The Napster case presented a clash between those competing interests: artists wanting to protect their property and the public seeking to use technology to gain access to popular songs.

Public sharing of copyrighted songs raises ethical concerns about property rights and the right of artists to be rewarded for their efforts by selling their works, rather than having them traded freely. However, another ethical question arose when the artists sued for copyright infringement. Copyrights are intended to advance the creative arts by providing monetary incentives for artists to produce works. However, the protections granted to artists are to advance a general good—the furtherance of knowledge. Using copyright laws to restrict use of the Internet—one of the greatest tools for advancing knowledge ever developed—seems to defeat the purpose intended for issuing copyrights.

Internet users using Napster to download music were violating the copyright laws protecting artists.

### Pious Pirates

When the Gospel Music Association conducted an online marketing study in early 2004, people within the Gospel music industry were dismayed to learn that avowedly Christian teenagers were pirating religious music from the Web at almost the same rate that other teenagers were pirating secular music. The study showed that many of the young Christian music pirates rationalized their illegal downloading of Christian music as an ethical way to help spread the Gospel. However, people in the industry thought that the practice violated the commandment, "Thou shalt not steal." Shawn C. Ames, a member of the Christian band Diligence agreed that downloading Christian songs was stealing, but called it "like stealing a Bible—why would someone have a problem with that?"

However, the reaction of the copyright owners, thousands of dollars of fines for people sharing music, was at times seemingly out of proportion to the damage being inflicted. Napster and its song sharing brought another technology under the partial control of government regulation. Napster's agreement to pay copyright owners and charge Internet users downloading songs may have marked a shift in the Internet from a freewheeling new technology to one that could become a center of profit-making activity.

*Douglas Cloutre*

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SEE ALSO: Computer crime; Computer databases; Computer misuse; Computer technology; Copyright; Intellectual property; Internet piracy; Song lyrics.

## Narcissism

**DEFINITION:** Excessive self-interest or self-love

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The primary hallmark of narcissism is understanding everyone else in terms of oneself. Narcissists thus violate the ethical principle that one should treat others as ends in themselves rather than as means for one's own ends.

Narcissism is a complex vice and a neurotic complex. The narcissus complex, identified by Havelock Ellis and by Sigmund Freud, involves an inordinate fascination with one's self—one's body, one's mind, one's actions.

Narcissism was named for Narcissus, a beautiful youth in Greek mythology who spurned all lovers. Nemesis, the avenger of *hubris* (inordinate pride), punished Narcissus by causing him to fall in love with his own reflection in the water, rendering him unable to move away. He was transformed into a flower by the gods.

Selfishness and immoderate self-love may be a part of the effects of narcissism, but there is a core that is unique to the vice. In some ethical systems, only the effects of narcissism could be judged culpable, but in natural-law analysis, at least, narcissism would itself be blameworthy as an "occasion of sin" and as an orientation of will and intellect whereby one denies the appropriate concern owed to one's fellow humans and the appropriate worship owed to God.

The neurotic complex might seem to be outside the considerations of ethics, but to the extent to which the complex developed as the result of freely chosen actions and freely entertained dispositions, it is blameworthy. To the extent that the proclivities of the complex could be resisted but are not, the complex is subject to ethical analysis.

Finally, narcissism must be viewed not only as an endangerment to one's relationship to God and to fellow humans but also as a warping of the proper development of the self. Narcissism causes the aesthetic judgment, the intellectual faculty, and the power of the will to be perverted from their proper outward orientation, stunted, and turned inward.

*Patrick M. O'Neil*

**SEE ALSO:** Egoism; Egotist; Golden rule; Humility; Individualism; Love; Pride; Selfishness; Self-love.

## Narrative ethics

**DEFINITION:** Ethics involving the use of literature to engage in ethical inquiry

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Literature can illuminate realms of human experience that may be otherwise inaccessible to abstract philosophical prose and thus can enrich ethical reflection.

Several genres of literature may be seen to have didactic potential in that they can teach moral virtue. For example, moral fables are often edifying in this way, providing moral instruction by illustrating the rewards of virtuous action and the ill consequences resulting from immoral deeds. Epic stories of moral heroism may also instruct by example.

There are also ways in which good literature can go beyond moral instruction and stimulate ethical reflection. Certain ethicists turn to literature—ranging from the ancient tragedies to the modern novel—as moral philosophy because, they argue, narratives offer a philosophical view that is unavailable in conventional philosophical discourse. Philosopher Martha Nussbaum has argued that literary narratives illumine the contexts in which moral deliberation and action take place in ways that abstract rational principles do not. She suggests that literature is attentive to particularity, to the complexities and ambiguities in human life that are often flattened or omitted in abstract ethical reasoning. Moreover, moral philosophy can and should be concerned with particulars, since human life, like literary experience, cannot be reduced entirely to abstract generalizations. In addition to philosophers, some novelists see in literature the potential for posing important moral inquiry. For example, South African writer J. M. Coetzee's *Elizabeth Costello* (2003) and *The Lives of Animals* (1999) explore the borders of literary aesthetics and moral philosophy.

Reading literature may itself be a moral practice; this can occur because reading literature requires the reader to take another person's point of view, to step outside of one's own world and imaginatively enter into another's, which is a crucial skill in developing a moral sense. Literature can expand one's horizons by cultivating empathy and sympathy toward those quite different from oneself, a capacity vital for moral agency.

*Maria Heim*

SEE ALSO: *Bhagavadgītā*; Heroism; Moral equivalence; Nussbaum, Martha; Personal relationships; Role models; Tragedy; *Uncle Tom's Cabin*.

## Nation of Islam

**IDENTIFICATION:** African American religious and social movement that proclaims adherence to the Islamic faith and practices as the way to achieve equality, justice, and freedom in all spheres of life

**DATE:** Founded in 1931

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** The Nation of Islam's use of Islam to proclaim a millennium in which white racist supremacy would be supplanted by black supremacy was unprecedented. The group's advocacy of separatism has placed it at the center of continuing controversies over the ethics of segregation in the name of activism.

Variouly referred to as Black Muslims, the Black Muslim Movement, the World Community of Al-Islam in the West, and the American Muslim Movement, the Nation of Islam is heir to the separatist and self-improvement ethics of Marcus Garvey's Universal Negro Improvement Association and the each-race-for-each-religion philosophy and strict ethical behavior of Noble Drew Ali's Moorish Science Temple. It is both a religious movement and a social movement. As part of the worldwide Islamic religion and as an African American expression of Islam, the Nation of Islam has evolved some uniquely radical ethics vis-à-vis the American racial problem.

### HISTORY

The Great Depression of the 1930's was particularly difficult for African Americans. Living in overcrowded slums, laid off and displaced by white workers as jobs became scarce, culturally marginalized and insulted by welfare officials, most African American workers and their dependents resented the power and control wielded by white Americans. Noble Drew Ali had died and Marcus Garvey had been deported in 1927. A leadership vacuum among African Americans was thus created as the Great Depression arrived.

It was the destiny of Wallace D. Fard to fill this

leadership role by shaping the frustrations, anger, and energy of marginalized African Americans into an Islamic redemptionist religious movement that taught Afro-Asiatic history in house-to-house meetings and fiercely proclaimed a divinely ordained future era in which black supremacy would replace white supremacy and blacks would rule the earth. Such was the beginning of the Nation of Islam in Detroit, where it built its first temple as African Americans became members in large numbers. Fard was succeeded by Elijah Muhammad, and under the latter the Nation of Islam moved its headquarters to Chicago and spread to other states, building temples, schools, farms, apartment complexes, restaurants, and grocery stores. It developed a security force called the Fruit of Islam (FOI) and began its own publications. As it grew, the movement experienced some internal problems, and in the course of its years has had prominent leaders such as Malcolm X, Warith Deen Muhammad, and Louis Farrakhan.

### POLARITIES

Although changing social circumstances have resulted in its changing or modifying its views and beliefs, especially as it moves toward orthodox Islam, the Nation of Islam has tended to see things in racial polarities to counteract what it sees as the racist ideology of the dominant American culture. In place of the Magnolia myth (the stereotype of music-making servile African Americans "lounging peacefully under the sweet-scented magnolias behind the big house—happy and contented in their station" as loyal servants to the generous master), which is the foundation of the idea that the African American is naturally docile, inherently imbecilic, and instinctively servile, the Nation of Islam created the myth of Yakub, which states that the "original man" to whom Allah (God) gave the earth to rule was the black man and his race, and that a rebellious scientist named Yakub performed a genetic experiment from which an inferior white race emerged. White supremacy is thus counteracted by black supremacy, and in this polarity it is the unnaturally white devils versus naturally divine blacks, and the white religion (Christianity) versus the black religion (Islam). The black Zion is where the white man is absent. Thus, there seems to be a strong determination by the Nation of Islam to belie white myths and beliefs.



## ETHICS

The Nation of Islam adheres to strict moral behavior in private and social life. Its religious practices include praying five times a day, facing east toward Mecca and making proper ablutions (for the Muslim must be clean inwardly and outwardly) before praying. It is morally binding on members to attend temple activities; defaulters are suspended. The religion forbids certain foods, such as pork, both for religious reasons and to denigrate white supremacy (because the hog is “dirty, brutal, quarrelsome, greedy, ugly, a scavenger which thrives on filth . . . [and] has all the characteristics of a white man!”); in addition, black-eyed peas, cornbread, and chitlins must be avoided because they are not easily digestible and are a “slave diet”—and there are “no slaves in Islam.” Fresh lamb, chicken, fish, and beef are approved. Moderation in eating is encouraged. Members are also forbidden to gamble, use drugs, smoke, or consume alcohol.

Members of the Nation of Islam are encouraged to marry within the movement; those who marry outside the movement are pressured to bring their spouses to join it. Interracial marriages and liaisons may bring severe punishment, if not expulsion, and male members are expected constantly to watch and protect their women against the white man’s alleged degrading sexual obsession. Divorce is discouraged, though not prohibited. Sexual morality is strictly enforced under the puritanical vigilance of FOI. The use of cosmetics and the wearing of revealing and provocative clothes are forbidden. It is unethical for a married woman to be alone in a room with a man other than her husband.

Long before social and governmental agencies in America took seriously the relationship between crime and drugs, the Nation of Islam had developed a method for ferreting out and rehabilitating drug addicts so that they could remain themselves and stay away from crimes. It introduced a six-point drug therapy: making the patient admit his drug addiction; making him realize why he is an addict; telling him how to overcome this by joining the Nation of Islam; exposing him to the religious and social habits of the clean and proud members of the movement; making him voluntarily initiate a break from drug addiction with the full support and charity of the Muslim fraternity during the agony of the withdrawal period; and, finally, sending him out, when cured, to seek out

other drug addicts for rehabilitation. Under the watchful and caring eyes of the Nation of Islam, an ex-drug addict also becomes an ex-criminal, since the drug habit that requires stealing, killing, or engaging in prostitution to support it is eliminated.

The Nation of Islam believes that territorial, political, and economic separation of blacks and whites is necessary to the mutual progress, peace, and respect of the two races in North America; the alternative is for them to leave America—the blacks to Africa and the whites to Europe. It urges peace among brothers, including whites, but points out that peace with whites is impossible because the white man “can only be a brother to himself.” Members should be willing to die for dignity and justice if that becomes necessary, and should never hesitate to defend themselves and retaliate when attacked. The movement warns that “an eye for an eye and a tooth for a tooth” is the most effective manner to resolve racism, and that members should “fight with those who fight against [them].”

While respecting the “original” Bible, the Nation of Islam teaches that the Bible dedicated to the white man called King James has been corrupted and used by the Christian religion to enslave African Americans. Christianity thus becomes a “slave religion” teaching the oppressed to love and pray for the oppressor and the enemy; it further teaches the oppressed to offer both cheeks to be repeatedly slapped by the oppressor without retaliation, even offering the oppressor the cloak after the oppressor has taken away the coat of the oppressed. Christianity in this view is a “religion organized and backed by the devils for the purpose of making slaves of black mankind.”

The Nation of Islam encourages thrift and discourages buying on credit because “debt is slavery.” Members are discouraged from living beyond their means and wasting money. Hard work is extolled, and honesty, competence, cleanliness, and respect for authority, self, and others are expected of all members. The movement operates numerous businesses and encourages members to buy goods made by African Americans.

## CONCLUSION

The dynamism of the Nation of Islam is in its ability to modify some of its views to changing circumstances. Although it asks for a separate nation, it

did not hesitate to support Jesse Jackson's attempt to run for the presidency of the United States in 1984. Keeping ethical behavior in perspective, Louis Farrakhan challenged Ronald Reagan's 1986 order that banned American citizens from visiting Libya and rebuked popsinger Michael Jackson for corrupting American youths by means of his effeminate behavior. Members of the movement have also castigated Michael Jackson for unethically disclaiming his blackness by bleaching his skin to a "leprous" color that is neither white nor black nor brown, and for destroying, through plastic surgery, the face that Allah gave him. The Nation of Islam makes strong demands on its adherents and draws attention to race relations in America.

*I. Peter Ukpokodu*

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SEE ALSO: Civil Rights movement; Discrimination; Farrakhan, Louis; Islamic ethics; Malcolm X; Racial prejudice; Segregation.

## National Anti-Vivisection Society

IDENTIFICATION: Organization established to abolish surgical experimentation on live animals

DATE: Founded in 1929

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: The National Anti-Vivisection Society (NAVS) questions the validity of human domination over animals, believing in the fundamental equality of animals and humans.

As one of several national and international humanitarian organizations dedicated to the elimination of biomedical research using animals, The National Anti-Vivisection Society was formed as a reaction against more conservative animal welfare organizations such as the Humane Society of the United States and the American Society for the Prevention of Cruelty to Animals.

While these societies are dedicated to the prevention of cruelty and improvement of conditions for all animals, unlike the NAVS, they are not officially committed to the total elimination of animal experimentation for human gain. While vivisection narrowly refers to the surgical cutting of animals, with or without anesthesia, the term has been broadened to include any experimentation on animals. The anti-vivisection movement challenges the utilitarian notion that the sacrifice of animals for the greater good of humanity is acceptable and desirable, thereby condemning speciesism—the belief that humans have the right of domination over nature and are superior to animals. On a pragmatic level, the organization also challenges the usefulness and applicability of animal experimentation to human medical science.

*Mary E. Virginia*

SEE ALSO: Animal research; Animal rights; Domination over nature, human; Moral status of animals; People for the Ethical Treatment of Animals; Sentience; Vivisection.

## National Association for the Advancement of Colored People

**IDENTIFICATION:** Organization established to fight for legal rights for members of minority groups in the United States

**DATE:** Founded on February 12, 1909

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** The National Association for the Advancement of Colored People (NAACP) was the first major organization to seek legislation at the national, state, and local levels banning racial discrimination.

With more than 500,000 members and 1,600 local chapters at the turn of the twenty-first century, the

NAACP promotes equality of rights for all Americans and continues to fight against racial discrimination in employment and education. It is an interracial organization seeking, through “litigation, legislation and education,” a complete end to racial prejudice and discrimination. Its most important victory came in *Brown v. Board of Education* (1954), when Thurgood Marshall, chief counsel for the NAACP and a future Supreme Court justice, successfully argued that the “separate but equal” doctrine established by the Court in 1896 was unconstitutional. Segregation by law was declared illegal, and school districts that separated students by race would have to begin to desegregate “with all deliberate speed.”

The National Negro Committee, out of which came the NAACP, was organized in 1909 in response to a bloody race riot in Springfield, Illinois, in 1908.



Roy Wilkins (second from right), who led the NAACP during the 1960's, confers with U.S. attorney general Robert F. Kennedy (left), Martin Luther King, Jr., and union leader A. Philip Randolph (right). (National Archives)

Two African Americans were murdered by a white mob and seventy more were injured. The state militia eventually restored order, but only after many homes in the black community were burned by a white mob and two thousand African Americans were forced to flee the city. No white rioters were punished.

William English Walling, a white southern journalist, was appalled by the death and destruction and called for “a large and powerful body of citizens” to come to the assistance of the African Americans in Springfield. At a national conference, the committee called for an end to “caste and race prejudice” and for “complete equality before the law.” W. E. B. Du Bois, the famous black scholar and future editor of the NAACP’s magazine *The Crisis*, along with Jane Addams, founder of Hull House in Chicago and a leading white advocate of equality, were among the early members.

Lawyers for the NAACP first appeared before the U.S. Supreme Court in 1915 and decided to seek out cases that violated the Constitution, especially the Fourteenth Amendment’s protection of equal rights for all citizens of the United States. In their first successful case in 1927, NAACP lawyers convinced the court that a state law denying people the right to vote unless their grandfathers had been registered to vote was unconstitutional. Without the NAACP’s litigation and successful pursuit of justice for all, equality of rights would have continued to be denied and segregation might still be the law of many states.

In 1915, the NAACP established a prize, the Spingarn Medal, to be given annually to the African American who had “reached the highest achievement in his field of activity.” Named for Joel E. Spingarn, a white professor of literature at Columbia University and longtime chairman of the board of directors of the National Association, the medal became the group’s highest tribute. Among the winners of the Spingarn Medal were Thurgood Marshall; W. E. B. Du Bois; George Washington Carver, the famous scientist; James Weldon Johnson, the poet; Carter Woodson, the historian; educator Mary McLeod Bethune; soprano Marian Anderson; novelist Richard Wright; labor leader A. Philip Randolph; chemist Percy Julian; U.N. diplomat Ralph J. Bunche; Jackie Robinson, the baseball player; poet Langston Hughes; and social scientist Kenneth Clark, for his work on the *Brown* decision.

*Leslie V. Tischauser*

SEE ALSO: *Brown v. Board of Education*; Civil Rights movement; Congress of Racial Equality; Discrimination; Du Bois, W. E. B.; Evers, Medgar; Segregation.

## National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research

IDENTIFICATION: Interdisciplinary body that formulated ethical guidelines governing the treatment of human subjects in federally funded research

DATE: Established in July, 1974

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: The commission was the earliest and most successful government effort to establish a basic code of ethical conduct regulating scientific inquiry.

From 1966 through 1972, several revelations that reputable scientists had routinely risked the health and well-being of subjects without their knowledge eroded public confidence in science. Many incidents involved poor, institutionalized, old, military, or prison populations. Most notorious were the 1972 Tuskegee Syphilis Study revelations. For forty years, Public Health Service researchers had studied the natural course of syphilis in poor African American men from Tuskegee, Alabama; the researchers kept the men unaware of the study’s purpose, failed to treat them, even when penicillin became available, and actively prevented outside treatment. In 1974, Congress established the commission and provided that its recommendations were to be accepted by the U.S. Department of Health, Education, and Welfare unless the reasons for rejecting them were made public.

The commission issued several reports, including the *Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research* (1979), which led to the establishment of comprehensive regulations. The basic regulations require that most federally funded researchers obtain informed consent, protect confidentiality, and minimize risks to subjects. Additional safeguards were implemented from other reports to govern research



on children, pregnant women, prisoners, and other special populations. The commission's impact extends beyond directly funded research. Since institutions receiving federal funds must ensure that all research is conducted ethically, most institutions review all research under the same guidelines, which have become the accepted standard for ethical research.

*Ileana Dominguez-Urban*

SEE ALSO: Bioethics; Experimentation; Medical research.

## National Gay and Lesbian Task Force

**IDENTIFICATION:** Organization established to fight for full equality for gay, lesbian, bisexual, and transgender people

**DATE:** Founded in 1973

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** The National Gay and Lesbian Task Force (NGLTF) was the first national activist organization established on behalf of gay and lesbian rights. Its adjunct, the NGLTF Policy Institute, is the most significant national information clearinghouse and resource center dedicated to educating and organizing around gay and lesbian issues throughout the world.

The National Gay and Lesbian Task Force represents the estimated twenty-five million homosexual Americans and fights to secure full civil rights and equality for these citizens. Its activities involve strengthening and supporting grassroots groups; promoting research, education, and outreach; and providing activist leadership training to foster public policies to advance gay rights and end discrimination based on sexual orientation.

The NGLTF also compiles and publishes statistics on hate crimes (which increased 172 percent between 1988 and 1992), discrimination (the NGLTF has been working since 1975 to ensure passage of a federal civil rights bill that would end discrimination for reasons of sexual orientation in the areas of housing, employment, public accommodations, credit, and federally assisted programs), health care

(including AIDS-HIV concerns), and family issues (including domestic partnerships, foster and adoptive parenting, and child custody and visitation questions) and the impact of these problems on the gay community. The NGLTF lobby helped to secure the passage of the Federal Hate Crimes Statistics Act, the Americans with Disabilities Act, and AIDS emergency relief funding.

*Mary Johnson*

SEE ALSO: Acquired immunodeficiency syndrome (AIDS); Bigotry; Civil Rights movement; Gay rights; Homophobia; Homosexuality; Sexual stereotypes.

## National Labor Relations Act

**IDENTIFICATION:** Labor law outlawing unfair practices by employers and legalizing important labor practices, including collective bargaining and the closed shop

**DATE:** Enacted on July 5, 1935

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The National Labor Relations Act represented an attempt by the federal government to promote harmony between labor and management and to avoid costly strikes in the midst of an already devastating Depression.

Within months of the U.S. Supreme Court's invalidation of the National Industrial Recovery Act of 1933, Congress, led by Senator Robert Wagner of New York, passed legislation to assist employees and at the same time attempt to cure industrial strife by eliminating its chief cause: strikes. The law (known as the Magna Carta of labor) would eradicate the underlying cause of strikes, unfair employer practices, by encouraging collective bargaining, thereby granting employees equal bargaining power with their employers. Using the National Labor Relations Board to administer its provisions, the act, which applies to all employers engaged in interstate commerce, provides governmental processes for the selection of employee bargaining representatives. The act prohibits employers from interfering with union formation, establishing a "company" union, discriminating against union workers, refusing collective bargaining, or retaliating against workers who file charges



under this act. Congress amended the act in 1947 to forbid the closed shop and again in 1959 to monitor union officials' activities.

SEE ALSO: Arbitration; Congress; Executive Order 10988; Fair Labor Standards Act; Labor-Management Relations Act; National Labor Union; Work.

## National Labor Union

IDENTIFICATION: National federation of trade unions organized to secure workers' rights

DATE: 1866-1873

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: The National Labor Union (NLU) represented an attempt to create a movement for economic equality which would parallel earlier national movements toward political and religious equality.

Fearing the widening economic gap between employer and worker, William H. Sylvis led the Molders' Union and other national labor (craft) unions to join forces to organize the NLU to lobby for the rights of labor. The platform of the highly political NLU provided a plan to maintain its laborers' freedom, equality, and stature in American life. The NLU advocated higher wages, an eight-hour day, cooperative stores, and government action to assist labor. Women and African Americans were encouraged to organize and participate in the NLU. Upon President Sylvis's death in 1869, the NLU split over such ethical issues as women's rights, labor party involvement, and monetary expansion. By 1872, the NLU had become essentially a labor party, and after its lack of success in the election of 1872, both the NLU and the labor party collapsed. The NLU established the first truly national association of labor unions and succeeded in lobbying Congress in 1868 to establish an eight-hour day for federal laborers and artisans.

*Stephen D. Livesay*

SEE ALSO: American Federation of Labor; Executive Order 10988; Fair Labor Standards Act; Knights of Labor; Labor-Management Relations Act.

## National Organization for Women

IDENTIFICATION: Organization established to lobby for women's rights

DATE: Founded in 1966

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: The National Organization for Women (NOW) has become an organization of significant power in U.S. politics. It seeks statutory protection for what it believes to be fundamental moral rights.

NOW's activities are based on the assumption that women have been denied the opportunity for professional achievement because practices that discriminate against them are not illegal. Since the United States is committed to equality, NOW believes, its laws should prohibit practices that impede women's climb to success. The years of NOW's existence have been marked by controversy over what sorts of rights require legal protection if women are to advance. For example, most members of NOW believe that reproductive rights, including the right to abortion, must be protected by law if women are to be free to make career choices. Many antiabortionists support women's rights but criticize NOW for condoning killing.

Some members of NOW have argued that NOW should lobby to protect the rights of homosexuals and minorities if it is to help the advancement of women in those categories. Other members have responded that the organization can best serve the majority of women if it maintains a narrow focus on employment rights, as it did in its early years when it was headed by its founder, Betty Freidan, author of *The Feminine Mystique*.

*Laura Duhan Kaplan*

SEE ALSO: Equal pay for equal work; Equal Rights Amendment; *Feminine Mystique, The*; Feminist ethics; Lobbying; Wage discrimination.

## National Park System, U.S.

**IDENTIFICATION:** Group of over 360 parcels of land owned, administered, and protected by the federal government

**DATE:** First park established in 1872

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The National Park System seeks to preserve environmental resources from industrial development, unregulated tourism, hunting, and other encroachments, on the theory that the nation's populace has an interest in, or benefits from, the conservation of wilderness. The creation of new parks may raise ethical issues regarding federal seizure of private or state land.

In 1870, members of the Washburn survey decided, around a campfire, to recommend public ownership and preservation of scenic features in the Yellowstone region rather than claim them for themselves.

### The First U.S. National Parks

<i>Date</i>	<i>Park</i>	<i>Location</i>
1872	Yellowstone	Wyoming, Montana, and Idaho
1890	Kings Canyon	California
1890	Sequoia	California
1890	Yosemite	California
1899	Mount Ranier	Washington
1902	Crater Lake	Oregon
1903	Wind Cave	South Dakota
1906	Mesa Verde	Colorado
1914	Everglades	Florida
1915	Rocky Mountain	Colorado
1916	Hawaii Volcanoes	Hawaii
1916	Lassen Volcanic	California
1919	Acadia	Maine
1919	Grand Canyon	Arizona
1919	Zion	Utah

This led Ferdinand Vandiveer Hayden, director of the U.S. Geographical and Geological Survey of the Territories, to lobby Congress, which established Yellowstone National Park in 1872. In 1886, the park was organized under the Army. In 1916, the National Park Service was established in the Department of the Interior, with Stephen Mather as its first director.

Mather organized the system, emphasizing preservation and display. During the mid-1960's, Congress responded to the land ethic by directing the establishment of wilderness areas within existing parks. The park system also has broadened its scope from preserving spectacular scenic areas such as the Grand Canyon to include significant historical sites, outstanding recreational areas, and areas designed to preserve practical examples of important ecosystems, such as the Florida Everglades. National Parks are established by acts of Congress that define their areas and control their operation. Some national monuments, such as Death Valley National Monument, are of the same character as national parks but are established and controlled by Executive Order, a power granted to the president under the Antiquities Act of 1906.

*Ralph L. Langenheim, Jr.*

**SEE ALSO:** Conservation; Leopold, Aldo; Muir, John; Sierra Club; Wilderness Act of 1964.

## National security and sovereignty

**DEFINITION:** Political concept concerned with preserving the identity of a state as such and with protecting its citizens from armed attack by other states or groups

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** National security presents ethical challenges for liberal democracies seeking appropriate balances between security and freedom.

Because liberal democracies are fundamentally open societies, ensuring national security poses special problems for those governments. Unregulated government surveillance of citizens and other such tools of more repressive regimes are generally considered

unacceptable within open societies. However, the September 11, 2001, terrorist attacks in New York and Washington, D.C., left Americans in shock from the devastation and carnage and predictably led to a rush of government actions aimed at increasing national security. These actions ranged from internal measures such as the passage of the Patriot Act of 2001 to external measures such as the NATO- and United Nations-sanctioned military attack against the Taliban government in Afghanistan, as well as the U.S.-led invasion of Iraq in 2003.

Although the U.S. Constitution places limits on government action, those limits are legal, not ethical, and in times of crises may be illusory. For example, during World War II, the federal government rounded up tens of thousands of American citizens of Japanese descent, confiscating their property and detaining them in “internment camps.” The U.S. Supreme Court upheld the detainment as constitutional in the time of war in its 1943 *Korematsu v. United States* ruling.

The ethical challenge for a liberal democracy in the face of severe threats to national security is to resist the temptation to abandon traditional ideals in favor of short-term measures that trade away too much freedom for not enough security, particularly in situations in which costs are concentrated on discrete groups. An especially dangerous temptation is to use a consequentialist approach, or strict cost-benefit analysis, to resolve all national security concerns.

### RACIAL PROFILING

Because all nineteen terrorists implicated in the September 11 hijackings were young men from Middle Eastern countries—primarily Saudi Arabia—the federal government engaged in a dragnet that snared hundreds of young Middle Easterners residing in the United States. Some were quickly released, others were prosecuted in Detroit, Michigan, and in Portland, Oregon, and many others were held on charges of immigration violations. In addition, in complying with Federal Aviation Administration directives to conduct “secondary screening” of passengers and carry-on luggage, commercial airlines were accused of engaging in “racial profiling”; that is, selecting men of supposed Middle Eastern appearance for disproportionate numbers of such searches. In one notable incident, American Airlines kicked a United States Secret Service agent named Walied Shater off

### The Mathematics of Racial Profiling

The seductive appeal of a racial profile lies in the belief that if members of group *X* are disproportionately more likely to commit a particular crime than other people, it makes sense to focus attention on group *X*. However, if only a tiny percentage of group *X* members commit the crime, then such a focus may be ethically questionable, as it would burden the overwhelming majority of law-abiding members of group *X*. It is instructive to consider the mathematics of profiling.

If a particular crime that is committed by only 0.1 percent of the general population is committed by 1.0 percent of the members of group *X*, then any individual member of group *X* is ten times more likely to commit the crime than a member of the general population. However, 99 percent of the members of group *X* are law-abiding with respect to this crime. Moreover, if all the members of group *X* constitute less than 10 percent of the total population, then fewer than half of the people who commit the crime in question are actually members of group *X*.

a flight on Christmas Day in 2001 because of “inconsistencies in his paperwork.”

Racial profiling was controversial even before the terrorist attacks. For example, a number of academic writers have long argued that the Drug Enforcement Agency’s “drug courier profile” contains a racial component. At least one federal judge reached the same conclusion in 1992, labeling it “a racist practice . . . that openly targets African-Americans” in *United States v. Taylor*.

### TORTURE AND OTHER EXTREME MEASURES

The threat that terrorism, particularly after the September 11 attacks, poses to society also poses a challenge to ethical conduct in law enforcement and antiterrorism actions. With terrorist groups such as al-Qaeda seeking weapons of mass destruction, including nuclear weapons, a successful terrorist attack could result in the deaths of hundreds of thousands, if not millions, of people.

Given such potentially catastrophic dangers, it is not easy to remain wedded to the principle that the ends do not justify the means. Indeed, the problem has been well known to philosophers and law professors as the “ticking time bomb” scenario, in which authorities capture a suspect who knows the location of a time bomb due to detonate at any time. Can the authorities torture the suspect in order to determine the location of the bomb, thereby saving hundreds of lives?

One familiar line of thought on this scenario is the consequentialist approach, a simple cost-benefit analysis: the harm of torturing one person is presumably outweighed significantly by the gain of saving hundreds of people. The problem with the consequentialist approach from an ethical perspective is that it has no readily apparent limits and might justify, for example, the killing of a healthy person to harvest that person’s organs if doing so would save a large enough number of other sick persons.

Moreover, the ticking time bomb scenario offers comfort in the certainty that the suspect to be tortured is in fact the perpetrator, the bomb is real, and the only way to determine the bomb’s location in time to stop it is to employ torture. In real life, it is doubtful that law enforcement authorities will have the luxury of such perfect information, making decisions to employ torture even more ethically difficult.

#### IMPLICATIONS FOR ETHICAL CONDUCT

Consequentialism is a seductively attractive principle in implementing national security, particularly during times of crises when the potential casualty toll from a terrorist attack or an armed attack by a foreign nation can be staggering. Because consequentialism knows no limits, however, it is not an attractive ethical guideline, even in the name of national security. This is not to say that one should not consider the potential consequences of failing to take a step in the name of national security; but rather that the ethics of ensuring national security require more than just balancing of numbers.

*Tung Yin*

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SEE ALSO: Homeland defense; International justice; Intervention; Monroe Doctrine; Mutually Assured Destruction; Patriotism; Peacekeeping missions; Refugees and stateless people; Sovereignty; United Nations Convention on the Prevention and Punishment of the Crime of Genocide; Zionism.

## Nationalism

DEFINITION: Loyalty to a nation and devotion to that nation’s interests over those of all other nations

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Nationalism is based, either consciously or unconsciously, upon the premise that one’s nationality is the most important aspect of one’s identity, overriding concerns of class, sex, race, religion, and so on. It may be seen as a vice, motivating unethical conduct, but it may also be seen as a virtue, in which case it is often called patriotism.

Nationalism is usually manifested in two forms: as a sentiment and as a movement. Nationalist sentiment is the feeling of anger aroused by the violation of the nationalist principle or the feeling of satisfaction aroused by its fulfillment. A nationalist movement is one that is actuated by a sentiment of this kind. There are various ways in which the nationalist principle can be violated. The political boundary of the state can fail to include all members of the nation or it can include them all but also be host to a substantial number of foreigners.

A nation may even exist in a multiplicity of states with no distinct political boundary, as in the case of the Jews before the creation of Israel in 1948. Another violation of the nationalist principle to which the nationalist sentiment is very sensitive and often hostile occurs when the political rulers of the nation belong to a nation other than that of the majority of people over whom they rule, a fact that explains the

violent resistance encountered by some imperialist and colonial regimes.

### **HISTORICAL ORIGIN**

The roots of modern nationalism have been traced to what was for perhaps a hundred thousand years the basic social institution of humankind: the tribe. Out of this institution grew a sentiment of union that was nurtured and reinforced by common traditions and customs, by legends and myths, and, most important, by a common language. Prior to the sixteenth century, military conquests, commercial activities, and certain religions overflowed tribal barriers and imposed "international" loyalty in place of tribal loyalties. Tribal nationalism was thus systematically replaced by a form of internationalism, which meant the subjection of local group feeling to the claims of a great empire or the demands of an inclusive church.

During the sixteenth and seventeenth centuries, this traditional internationalism would also crumble as the Roman Catholic Church was disrupted by the rise of the Protestant Reformation and empires fell one after the other. Out of the ruins of the empires and the wreckage of the church emerged a new system for Europe. This system involved an agglomeration of peoples with diverse languages, dialects, and traditions, whose purpose was more to increase the wealth, prestige, and power of reigning families than to build up homogeneous nationalities. In France and England, and later in Spain, Germany, Italy, and Russia, the strongest noble families won the territory and, with their supporters, created monarchical governments that by the early eighteenth century had started evolving steadily into modern-day national states.

### **EVOLUTION TO NATION STATES**

The evolution from monarchical governments to national states was catalyzed in the eighteenth century by the advent of the philosophers of the Enlightenment, who did more than anybody else to convert people's loyalty from the royal families and the church to the service of the nation. Prior to the eighteenth century, wars were usually dynastic and religious in origin and had nothing to do with individual rights. European peoples were bartered from one reigning family to another, sometimes as a marriage dowry, sometimes as the booty of conquest. In the same manner, overseas peoples were exploited by rival sets

of European tradesmen and soldiers, and there were great commercial wars to determine whether natives of America, Asia, and Africa should belong to Spain, France, Belgium, Holland, Germany, or England. The so-called national frontiers, which were referred to then as "natural," had been acquired by any means other than natural: force, guile, marriage, inheritance, purchase, diplomacy, and illegal confiscation, for example. Individuals (or subjects) could not choose to whom they wanted to give their loyalty.

Through the efforts of the Enlightenment philosophers, this status quo was challenged. Religion, which had hitherto been untouchable, was substantially demystified. The natural was substituted for the supernatural, and science for religion. The philosophers held that Christianity, be it Catholic or Protestant, was a tissue of myths and superstitions. In place of religion and the church, human reason was exalted and almost deified.

Perhaps the greatest contribution of the Enlightenment philosophers to modern nationalism was their insistence on the natural rights of the individual, and in particular the right of national self-determination, which allows the individual to choose the sovereign state to which to belong and the form of government under which to serve. Furthermore, they insisted that all governments should be for the good of the governed and that the prince should be the servant of the people. The first outbursts of modern nationalism (the French Revolution of 1789) were directly inspired and fanned by these principles.

### **THE SPREAD OF NATIONALISM**

After the French Revolution, believing themselves to be the benefactors of the human race, the French were eager to impose their newly found liberty and their superior national institutions upon all of Europe and perhaps the world. That most of Europe and the world were not ready or willing to accept liberty *à la française* made little difference. French expansionism took precedence over its revolutionary messianism; what had been supposed to be a support for national liberation became a pretext for territorial expansion. Reacting to this turn of events, the rest of Europe became animated by the desire to resist the French. The name of France became not only feared but also hated. That fear and hate would later become fundamental in spreading the sentiment of modern nationalism, for it was in a bid to stop French expan-



sionist aggression that the rest of Europe started appealing to national sentiment.

From that point on, nationalism was well on its way to becoming the dominant force. For many people, the nation became the chief object of allegiance. The loyalty and devotion once given to old dynasties and the church were now given to the fatherland. The defense of the fatherland had become the end of most people's endeavors and almost the sole object, other than immediate family, for which they would willingly die.

### ETHICS VS. REALPOLITIK

In the same way that the realization of a common culture and destiny as well as the instinct to survive induced a group to believe itself a nation, so they also made that group aware of the differences that set it apart from other groups. As these differences sharpened, so did feelings of national exclusiveness and the national dislike of others.

Friedrich Hertz's *Nationality in History and Politics* (1957) identifies two aspects of the spirit of nationalism: its positive and constructive side, which promotes national solidarity and freedom; and its negative and destructive side, which promotes the mental seclusion of the nation, leading to mutual distrust and prejudice, and culminating in a striving for superiority and domination. In the latter case, nationalist sentiment is often accompanied by a show of national aggressiveness, in which, more often than not, the primary aim is the quest for national honor, which in turn is expressed in terms of power, superiority, a higher rank among nations, prestige, and domination. In other words (to echo the thoughts of Niccolò Machiavelli), the aims of politics in the national interest became ultimately centered on the acquisition of land, human energy and resources, and the relative weakening of other powers.

By the beginning of the nineteenth century, realpolitik nationalism had become the new religion of the people. Boyd C. Shafer, in *Nationalism: Myth and Reality* (1955), finds a number of parallels between the "new faith" and many of the distinguishing marks of the "old religions." According to him, like the traditional religions, nationalism developed a morality that had its own rewards and punishments, virtues and sins, and missionary zeal. There were many similarities, even in the fanaticism with which those of contrary opinions were persecuted in the

name of the new "divinities": liberty and fatherland. The similarity with religion did not end there.

Like the Christians, "good" nationalists were zealous in spreading their gospel, as indicated by the national imperialistic and colonial ventures of the nineteenth century, although behind the new national will for expansion, the motives were mixed and sometimes contradictory. Bourgeois entrepreneurs coveted trade and profit, politicians sought popularity, military men wanted glory, some hoped to propagate liberty and the Christian faith, and others were simply looking for adventure. That this might mean a denial of other people's right to a fatherland made no difference.

Nationalism became more and more violent and exclusive as people began to show an absolute faith in their superiority over other nationalities. National egoism, becoming more and more intensified, came to be accepted as moral and therefore desirable. Thus, most Western European powers, particularly France and Britain, acquired huge colonial empires to serve their national interests and bolster their national power. Germany, Italy, and Japan, all in the name of the nation, embarked on a series of expansionist aggressions that later culminated in World War II. After the war, in order to consolidate its national power, the Soviet Union pushed westward in Europe to absorb the Baltic states, making Poland, Czechoslovakia, Hungary, Romania, and Bulgaria into satellite nations. Finally, the United States, in an effort to propagate its own form of democracy abroad and thereby ensure its national security, "fought" the Cold War.

Nationalism also comes in other forms besides that of aggression against other nations. In some cases, it is manifested in the form of intolerance and aggression against internal opposition (totalitarian regimes), minorities (such as the Iraqi Kurds), or a racial segment of the population (as in apartheid-era South Africa). When this happens, more often than not, nationalism becomes a disruptive force, tending to destabilize rather than enhance social order. It may even come in a form of economic egotism, such as protectionism. During the early stages, political considerations dominated nationalism, but over the years, a tendency developed to regard the state as an economic as well as a political unit. Economic nationalism merged with imperialism to become one of the driving forces of modern history.

Thus, over time, nationalism had evolved from its original phase of liberalism as conceived by the Enlightenment philosophers, when reason, tolerance, and humanitarianism were the watchwords, and had become inevitably tied to the *realpolitik* that had begun with the rivalries of earlier tribal groups. In its process of transformation from a positive to negative force, liberal nationalism gradually deteriorated until it lost most, if not all, of its earlier moral character. Just as Machiavelli excluded morality from politics, so did Georg W. F. Hegel during the early nineteenth century place the nation-state above morality, a legacy that continued well into the twentieth century.

### THE IMPERIALIST/COLONIAL LEGACY

In *Macro-Nationalisms: A History of the Pan-Movements* (1984), Louis L. Snyder identifies two lesser-known but important satellite movements running concurrently with established modern nationalisms.

The first movement involves the many mini-nationalisms that are seeking to break away from the established nation-states. The disadvantage of modern nationalism as it emerged from the European model in the eighteenth century is that it presupposes a common language and a reasonably homogeneous society. By the middle of the twentieth century, however, few states could claim to be “pure” nations with a completely homogeneous ethnic composition. Thus emerged the problem of minorities, their rights, their dubious loyalties, and their mistreatment by the majorities.

Expansionism, which was begun in the eighteenth and nineteenth centuries and which hitherto had been an attribute of national power, eventually became a Pandora’s box for the imperialist powers, as problems of homogeneity and self-determination forced issues of nationalism into the forefront of global politics. This is particularly true of some Western European states, in which many mini-nationalisms inside the established nation-states seek to break away from larger units; for example, France (Corsica), Spain (Basque), and Britain (Catholic Ireland). Meanwhile, in the East, for similar reasons, the Soviet Union completely disintegrated, giving way to a multiplicity of new nations; Czechoslovakia gave birth to two autonomous states, while the former Yugoslavia, which is terribly divided along ethnic lines, engaged

in a bitter civil war to determine the fate of the newly created “nations.”

The second movement involves the many macro-nationalisms that seek to expand the established nation-state to a supranational form. According to Snyder, macro-nationalisms, or pan-movements, seek to promote the solidarity of peoples united by common or kindred languages, group identification, traditions, or characteristics such as geographical proximity. Like established nationalisms, they reveal an aggressive impulse that seeks to control contiguous or noncontiguous territory. In addition to this power syndrome, they are also animated by specific elements: for Pan-Slavism, it was messianic zeal; for Pan-Germanism, territorial expansion; for Pan-Arabism, religious zeal; for Pan-Africanism, racial unity; for Pan-Asianism, anticolonialism; for Pan-Americanism hemispheric solidarity; and, finally, for Pan-Europeanism, economic unity.

The moral issues involved in the nationalism of Europe are different from those that operate in other parts of the world—especially in Asia and Africa—principally because, from the onset, the liberal values of the Enlightenment were not applied to the colonial possessions. Anticolonial nationalism was an intellectual response to this contradiction. Most of the peoples in these two continents were initially united in their struggle to gain national independence and to secure better standards of living for their people. Almost everywhere in the Third World, the ideology of nationalism was firmly linked to the ideology of development. Unfortunately, in some of these cases, nationalism and self-determination have had to be settled not by votes but by armed conflicts.

In Africa, the situation became particularly delicate when colonialism bestowed on the new states administrative structures that were anything but ethnically homogeneous. To preserve or attain national independence, African people have had to resort to civil wars (Belgian Congo, Nigeria, Sudan, Ethiopia), terrorism and guerrilla warfare (South Africa); or even full-scale war (Morocco).

### THE MORAL LEGACY

In conclusion, it could be said that during the course of the twentieth century, the nationalist process matured into a real cult of superiority in which nationalism assumes the role of a “political religion,” with prestige and power as its “supreme gods,” as

was the case in Nazi Germany and Benito Mussolini's Italy. Governments acted as they pleased, in their own national interest, and were limited only by superior strength, although in almost all cases elaborate efforts were made to cloak all acts of nationalism in moralism. Even the superpowers had to resort to the moral crusade to identify their own standards with general humanitarian principles to legitimize nationalistic endeavors. Thus, in the Cold War, the United States and the Soviet Union not only challenged each other along political and economic lines but also presented themselves as bearers of universal moral systems, proclaiming standards that they recommended for all nations.

*Olusoji A. Akomolafe*

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SEE ALSO: Enlightenment ethics; Fascism; Loyalty; Nazism; Patriotism; Racial prejudice; Realpolitik; Sovereignty; Zionism.

## Native American casinos

DEFINITION: Legal gambling establishments owned and operated by officially recognized Native American tribes

DATE: 1979 to the present

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: By taking advantage of their special legal status as sovereign nations, many Native American tribes have opened highly profitable gambling centers that have raised a number of ethical questions about the fairness of their tax exemptions, the unequal distribution of benefits among impoverished tribes, and the morality of profiting from gambling, which many people regard as an inherently sinful activity.

Is gambling the answer to Native American impoverishment—the "new buffalo," as some Native Americans have called it? In some places, such as the Pequots' Foxwoods Resort Casino, in Connecticut, legalized gambling has been an economic boon, as members of small tribes have been enriched. For others, such as the New York Oneidas in upstate New York, gambling has provided an enriched upper class with the means to hire police to force dissident anti-gambling traditionalists from their homes.

## The Foxwoods Money Machine

The Mashantucket Pequot's Foxwoods Resort Casino complex in Connecticut began as a small bingo parlor after roughly forty banks refused to lend the tribe money for a larger project. The bingo parlor began operating in 1986 and became wildly successful, drawing its clientele mainly from the urban corridor that stretches from Boston to New York City. With the profits from the bingo parlor, the Pequot's opened a full-scale casino in 1992. By the year 2000, the resulting Foxwoods complex was drawing about fifty thousand gamblers on an average day. The surrounding complex included five casinos containing more than 300,000 square feet of gaming space, 5,842 slot machines, 370 gaming tables, a 3,000-seat high-stakes bingo parlor with \$1,000,000 jackpots, a 200-seat Sportsbook, and a

keno lounge. The Foxwoods casino complex also included four hotels, twenty-three shopping areas, twenty-four food services, and a movie-theater complex, as well as a museum.

Foxwoods quickly became a financial success for its sponsors, as well as the state government of Connecticut, to which the casino's management pledged a quarter of its profits. During the fiscal year spanning 1999 and 2000, Foxwoods' gross revenues on its slot and video machines alone totaled more than \$9 billion. Foxwoods and a second casino, the Mohegan Sun, with thirteen thousand employees, paid the state of Connecticut more than \$318 million in taxes during the 1999-2000 fiscal year.

Image not available

*Foxwoods Resort Casino. (AP/Wide World Photos)*

Although many Native American cultures traditionally practiced forms of gambling as a form of sport—such as the Iroquois Peachstone game—there is no traditional Native American precedent for large-scale experience with gambling as a commercial enterprise. The history of reservation-based commercial gambling began during 1979, when the Seminole of Florida became the first Native nation to enter the bingo industry.

By the year 2000, Native American gaming revenue had grown to \$10.6 billion—a figure representing 16 percent of the \$64.9 billion generated by gaming in the United States as a whole. According to the National Indian Gaming Association, Indian gaming was contributing approximately \$120 million in state and local tax receipts annually by 2002. Moreover, gaming patrons spent an estimated \$237 million in local communities around Indian casinos.

Of the 562 federally recognized Native American governmental entities in the United States at that time, 201 participated in class II or class III gaming by 2001. Class II includes such games as bingo, pull-tabs, lotto, punch boards and certain card games permissible under individual state laws. Class III includes everything else, including casino-style table games, such as roulette and craps, and card games, such as poker and blackjack. Indian casinos operated in twenty-nine states under a total of 249 separate gaming compacts.

### THE ONEIDA EXAMPLE

By the 1960's, the landholdings of New York's Oneida tribe had been reduced to a mere thirty-two acres, east of Syracuse, with almost no economic infrastructure. Three decades later, the New York Oneidas owned a large casino, the Turning Stone, which had incubated a number of other business ventures. Many of the roughly one thousand Oneida people who resided in the area were receiving substantial material benefits.

Despite the economic benefits, a substantial dissident movement arose among Oneidas who assert that Ray Halbritter, the "nation representative" of the New York Oneidas, had never been voted into his office. The dissident group was centered in the Shenandoah family, whose members include the notable singer Joanne Shenandoah and her husband, activist Doug George-Kanentiio. The dissidents argued that the New York Oneidas under Halbritter had merely established a commercial business, called it a "nation," and then acquired the requisite approvals from New York State and the federal governments to use their status to open the Turning Stone.

Under Halbritter's direction, the New York Oneidas appointed a "men's council"—an unheard-of body in traditional matrilineal Iroquois law or tradition—which issued a zoning code to "beautify" the Oneida Nation. That code enabled Halbritter's fifty-four-member police force to evict from their reservation homes Oneidas who opposed his role as leader of the tribe. Halbritter's control also was supported by the acquisition of *Indian Country Today*, a national Native American newspaper.

The experience of the Oneidas raised several ethi-

cal questions, among them the question of whether the Oneida model might be a key to defining the future of Native American sovereignty. Critics wondered if the Oneidas' economic gains had been offset by an atmosphere of authoritarian rule and a devastating loss of traditional bearings, as many Oneida dissidents believe.

### CULTURAL INTEGRITY

Writing in *Modern Tribal Development* in 2000, Dean Howard Smith erected a theoretical context in which he sought a model for Indian reservation development that would be consistent with "the cultural integrity and sovereignty of the Native American nations . . . leading to cultural integrity, self-determination, and self-sufficiency." Instead of being assimilated into an industrial capitalistic system, Smith believes that Native American traditions can be used to design "a new type of system that incorporates competitive behavior, social compatibility and adaptation, and environmental concerns."

Bruce E. Johansen

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SEE ALSO: Betting on sports; Lotteries; Native American ethics; Taxes.



## Native American ethics

**DEFINITION:** Diverse set of ethical systems and moral codes of North America's tribal peoples

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Many Native American cultural traditions and worldviews differ significantly from those of Western traditions. The history of the interactions between Western colonizers and Native Americans, moreover, has imparted a unique status to the ethical systems of the latter group, which have been appropriated by many political dissidents and used as the basis for critiques of modern environmental and capitalist practices.

Several problems attend to any overview of Native American ethics. First, students of Native American cultural traditions have rarely focused on the topic of ethics, and therefore the amount of material available is minimal. Introductory texts on Native American religions typically fail to consider the topic. For example, Åke Hultkrantz's *The Study of American Indian Religions* (1983) and *Native Religions of North America* (1987), Sam D. Gill's *Native American Religions: An Introduction* (1982), and Lawrence E. Sullivan's *Native American Religions: North America* (1989) have no entries for "ethics" or "morality."

Second, the few scholars who did give some consideration to the manners, customs, and moral codes of Native American peoples generally had no formal training in ethics. Those who did tended to assume that the moral categories defined by the Western philosophic and religious traditions could be transferred to Native American cultures without any fear of misrepresentation. Thus, these scholars were preoccupied with questions of sexuality and general social structures, whether or not these were considered of prime importance by the natives.

Finally, the phrase "Native American ethics" suggests historical fiction. Only in the last four decades of the twentieth century did any pan-Indian identity emerge for Native Americans. The reality is that each tribal tradition considers itself to be a unique entity with a specific identity and cultural web.

### TRAVELERS AND MISSIONARIES

Historically, Western discussions of the moral condition of Native American peoples date from the fifteenth century. For the next four centuries, materi-

als relating to the ethics of Native American peoples primarily were recorded in the accounts of early travelers and missionaries. Typically, the debate centered on the question of the status of Native Americans as moral beings.

The earliest example dates from 1550, when Charles V of Spain summoned Juan Gines de Sepúlveda and Bartolomé de Las Casas to Valladolid to hear arguments on the nature of the beings discovered in the New World. Sepúlveda argued that the "Indians" were natural slaves. His evaluation provided justification for the Spanish system of *encomiendaro*. Las Casas, having spent four decades in the New World, provided broad evidence for a contrary view that the natives were highly developed and possessed natural virtues. New England Calvinists and romantics in the tradition of Jean-Jacques Rousseau carried forth the ignoble-noble savage debate into the twentieth century.

### ANTHROPOLOGICAL AND ETHNOLOGICAL STUDIES

During the mid-nineteenth century, Max Müller, Edward Tylor, Herbert Spencer, and other evolutionary positivists used the existing materials on Native American cultures to serve their universal theories of human development. Spencer, for example, concluded that "savages" lacked the necessary mental capacities to make moral distinctions, while Tylor argued that primitive peoples had not risen to the stage of ethical development that is characteristic of higher religions. These ethnocentric appraisals of "primitive" peoples in general, and Native Americans specifically, continued to inform the study of Native American peoples through the first half of the twentieth century.

Led by Franz Boas and Clark Wissler, twentieth century anthropological and ethnological studies of Native American cultures tended to ignore religious topics except as they contributed to cultural or diffusionist theories. Discussions of social relations focused on kinship patterns and formal social organization. Boas's *Kwakiutl Ethnography* (1966), for example, contains no references to ethics, moral codes, or values. Paul Radin's *The Winnebago Tribe* (1923) and *The Trickster* (1956), Ruth Benedict's *Patterns of Culture* (1934), and Gladys Reichard's *Navaho Religion* (1950) use psychological approaches that reduce moral values to the satisfaction of human

needs. Religion, when considered, focuses on topics such as the supernatural, sorcery, and witchcraft to the exclusion of ethical matters. Ruth Landes's *Ojibwa Religion and the Midéwiwin* (1968), for example, limits the term "ethics" to a distinction between "good" and "evil" in the context of sorcery and witchcraft, with no discussion of the ethical principles that might inform those evaluations.

#### PHILOSOPHICAL AND EMIC STUDIES

Richard Brandt's *Hopi Ethics* (1954) and John Ladd's *The Structure of a Moral Code* (1957) provide the only published formal theoretical studies of Native American ethics. Brandt and Ladd conclude that pragmatism best characterized Hopi and Navaho ethics. Brandt's methodology uses native interviews about ethical issues defined by Brandt rather than by the Hopi. Ladd's methodology is aimed at hypothetical reconstruction of Navaho ethics from the native point of view. Both Brandt and Ladd assume that ethics is concerned exclusively with social relations and therefore give little consideration to religious issues.

A. Irving Hallowell's *Ojib-wa Ontology, Behavior, and World View* (1960) marks a turning point in the study of the ethics of Native American peoples. Hallowell concluded that the key to Ojibwa behavior and worldview is found in a distinctive ontology that, on one hand, expands the category of person to include "other-than-human persons," and, on the other hand, defines moral behavior relationally. N. Scott Momaday's "The Man Made of Words" (1970) suggests that the idea of appropriation and the related concepts of appropriateness and propriety guide Native American relationships. Dorothy Lee's *Freedom and Culture* (1959), Howard Harrod's *Renewing the World* (1987), and Fritz Detwiler's "All My Relatives" (1992) further argue for the relational nature of the ethics of Native American peoples based on the expanded notion of "person." Harrod's work, in particular, grounds ethics in ritual experience. Through ritual, the ethical bonds that sustain a relational worldview are renewed and enhanced. If a relational ontology is fundamental to Native American worldviews, then further investigation of Native American ethics from a relational perspective is required.

*Fritz Detwiler*

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SEE ALSO: Environmental ethics; Native American casinos; Native American genocide.

## Native American genocide

**DEFINITION:** Long, slow destruction of the indigenous peoples of the Americas and their ways of life

**TYPE OF ETHICS:** Race and ethnicity

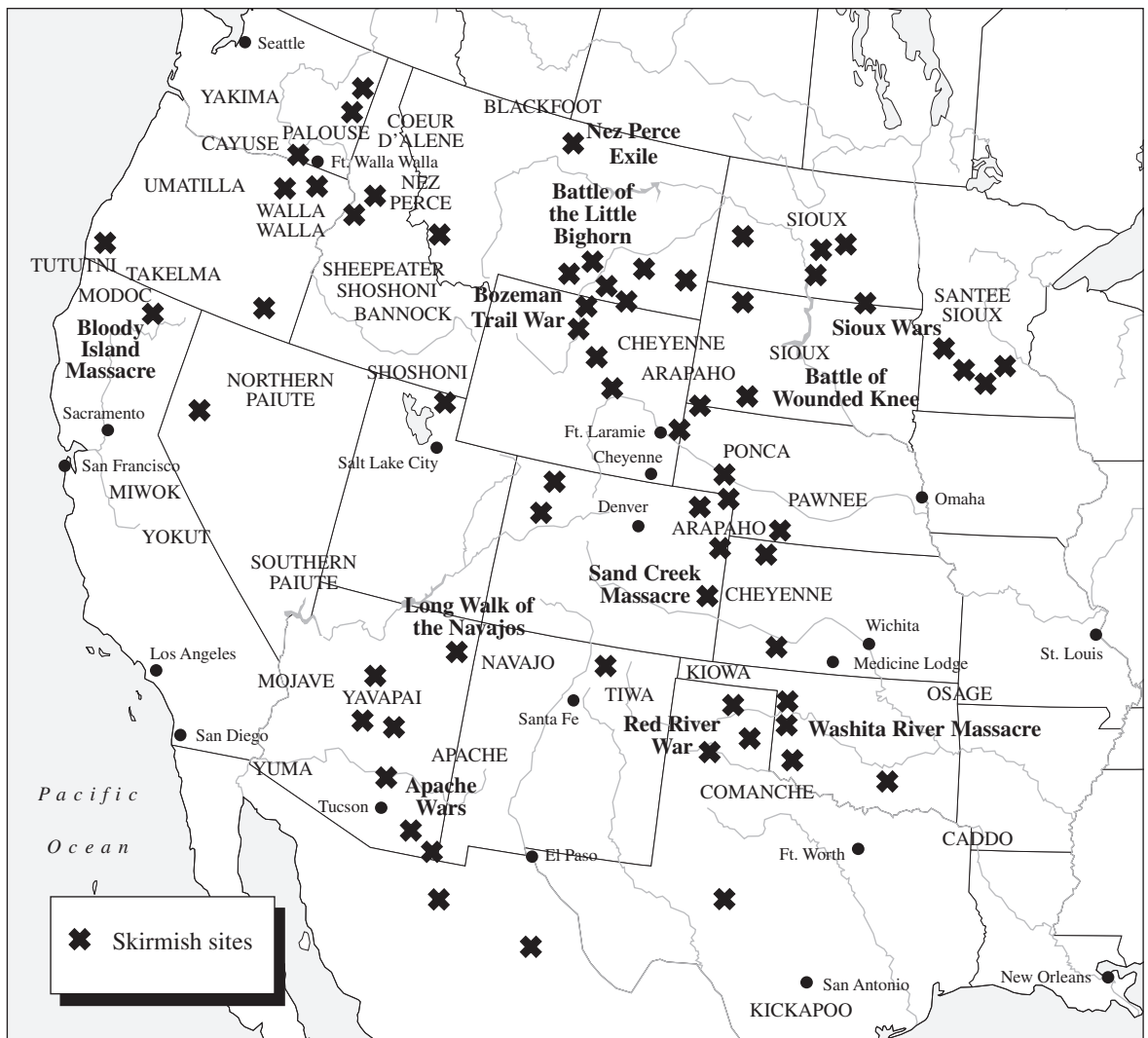
**SIGNIFICANCE:** European Americans justified the extermination of millions of Native Americans by judging them to be less than human.

The European discovery of the New World had devastating consequences for the native population. Within a century of Christopher Columbus's landing in 1492, the number of people living in the Americas had declined from more than twenty-five million to a few million. Whole societies in Mexico and South

America died within weeks of initial contact with Spanish explorers and adventurers. The major cause of the devastation was disease. Native Americans had lived in total isolation from the rest of the world since first arriving in the New World from Central Asia around 20,000 B.C.E.; hence, they had escaped the devastating epidemics and diseases, such as small-pox and the plague, that had afflicted the rest of humankind for generations. Such diseases normally required human carriers to pass them on to others, and such conditions did not exist in the New World until after 1492.

Columbus and his crew made four separate voyages to the New World between 1492 and 1510, and on each of those voyages sailors brought new diseases with them. Even the common flu had devastating consequences for defenseless Native American babies and children. Other people of the world had built up immunities to these killers, but Native Americans had none, so they died in massive numbers. During the sixteenth century, most of the dying took place from Mexico south, since the Spanish appeared to be uninterested in colonizing North America. Only after the English settled Jamestown in 1607-1608

**Indian Wars in the American West, 1840's-1890**



### Examples of Native American Tribes That Were Exterminated

<i>Date</i>	<i>Tribe</i>	<i>Region Inhabited</i>	<i>Cause</i>
1513-1530	Calusa	Florida	Spanish warfare
1617-1633	Massachusetts	New England	Smallpox
1637-1638	Pequot	New England	English warfare
1637-1705	Powhatan	Virginia	English warfare
1675-1676	Narraganset	Rhode Island	English warfare
1675-1763	Susquehannock	New York	Disease and wars
1706-1717	Chitimacha	Louisiana	French warfare
1716-1731	Natchez	Mississippi	French warfare
1782-1853	Chinook	Columbia River region	Smallpox
1873-1905	Yavapai	Arizona	Tuberculosis

and Plymouth in Massachusetts in 1620 did the epidemics affect Native Americans in that region.

The first major tribe to be exterminated in North America was the Massachusetts of New England, whose population died out completely between 1619 and 1633 from a smallpox epidemic. Yet other things besides disease were killing Native Americans. Most Europeans believed that the people they came across in their explorations were not truly human at all, but instead savage, inferior beings who had no law and order, no cities, no wealth, and no idea of God or progress. When they died from “white man’s diseases,” this offered further proof of the weakness and helplessness of the population. They could not even make good slaves because they died so quickly from “minor” illnesses. That is why the Europeans turned to Africa for their supply of slave laborers; Africans, who had had a much longer history of contact with other peoples of the world, had built up immunities to the killing diseases. Native Americans were not so lucky.

#### U.S. GOVERNMENT POLICIES

As time passed, immunities were built up by native peoples, and fewer tribes were extinguished by diseases. Warfare, however, continued to take its toll. Thousands of Native Americans died defending their homelands from American settlers in the aftermath of the War for Independence. Native Americans

were not made citizens by the Constitution of 1787 but were legally defined as residents of foreign nations living in the United States. Wars and conflicts over territory had devastated many tribes by 1830. In that year, President Andrew Jackson and Congress adopted a program, the Indian Removal Act, that they hoped would put an end to wars with the Native Americans. Under this new act, the American government would trade land west of the Mississippi River for land owned by the tribes in the east. Land in the west, acquired from France in 1803 as part of the Louisiana Purchase, was deemed unsuitable for farming by Europeans. Native Americans, on the other hand, would be able to survive on the Great Plains, called the “Great American Desert” by most whites, by hunting buffalo and other game.

Congress authorized the president to exchange land beginning in 1831. Three years later, a permanent Indian Country was created in the West and settlement by whites was declared illegal. By 1840, Indian Removal was complete, though it took the Black Hawk War in Illinois, the Seminole War in Florida, and the terrible march forcing the Cherokee from Georgia to the Indian Territory, to complete the process. At least three thousand Native American women and children died at the hands of the U.S. Army on the Cherokee “Trail of Tears.” Indian Removal meant death and disaster for many eastern tribes.

Conflict was reduced by the program only until

whites began moving into the West during the 1860's. During the U.S. Civil War (1861-1865), several Indian Wars were fought in Minnesota and Iowa, and the infamous Chivington Massacre took place in Colorado in 1864. In this incident, 450 Native Americans were slaughtered without warning in a predawn raid by the Colorado militia. To prevent massacres in the West, Congress enacted a "reservation policy," setting aside several million acres of western lands for "permanent" Indian settlement. The Army had the job of keeping the tribes on their reservations. Frequent wars resulted as Great Plains tribes attempted to leave their reservations to hunt buffalo and the army drove them back.

Problems increased with the coming of railroads. The first transcontinental railroad began carrying passengers in 1869. Huge buffalo herds presented the railroads with a major problem, however, because they took hours and sometimes days to cross the tracks. To keep trains running on time, railroads hired hunters to kill the buffalo. By the late 1880's, they nearly accomplished their goal of killing off all the herds. Buffalo had once numbered 100 million, but by 1888, there were fewer than 1,000. With the destruction of the buffalo came the end of the Native American way of life.

The final war was fought in 1890 in the Black Hills of South Dakota on the Pine Ridge Reservation. An Indian holy man claimed that the whites would disappear and the buffalo would return if Native Americans danced a Ghost Dance. Magical shirts were given to the dancers that were supposed to protect them from white men's bullets. When the white Indian agent asked Washington for help to put down the Ghost Dancers, the Army responded by killing hundreds of the Native Americans, whose magical shirts did not work.

Native Americans did not become American citizens until 1924 and were required to live on reservations. Not until 1934 was self-government granted to the tribes, and by that time the reservations had become the poorest communities in the entire United States. The reservations continue to have the highest levels of unemployment, alcoholism, crime, and drug addiction found in U.S. communities. These signals of social disintegration and disruption are the final results of a policy of extermination that began in 1492.

*Leslie V. Tischauser*

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SEE ALSO: Bigotry; Biochemical weapons; Genocide, cultural; Genocide and democide; Manifest destiny; Native American ethics; Racial prejudice; Racism.

## Natural law

DEFINITION: Moral law existing in, or deriving from, nature rather than culture

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: The many contradictory permutations of natural law theory share the notion of a universal law common to all humanity and derived in some fashion from nature or from the natural (pre-social) state of humanity. This notion is broad enough to have supported religious, secular, optimistic, pessimistic, human-centered, and non-human-centered versions of the theory.

The natural law theory of morality has its roots in classical Greek and Roman philosophy. Greek thinkers such as Aristotle emphasized the teleological nature of humanity. In other words, each human being has a fixed human nature and a certain "function"; namely, the capacity for rational thought. It is implied in Aristotle's philosophy that moral actions are



those that fulfill one's nature as a rational human being. Furthermore, in the *Rhetoric* (c. 335 B.C.E.) Aristotle differentiates between positive or "particular" laws and laws "according to nature." Aristotle described the latter as a "common" law; that is, one that was common or natural to all humanity.

The notion of natural law is even more explicit in the writings of the ancient Roman philosopher and statesman Cicero, who is usually associated with the Stoic school of philosophy. Cicero argued in his essays for an eternal and immutable law that prevailed for all people at all times. Moreover, this law is grounded in human nature. According to Cicero, "Law is the highest reason, implanted in Nature, which commands what ought to be done and forbids the opposite." In general, this notion of a natural law (*ius naturale*) permeated the Stoic philosophy, which emphasized the equality of all persons according to the law of nature. Moreover, this idea of a natural law was not foreign to Roman jurists; hence, it affected the development and application of actual laws in Roman society.

One finds intimations of the presence of this natural law in several other classical writers, such as Saint Augustine and Boethius. Augustine, for example, contended that the only valid temporal laws were those that were consonant with the eternal and immutable law of God. Other laws were simply unjust and hence lacked any authority. Even Saint Paul concludes in one of his epistles that we find a morality that conscience discerns naturally inscribed in our hearts (Romans 2:14-16).

### SAINT THOMAS AQUINAS

The philosopher who is most closely associated with the natural law ethic is Saint Thomas Aquinas. He developed an elaborate philosophical system based in large part on the philosophy of Aristotle. His most famous work is known as the *Summa Theologica* (1266-1273). The *Summa* is a lengthy treatise in which Thomas Aquinas presents and defends his complete philosophical system. In a major section of this work known as "The Treatise on Law," he articulated his conception of natural law morality. This brief work has been extremely influential in the history of moral and political philosophy.

Thomas Aquinas begins from what he calls the "eternal law," which is the law of God's creative work by which he directs everything to the fulfillment he

has in mind. All true laws are derived from and related to this eternal, unchanging law of God. According to Thomas Aquinas, the natural law that governs the lives of human beings is a participation in this eternal law. God created humans and gave them a definite nature that is subject to certain laws; specifically, the laws of its own development. Moreover, each nature is oriented intrinsically toward the goal of developing and realizing all of its vast potential. Hence, the primary obligation placed on humans by God is simply self-fulfillment. In other words, a human being's fundamental moral obligation is to fulfill his or her nature, to actualize his or her potentials, to develop in a fully human way. This obligation comes from God the creator but it is also written or inscribed ontologically into each human nature and clearly manifests itself to any intelligence that discerns this nature.

Given that human nature is oriented toward its own fulfillment, the first principle of morality is simple to deduce: "Good is to be done and promoted and evil is to be avoided." All other precepts of the natural law are based on this principle. It is important to note that the word "good" here refers to the final end of self-realization or self-fulfillment. Thus, the first precept of the natural law could be expressed as follows: "Fulfill your true nature as a person," or simply "Follow nature."

How exactly can one fulfill one's nature and actualize one's potential in order to become more fully human? In Thomas Aquinas's view, one must merely follow one's natural inclinations. These inclinations are a deep-seated and innate part of human nature, and they provide the general specifications of the first precept, "do good," as applied to human nature. The natural inclinations derive from three levels. As beings (or substances), humans are naturally inclined toward self-preservation; hence, whatever is a means of preserving life and avoiding death belongs to the natural law. As animals, humans are naturally inclined to take in food, to reproduce through sexual intercourse, and so forth. As rational human beings, humans are naturally inclined toward a life of reason (that is, the acquisition of knowledge), toward friendship and a social life, and toward a life of virtue and the love of God. Unfortunately, Thomas Aquinas does not provide a very extensive list of these inclinations, he lists only a few primary precepts of the natural law.

The main point, however, is clear: If one follows these natural inclinations, one will attain genuine self-fulfillment and happiness. Indeed, one is obliged to follow these inclinations and not to oppose one's own nature. The natural inclinations are not known by means of conceptual reasoning or logical analysis. Instead, they are known intuitively and naturally by anyone possessing a properly functioning practical reason. Hence, one's practical reason both knows these natural inclinations and directs their implementation in particular circumstances. In this sense then, reason—or what Thomas Aquinas calls “right reason” (*recta ratio*)—is indisputably the ultimate norm of morality.

Since, as Thomas Aquinas points out, people grasp as goods the fulfillments to which they are naturally inclined, it follows that there is a basic precept of the natural law that corresponds to each natural inclination. In other words, the natural inclinations as intuited or known by reason become the natural laws that bind one from within. They become the basic principles of morality—the so-called primary precepts of the natural law. These principles are immutable because they emanate from the fixed human nature. Also, these laws are universal, since all humans share a common nature. It becomes clear, therefore, that these primary precepts of the natural law, which are universal and immutable, serve as a fixed and unshakable basis for all morality and law.

Thomas Aquinas stresses that there are also secondary precepts of the natural law. These are derived from applying the primary precepts to more particular kinds of situations. Unlike the primary precepts, the secondary ones are not infallibly or intuitively known, may be disputed at times, and often hold only as a general rule or “for the most part.” Many civil laws and other moral mandates fall into this category. Thomas Aquinas's treatment of these secondary precepts reveals that he does allow for some flexibility in the development of law and morality.

The final issue considered in Thomas Aquinas's discussion of natural law is the relationship between human law and the natural law. Human law, according to Thomas Aquinas, is a further application of the natural law in a particular community and historical epoch. The necessity of such laws emanates from the unwillingness of some people to follow their own natural aptitude for virtue. Thomas Aquinas insists that every genuine human law must be derived from

and based on the natural law. He argues that the force of law depends on its justice and rightness, which in turn depends on the rule of reason.

Since the first rule of reason is the law of nature, every law must be based on this law of nature. Many laws will be established by tyrannical or inept rulers and legislators that will depart from the natural law and will be neither right nor just. When such laws deviate from the natural law, they are a corruption of law and have no binding force. Thomas Aquinas maintains that laws can be unjust or illegitimate in two ways: They are opposed to either the human good or the divine good. Clearly, then, any law that violates the common good, that is not just and does not participate in the natural law, is no law at all. All human law must, therefore, yield to the higher law of nature. It should be pointed out that even laws passed by good and upright rulers, laws perhaps good in themselves, might be poorly adapted to a particular situation. Hence, one might be justified in not following such a law under such circumstances.

Thus, there is an explicit hierarchy in Thomas Aquinas's philosophy of law. The natural law participates in and derives from the eternal law, and human law is subservient to the natural law. Whenever it conflicts with that law, it is null and void. The natural law, then, should be the ultimate guide and moral compass for all legislators and leaders.

#### NATURAL LAW AND NATURAL RIGHTS THEORY

A related but conceptually different approach to morality is the natural rights theory, which was developed by English philosophers such as Thomas Hobbes and John Locke. Locke, for example, argues for various natural rights such as the right to life, liberty, and property. According to Locke, these natural rights should be the basis for the laws and rules of civil society. The similarity between this viewpoint and the natural law ethic of Thomas Aquinas is the grounding of morality in rights that emanate from the nature of human beings. Locke, however, detaches his limited natural law theory from the metaphysical and theological underpinnings used by Thomas Aquinas. He also rejects the idea of natural hierarchies. Like Thomas Aquinas and other natural law philosophers, however, he claims that there is something higher than civil laws. In other words, the ultimate standards of law and morality are the natural human rights of life, liberty, and property. Moreover,

the state exists to secure and guarantee those fundamental rights. Thus, strictly speaking, Locke did not adopt a traditional view of morality based on natural law, but he did infer certain natural rights in the same manner as natural law philosophers such as Thomas Aquinas. Also, like traditional natural law theories, Locke's philosophy argues from the facts of human nature to the values that ground morality and law.

### THE SCHOOL OF NATURAL LAW

During the seventeenth and eighteenth centuries, there were many further developments in the evolution of natural law theory. What came to be known as the school of natural law was dominated by thinkers such as Hugo Grotius and Samuel von Pufendorf, along with Johann Gottlieb Fichte and Immanuel Kant. These philosophers discussed natural law in purely secular terms; hence, they too disassociated natural law from its metaphysical and theological suppositions. They regarded the law of nature as manifest to anyone through the natural light of human reason. This school also focused on different types of associations that form in society—particularly those regulated by law. They developed theories of the state, society at large, and associations and their relation to the state. Grotius, for example, developed a natural law conception of the state. Beyond any doubt, even these obscure works have had a notable impact on the evolution of legal and political theory.

### MODERN VERSIONS OF THE NATURAL LAW PHILOSOPHY

There are several insightful modern versions of natural law morality that for the most part have been inspired by the philosophy of Saint Thomas Aquinas. For example, legal philosophers such as John Finnis have attempted to build on and advance the work of Thomas Aquinas. In Finnis's version of natural law morality, there is a fuller and more elaborate articulation of human goods. Like Thomas Aquinas, Finnis contends that the end of each human being is self-fulfillment, or what he calls "human flourishing." In his seminal work *Natural Law and Natural Rights* (1980), Finnis argues for seven basic goods, or aspects of human well-being that contribute to this flourishing: life, knowledge, play, aesthetic experience, sociability and friendships, practicable reasonableness, and religion.

Human flourishing is realized by actualizing

these basic goods. Finnis also contends that practical reasonableness directs and guides the way in which people actualize the other goods. It is a critical intermediate principle that guides the transition from human goods to judgments about right and wrong actions. According to Finnis, one is practically reasonable when one participates in all human goods *well*. Thus, the bedrock moral principle for Finnis can be summed up as follows: "Make one's choices open to human fulfillment; that is, avoid unnecessary limitations of human potentialities." In other words, the moral law holds that one should promote human flourishing by respecting these basic human goods in one's own actions and in the actions of others.

Finally, it is worth noting that the notion of a natural law grounded in human nature is implicit in the writings of many other modern thinkers. Consider, for example, the writings of Martin Luther King, Jr.; specifically, his famous "Letter from Birmingham Jail," which was written in 1963. In this letter, he explains his rationale for disobeying the law by claiming that an unjust law is not really a law at all. Citing Saint Augustine, King invoked a higher "natural" law as a standard for judging the unjust discriminatory laws that could be found in some states during the early 1960's. King's writings raise the question of how one is to judge the laws of civil society if one does not have this higher standard cited by Aristotle, Cicero, Augustine, Thomas Aquinas, and many others.

### CRITICISMS

Critics have identified many problems associated with the natural law approach to morality. Some of the strongest criticism has been directed against Saint Thomas Aquinas, since he is regarded as the most noted systematizer of natural law theory. To begin with, the critics argue that Thomas Aquinas's discussion is seriously deficient in that he does not enumerate more primary precepts of natural law. Thomas Aquinas mentions only a few such precepts and should have given much more attention to the actual content of the natural law. Thus, the famous question 94 of the *Summa* in which these precepts are articulated under the form of natural inclinations is one of the most disappointing sections in the whole "Treatise on Law." It is difficult, then, to arrive at a comprehensive list of specific and definable duties that should be followed in the light of the natural law.

In addition, Thomas Aquinas and other natural

law advocates perhaps place too much emphasis on the immutability of human nature, which in turn accounts for the remarkable stability of the law. A more adequate moral theory must focus more explicitly on *possible* and future human fulfillment. In other words, more attention must be given to humanity's continual evolution and to possible forms of human fulfillment that have not yet been defined.

Still another criticism that is directed against Thomas Aquinas and his followers is the dependence of his natural law theory on the metaphysical assumptions of his philosophy. One such assumption is that the universe is organized in a teleological fashion and that all beings are ordained a certain end. Without this assumption, Thomas Aquinas's version of natural law becomes somewhat problematic, since it is predicated on the notion that human nature is oriented intrinsically toward self-realization. Science, however, specifically physics and biology, has rejected this teleological view of nature. For example, the biologist would argue that the development and growth of organisms is not caused by some inner teleology, but by the presence of genetic information that controls the process of growth. Thus, modern science and reason do not support the teleological assumptions of Aristotle and Thomas Aquinas. It is possible, of course, to revise the natural law framework so that it is not dependent on a foundation of teleology. In other words, the absence of a teleological assumption does not preclude a coherent natural law ethic.

### RELEVANCE OF NATURAL LAW

The natural law tradition has had a significant influence on the development of law and political theory in Western civilization. First of all, it represents the viewpoint that there are objective moral principles that can be discerned by reason. It has also influenced the emphasis on natural rights that is expressed in constitutional laws. Natural law theory seeks to justify these rights and other moral requirements that should serve as the basis of any legal system. Unless a system adheres to this natural law, it cannot be considered legitimate or justified. Thus, the rules of any society are not valid if they come into conflict with the demands of the natural law. In short, a valid law must be a moral law; that is, one that is consistent with the natural law.

The natural law tradition stands in unequivocal opposition to the tradition of positivism that distin-

guishes between law and morality. In addition, legal positivists stress that an unjust law is still a law. They hold that natural law theory confuses what law is with what it ought to be. Obviously, the debate between positivists and natural law proponents is a spirited one that will not be resolved easily. It is also clear, however, that the framework of natural law, despite its flaws, has many merits, since it accounts for the authority of law and provides a general guideline for judging the worth and quality of diverse legal rules.

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SEE ALSO: Augustine, Saint; Cicero; Grotius, Hugo; Hobbes, Thomas; Kant, Immanuel; Locke, John; Natural rights; Stoic ethics; *Summa Theologica*; Thomas Aquinas.

## Natural rights

**DEFINITION:** Inalienable rights of all people which exist in nature, prior to the institution of a social order, and which may be protected by governments but do not derive from governments

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** An influential doctrine during the Enlightenment, natural rights theory was used to justify the American and French revolutions of the eighteenth century. Moreover, a version of natural rights divorced from its original dependence on natural law became the basis in the twentieth century for discussions of universal human rights.

After World War II, the member nations of the United Nations were aghast at the systematic violations of human rights that had been committed during the war. Aware of the lack of enforcement mechanisms to hold persons accountable for such behavior, they initiated the process of developing legally binding international standards of conduct.

In 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR), marking the introduction of a basic canon

of civil, political, economic, social, and cultural rights into the international forum.

The Universal Declaration of Human Rights consists of thirty articles that declare, among others, the rights to life, liberty, property, nationality, education, thought, and religion, and freedom from torture, arbitrary arrest, and detention. Because of its ties with natural law, the UDHR has been criticized for being Eurocentric, giving rise to claims that its standards are not applicable to non-Western nations. Indeed, several pillars of the UDHR and subsequent international human rights instruments (the Covenant on Civil and Political Rights, the Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention Against Torture) are rooted in the early ideas of justice that derive from Western civilization.

### IDEAS OF JUSTICE IN ANCIENT GREECE

The Greek idea of justice was one that both guided individual behavior and served as a blueprint for the organization of society. The ethical beliefs of prominent Greek thinkers—Sophocles and Aristotle, in particular—were grounded in the belief that the higher laws of the gods transcended the obligations and duties dictated by the rulers of society. Like Plato and Socrates, Aristotle believed that adherence to ethics creates an ideal society, one in which hereditary class status does not determine one's social rank.

### ROMAN AND CATHOLIC DOCTRINE OF THE MIDDLE AGES

Influenced by classical Greek philosophy, the Roman emperor Justinian (502-565) distinguished among Roman natural law (*jus civile*), the common law of all nations (*jus gentium*), and natural law (*jus naturale*). The Romans emphasized the necessity for a proper trial, the presentation of evidence and proof, and the illegality of bribery in judicial proceedings.

The ideas proposed by the Roman Marcus Tullius Cicero further cultivated a theory of natural law. Cicero's *Brotherhood of Man* made no distinction between what is legally right and morally right, and he promoted the idea that Roman law should be filled with "natural reason" (fair, equitable solutions) instead of reliance upon positive legal provisions. Natural law was God-given, eternal, and immutable, and it could be applied to all people at all times.



The emphasis on natural reason as the foundation of law continues with the Roman Catholic doctrine of the Middle Ages and the writings of Saint Thomas Aquinas. Hugo Grotius clearly breaks from the older doctrine of natural rights by maintaining that natural law originates in pure reason, not the scriptures. For Grotius, even nature and mathematics are unchangeable by God.

**THE ENLIGHTENMENT**

The basis of the Enlightenment was a belief in the perfectibility and decency of humankind. John Locke’s essay on civil government (1689) contends that in the original state of nature all persons have the same rights and obligations and are entitled to de-

fend their rights to life, freedom, and property. Jean-Jacques Rousseau’s *Social Contract* (1712-1778) argued that the presence of evil cannot be blamed on humankind’s natural tendencies, but must be ascribed to social injustice and inequality; like Locke, Rousseau believed in a natural state of existence in which all are equal. Voltaire, another eighteenth century natural law theoretician, advocated for the rights still demanded today, including the freedoms of person, press, and religion.

The basic documents of the American Revolution, which reveal the evolution of natural law theory during the Enlightenment, influenced the French struggle for freedom. The rights of man, the social contract, popular sovereignty, separation of government powers, right to property, religious freedom, and freedom of thought all are contained in the Declaration of Independence and the U.S. Bill of Rights.

Parallel to constitutional developments in America, the French Declaration of the Rights of Man and the Citizen (1789) recognized the rights to liberty, property, equality before the law, repudiation of all hereditary privilege, national sovereignty, accountability of public officials, freedom of speech and press, separation of government powers, personal safety, and the right to resist oppression. Subsequently, in 1793, a new French constitution was developed that went beyond the document of 1789 in providing for the rights to work, to mass education, and to rise in insurrection.

**GENERATIONS OF HUMAN RIGHTS**

France’s development of the 1793 constitution is a historical example in which the dichotomy between civil, political rights, and economic, social, and cultural rights is visible. Just as the 1793 French document linked economic status and opportunity to the attainment of basic human rights, elements of current human rights discourse maintain that human

<b>Human Rights That Evolved out of Natural Rights Concepts</b>	
<i>Natural Rights Concept</i>	<i>Human Rights</i>
Freedom	Self-determination: rights to food, shelter, education, medical care, and social security
Liberty: freedoms of expression and religion	Liberty: freedoms of assembly, expression, religion, thought, culture, nationality, and movement; right to asylum
Equality	Equality: equality before the law, equal education, equal employment
Property	Property: right to employment, equal pay
Self-government	Representative government: fair elections, participatory government, equal suffrage, equal access to public service.
Freedom from arbitrary arrest	Due process: presumption of innocence, right to fair trial; freedoms from torture, detention, and exile
Personal privacy	Right to privacy: domestic privacy, privacy of correspondence; rights to family, marriage, honor, reputation, and leisure

rights are indivisible. Poor nonwestern countries assert that civil and political rights (referred to as first-generation rights because they are readily attainable) cannot be given priority over economic, social, and cultural rights (second generation rights, inclusive of the rights to education, housing, employment, and social security). Amid diverse global conditions, the development of an international code of ethics, which began in ancient times, has been broadened by the demand for economic, social, and cultural justice.

### NATURAL LAW AND APPLICABILITY OF HUMAN RIGHTS

The natural-law origins of the Universal Declaration of Human Rights fuel the conflict over the global application of human rights. Countries not rooted in the Western tradition of natural law agree that although human beings are born free and equal in dignity, the source of this higher order is dependent upon cultural protocol. Adherence to tradition and desire for its maintenance have given rise to the development of human rights documents that reflect differing social, cultural, and religious realities. Examples of such documents are the African (Banjul) Charter on Human and Peoples' Rights and the Islamic Declaration of Human Rights.

### CONCLUSION

Since 1948, an extensive register of international human rights has been developed. For example, feminism has extended human rights arguments to the defense of women and their protection against male-biased social, religious, and legal norms. The continuous articulation of human rights is both an extension of natural-law doctrine and an effort to respond to varying cultural perceptions of human rights and differing global economies, religions, and political conditions. The 1948 Universal Declaration of Human Rights, with its mixture of first- and second-generation rights—civil and political rights with economic, social, and cultural rights—is testimony to the merging of tradition and modernity in the effort to develop an international collection of ethics. While the first twenty articles of the UDHR cover the rights to life, liberty, property, equality, and justice, subsequent articles proclaim the rights to education, equal pay, an adequate standard of living, nationality, and the cultural life of one's community.

The loss of natural rights as the major authority

for human rights has led to two problematic results. The creation of seemingly unlimited and unattainable economic, social, and environmental rights, as well as the justification for the proliferation of many other rights; and the relativism of rights when each culture claims its own unique rights for itself and opposes any universal (natural rights) claim for human rights.

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## Naturalistic fallacy

**DEFINITION:** Mistaken attempt to define a moral entity such as good in terms of a natural one such as pleasure

**DATE:** Term coined in 1903

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The argument against the naturalistic fallacy is meant to establish that the good is an irreducible quality, one which cannot be understood as a function of anything else. It therefore opposes any ethics that defines the good in terms of happiness, pleasure, enlightenment, or anything other than simple goodness.

G. E. Moore, a Cambridge philosopher, argued in his *Principia Ethica* (1903) that ethical naturalism should be rejected because it commits the naturalistic fallacy. Moore said that the naturalistic fallacy “consists in the contention that good *means* nothing but some simple or complex notion, that can be defined in terms of natural qualities.” To the contrary, Moore maintained that good is simple and indefinable in any terms, natural or otherwise. Thus, he sometimes seemed to apply the “naturalistic fallacy” designation to *any* attempt to define good.

Moore did not object to saying that pleasure is good. In fact, it is the business of ethics to determine what things are good. His objection was against those who would claim that pleasure *means* good, that good and pleasure are the same thing. He would claim that people rightly say that a lemon is yellow, but they do not mean by that that lemon and yellow are the same.

### “OPEN QUESTION ARGUMENT”

To support his claims about a fallacy, Moore offered what has been called the “open question argument.” For any definition that might be proposed for “good,” it can always be meaningfully asked whether that thing really is good; whereas, with a legitimate definition, such a question would not be meaningful. For example, if “mother” means “female parent,” then these terms are interchangeable. It would make no sense to inquire whether your mother were really your female parent, since this would be asking whether your mother were really your mother. Moore maintained, however, that it will always make sense to ask whether pleasure (or any other proposed definition) is really good.

### JOHN STUART MILL AND THE FALLACY

Moore stated that John Stuart “Mill has made as naive and artless a use of the naturalistic fallacy as anybody could desire.” According to Moore, Mill claimed that good meant desirable and that what was desirable was to be discovered by looking at what was desired. Since pleasure is what is desired, it is the good. Moore accused Mill of slipping fallaciously from what *is* desired to what *ought* to be desired, from the *fact* of desired to the *value* of desirable.

In a summary of what he had said about Mill, Moore said, “if his contention that ‘I ought to desire’ means nothing but ‘I do desire’ were true, then he is only entitled to say, ‘we do desire so and so because we do desire it’; and that is not an ethical proposition at all; it is a mere tautology.” Thus, it can be seen that Moore was concerned not only with the naturalistic element of Mill’s definition but also with his attempt at any sort of definition.

### CRITICISM OF MOORE

There have been numerous critiques of Moore’s fallacy claims. Some have pointed out that it is a misnomer, since the objection is to all definitions, not only naturalistic ones, and that it should perhaps be called the “definition fallacy.” These critics have gone on to propose answers to the “open question argument.” Some have suggested that perhaps “good” has several meanings and thus an examination of any one of these might seem to leave an open question. Perhaps, alternatively, the term is extremely difficult to define, as Socrates found with moral terms, but this difficulty does not prove that *no* definition is possible.

Other critics have denied that Mill and other naturalists were making any attempt at definition. In response to these critics, however, it has been argued that whether the naturalist appeals to a definition or to a principle, one always turns out to be grounded in the other, and in neither case can the moral element be logically deduced from the nature of things.

In further support of Moore, it has been said that if indeed a definition of “good” in some natural (or even metaphysical) term could be established, then this would rob moral judgments of their prescriptive force. That is, a judgment of “X is good” would become purely descriptive and would elicit a “so what?” response, just as might a judgment of “That apple is red.” Put another way, although Moore’s dis-

cussion of the naturalistic fallacy may be confusingly presented, it nevertheless testifies to the special character of moral terms as evaluative and action-guiding elements that cannot be captured by any descriptive substitution.

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SEE ALSO: Fact/value distinction; Good, the; Intrinsic good; Intuitionist ethics; Is/ought distinction; Mill, John Stuart; Moore, G. E.; Utilitarianism.

## Nature, rights of

**DEFINITION:** Rights which may be said to inhere in the natural world, including both organic life and inorganic aspects of the landscape

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Theories which ascribe rights to nature are generally attempts to construct a moral framework within which to reconcile the human ability to damage and manipulate the environment with the needs of other species and with the sense that lands and waters may themselves have qualitative worth. Such theories are anthropocentric, however, in the sense that they tend to ascribe moral worth to the environment by investing it with human moral characteristics.

Western thought, being greatly influenced by Christianity, has historically assumed the dominance of humans over all plant and animal species. The ability to destroy, domesticate, and alter other species has been seen as an inherent argument for human dominance of the natural world. Until the latter part of the twentieth century, little regard was given to the rights of nature to exist within a framework beneficial to species other than humans. The development of environmental crises such as global warming, extinctions, and the depletion of natural resources has led philosophers to consider the rights of nature.

When Thomas Jefferson wrote the Declaration of Independence, he declared that all men were created with unalienable rights that allowed them to be treated with equality. Jefferson's ideal, while extended to all humans, was not at the time the reality for all humans.

#### DARWINISM

Approximately one hundred years after Jefferson wrote the Declaration of Independence, Charles Darwin presented the idea of the evolution of species. Darwin's idea suggested that those species that currently exist do so because they were best able to adapt to the changing environment in which they live. It is important to note that Darwin did not put forth the idea that the strongest species survived, but rather that the most adaptable species survived. Darwin's theory was slightly distorted and generally believed to be survival of the fittest or strongest. This distortion of Darwin's theory, coupled with Jefferson's em-

phasis on the unalienable rights of humankind, led to a popular belief that humans had the right to regard nature as simply a resource to use and dominate without regard for any rights that nature might possess.

As a result of the idea of dispensable natural resources, be they inanimate or animate, human technological development and industrialization led to several ecological problems during the latter half of the twentieth century. Global warming, depletion of the earth's protective ozone layer, increases in harmful gases in the atmosphere, and the extinctions of plant and animal species are a few of these problems. The burgeoning ecological crisis began to illustrate the intricate and dependent relationship of humans with the natural world. As a result, philosophers and other thinkers began to reevaluate the rights of nature and the role of humans. It became clear that all species on the planet were interconnected and that the environment had forced all species into a subtle compact for survival.

Initially, nature was not viewed as possessing inalienable rights. Instead, the argument was made to protect nature for the benefit of human existence. Nature was important only insofar as it provided what was needful for human existence; if a human activity infringed upon nature in a way that was not viewed as destructive to human existence, then the activity was morally acceptable. Indeed, this view is still held; however, a deeper view of nature began to develop from this perspective. This deeper view argued that humans are only a percentage of an ecological whole, and that each part of this whole is dependent upon the other parts. The interdependence of the parts means that the rights of any one part are not greater than the rights of other parts of the ecological whole. Each species acts upon the society of other species and is acted upon by this society. This fact is commonly illustrated by such concepts as the food chain. In fact, all species, as a result of their existence in the environment, are involved in a social contract with one another. Those who argue from this perspective point out that humans as well as other animals perceive and react to the environment; therefore, humans and other animals have equal value in an environmental context.

### INTERDEPENDENCE OF SPECIES

The interdependence of species is the cornerstone for the rights-of-nature argument. The theory of evo-

lution supports the idea that all species are created equal because all species have evolved from common ancestors. The species currently residing on the planet are not historically the strongest or most fit but the descendants of the most adaptable species. It is an error to use one species' ability to manipulate the environment as a sanction to disregard the rights of other species. Furthermore, the fact that humans are able to know many of the details about how nature works as a result of biological science does not mean that humans have the right to disregard the rights of nature. Jefferson's unalienable rights for men do not discriminate upon the basis of intelligence; thus, the argument is applied to nature and humans. Humans are capable of knowing the workings of other species, but this should not justify disregard for these species' rights.

If it is held that nature has rights and that human rights are rights that should be accorded to the entire community of species, then how should actions be judged to be right or wrong? Perhaps the best definition is that of Aldo Leopold, who defines an action as being right when it preserves the integrity, stability, and beauty of the biotic community. If nature is accorded an ethical status that is equal to human ethical status, a benchmark such as Leopold's will be needed to make judgments about the actions that humans take.

Tod Murphy

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SEE ALSO: Animal rights; Dominion over nature, human; Environmental ethics; Global warming; Leopold, Aldo; Moral status of animals; *Silent Spring*.

## Nature Conservancy Council

IDENTIFICATION: British agency established to promote the conservation of natural environments

DATE: Chartered as Nature Conservancy in 1949; Council established 1973 by an act of Parliament; dissolved December 21, 1991

TYPE OF ETHICS: Environmental ethics

SIGNIFICANCE: The Nature Conservancy Council (NCC) established national nature reserves and conducted research within them, simultaneously preserving wildlife and increasing the scientific community's understanding of the importance of such preservation.

The Nature Conservancy Council was established "to provide scientific advice on the conservation and control of the natural flora and fauna of Great Britain; to establish, maintain and manage nature reserves in Great Britain; and to organize and develop the research and scientific services related thereto." While the NCC was not the only conservation organization in the United Kingdom, its mission of scientific research combined with conservation was unique. Some national nature reserves were owned by the conservancy; others were privately or publicly owned lands that were subject to reserve agreements.

The conservancy was given the power to acquire land compulsorily when necessary. Through its land acquisition activities, it provided an alternative to development and played an important role in habitat preservation. The NCC worked with voluntary organizations, universities, and other government organizations in its conservation and scientific efforts. It increased public awareness of ecological processes and support for conservation. The British Nature Conser-

vancy provided a model for the United States organization of the same name, established in 1951. The latter is a private nonprofit organization that conserves critical habitats by acquiring land through purchases or gifts, manages the sanctuaries, and supports research. In 1991, the NCC was divided into three smaller entities: English Nature, Scottish Natural Heritage, and the Countryside Council for Wales.

*Marguerite McKnight*  
Updated by the editors

SEE ALSO: Biodiversity; Conservation; Endangered species.

## Nazi science

DEFINITION: Experiments conducted by the German scientific establishment during the period when Adolf Hitler and the Nazi Party dominated Germany

DATE: 1933-1945

TYPE OF ETHICS: Scientific ethics

SIGNIFICANCE: The experiments conducted on Jews and other unwilling subjects by Nazi scientists have been used to symbolize the convergence of logic and moral atrocity in the Holocaust and the rationalist, dispassionate evil of the "final solution."

For more than twelve years (January 31, 1933-May 2, 1945), Germany was dominated by a political movement called the *Nationalsozialistische Deutsche Arbeiterpartei* (NSDAP or Nazis, for short). Upon becoming the chancellor of Germany, Nazi leader Adolf Hitler launched the twin programs of *Machtergreifung* and *Gleichschaltung* (the former term meaning "seizure of power" and the latter meaning "coordination"). The Nazis first installed members of their own party or party sympathizers into positions of authority in every government organization in Germany—schools and universities, scientific research institutes, medical facilities, youth groups, women's organizations, museums, philharmonic orchestras, art galleries, and virtually everything else in Germany.

Nazis or Nazi sympathizers in those organizations then "coordinated" the activities of the people

they controlled with Hitler’s view of what all Germans should do and think. German scientists also had to coordinate their experiments with Hitler’s own peculiar view of the universe and humanity’s place in it. The ultimate result was the destruction of human lives on a scale so massive as to defy understanding.

**EUGENICS THEORIES**

Hitler’s understanding of human society represented a vulgarized form of ideas that evolved from scientific experiments and theories in Western Europe and the United States during the nineteenth century. Evolutionists, geneticists, and eugenicists from the so-called “hard” sciences, along with psychologists and Social Darwinists from the “soft” sciences, contributed to the construction in the minds of Hitler and many other people of an essentially racial interpretation of human history.

Evolutionists taught that all members of a species of living organisms are involved in a constant struggle for survival. Those organisms that have inherited characteristics from their ancestors that are best suited for survival will outcompete their less genetically blessed rivals and thus pass along those beneficial traits to their offspring. When scientists rediscovered Mendelian genetics immediately after 1900, many of them began to realize that breeding a superior stock of human beings poses no more of a scientific problem than does the selective breeding of plants and animals. A program of selective human breeding would assure that only desirable characteristics would pass from one generation to the next.

Social Darwinists argued that human races (or nations) are engaged in a struggle for survival, as are the members of individual species. If a nation or race does not possess or adopt the physical and intellectual qualities necessary to allow it to outcompete its rivals, it will be swept into the dustbin of history and become extinct or its members will become subservient to superior nations or races. Social Darwinists combined with advocates of selective human breeding to form the international eugenics movement.

Eugenicists included scientists from every discipline, but especially anthropology, medi-

cine, and psychology. They argued that governments should adopt regulations to assure that future generations would enjoy the best physical and intellectual constitutions that their gene pools could supply. Eugenicists advocated that individuals with congenital diseases of the mind or body should undergo mandatory sterilization to prevent their disabilities from being passed along to future generations. During the 1920’s and 1930’s, governments in many Western European countries and several state legislatures in the United States adopted laws mandating sterilization for persons with inheritable infirmities.

Some of the eugenicists advocated that enlightened governments should adopt euthanasia programs to eliminate persons with mental or physical disabilities that were of a terminal nature or that rendered

<b>Examples of Nazi Science</b>	
<i>Field</i>	<i>Research and Experiments</i>
Physics	Research program to produce a nuclear bomb
Optics	Research program to establish a giant mirror in low earth orbit that would focus the Sun’s energy on enemy targets on Earth and incinerate them
Chemistry	Experiments that succeeded in producing synthetic rubber and synthetic gasoline; development of several new types of poison gases, including nerve gas
Aeronautics	Development of aircraft powered by jet and rocket engines; development of ballistic missiles
Medicine	Experiments on unwilling human subjects, including mass sterilization utilizing X rays, experiments in reviving persons subjected to extremely low temperatures, and experiments in the medical killing of terminally ill and incurably insane patients
Biology	Selective breeding of human beings (the <i>Lebensborn</i> program); biological warfare experiments

them incapable of enjoying an ill-defined “quality of life” acceptable to the euthanasists. The euthanasists tried to convince governments that the inmates of medical clinics, hospitals, and insane asylums should be screened by qualified physicians who would determine whether their lives were of any further value to themselves or to society. Those inmates deemed by screening physicians to be incurably ill (mentally or physically) or as “useless eaters” should, according to the euthanasists, be granted “mercy deaths.” Only in Nazi Germany did the government adopt euthanasia. The German euthanasia program led directly to mass murders in Nazi concentration camps.

### WEAPONS

The Nazi government also coopted all the other sciences in Germany to advance its own view of how Germany and the world should be organized. The sciences of aeronautical engineering, chemistry, and physics in particular became integral parts of a huge military-industrial complex designed to make advanced weapons of war. In Hitler’s Social Darwinistic worldview, war was a natural and necessary condition of human evolution. In his semiautobiographical *Mein Kampf* (1926), Hitler clearly expressed his intent to conquer territory in the Soviet Union into which the German race could expand. As one of his earliest actions after attaining dictatorial power in Germany, Hitler began a massive expansion of the German armed forces. German scientists from every discipline began to devote their research to areas that would further Hitler’s military intentions.

Some German scientists began programs that led to the development of the world’s first operational jet fighter aircraft. Others began developing experiments in rocketry that culminated in the V-2, a ballistic missile that wreaked great havoc among civilians in Britain. German chemists developed toxic gases (never used) that were more deadly than any that had been used in World War I. Chemists also discovered how to make synthetic rubber as well as synthetic gasoline derived from coal, in an effort to assure that the German war machine could continue to function even if it were cut off from supplies of petroleum and rubber by an enemy blockade. German physicists began research designed to produce revolutionary new weapons of war, including a program that almost produced a nuclear bomb. Other exotic weapons-

systems research included plans for a giant mirror that, when placed in low Earth orbit, could focus the sun’s rays on any spot on Earth with devastating results.

### MEDICAL RESEARCH

Perhaps the most flagrant violations of accepted scientific ethical principles in Germany during the Nazi era occurred in medical science. Medical researchers in some concentration camps routinely used unwilling human subjects in macabre experiments that often resulted in the death or disfigurement of the subjects. Physicians in concentration camps, medical clinics, and insane asylums willingly participated in “selections” (determining whether individuals were fit for work or should be summarily executed). In the case of some of the concentration camps, physicians made these selections without conducting even cursory medical examinations. The physicians also extracted organs from the cadavers of those who had been killed and sent them to medical research institutes throughout Germany for experimentation. Physicians perpetrated this dismemberment without the knowledge or approval of the victims or the victims’ families.

Many scientists presently condemn the atrocities that were committed in the name of science in Germany during the Nazi era. They believe that German scientists of the period abandoned all accepted ethical principles while they were caught up in a national madness brought on by extraordinary circumstances. A number of the German scientists involved, however, maintained that their actions were entirely ethical, because they were all intended to serve the highest good—the improvement of the human condition. In the long view of history, they maintained, the human race will benefit enormously from their actions—materially, physically, and intellectually. The Nazi scientists adopted the position that, in science, the end justifies the means. Many scientists in all countries today accept that position, at least to some degree. Perhaps more than any other event in history, the Nazi era underscores the absolute necessity of a universally accepted code of scientific ethics if any semblance of humanity is to be maintained in the wake of an increasingly technological and scientific society.

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SEE ALSO: Atom bomb; Concentration camps; Eugenics; Experimentation; Hitler, Adolf; Holocaust; Medical research; Nazism; Nuremberg Trials; "Playing god" in medical decision making.

## Nazism

**DEFINITION:** German political movement that advocated racial nationalism, including anti-Semitism, dictatorial government, and expansion into eastern Europe by means of war

**DATE:** Party organized in 1919, dissolved in 1945

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** By far the most famous example of a fascist movement in modern history, the rise of Nazism in Germany began with the suppression of democracy and civil rights and led ultimately to World War II and the Holocaust.

Nazism, a contraction of the term "National Socialism," was a German political movement that emerged in the aftermath of World War I with Adolf Hitler as its leader. From the very start, it espoused ideas that

rejected Western values of humanitarianism, rationalism, liberalism, democracy, and socialism in favor of extreme nationalism, racism, and a political system of single-party dictatorship. Nazi policies and practices violated human and civil rights, first in Germany and later in conquered Europe, and resorted to violent power politics in international affairs.

The forerunner of Nazism as a political party was the German Workers' Party, which was organized in Munich early in 1919. Adolf Hitler, a lower-middle-class Austrian by birth and a corporal in the German army during World War I, joined the German Workers' Party later in the year. It soon was renamed the National Socialist German Workers' Party, and Hitler, showing oratorical and organizational talent, became its undisputed leader in 1921.

The main tenets of Nazism were drawn from the party program of 1920, Hitler's speeches and writings (especially his ponderous two-volume *Mein Kampf* [My Struggle], published in 1925 and 1926), and other Nazi publications. They attacked liberalism and parliamentarianism, including democracy, as inherently weak political systems and branded the early leaders of the Weimar Republic, liberals, socialists, and Jews as "November criminals" of 1918, who had overthrown the imperial government. In place of the failed parliamentary democracy, Nazism offered authoritarian rule rooted in a solid hierarchical system of leaders and followers. At the head would be a *Führer*, or "leader," who, with the support of the Nazi Party, would exercise total control over the society and mobilize it for the achievement of the political and social goals that he postulated.

Nazism, above all, extolled racial nationalism, which was derived from the nineteenth century racial theories of the Frenchman Joseph-Arthur de Gobineau, the Germanized Englishman Houston Chamberlain, and the German Paul de Lagarde. Proponents of Nazism contended that human races were divided into culture-creating and culture-destroying groups, which were engaged in a Social Darwinian struggle of survival of the fittest. At the top of the culture-creating races stood the Nordic-Aryan-Germanic group, the "master race," which was destined to dominate inferior races.

At Hitler's instigation, Nazism singled out the Jews as the greatest threat to the pure Aryans because the Jews, the leading culture-destroying race, were conspiring to gain domination over the world. In



*Adolf Hitler (left) in 1935 with his top military commanders, including air force commander Hermann Göring (second from left), and Schutzstaffel (SS) chief Heinrich Himmler (center). (Library of Congress)*

Nazi foreign policy, the idea of the primacy of the Aryan race was combined with a Great German nationalism or imperialism, whose aim it was to create a Great German empire far beyond the borders of the German nation. Such an expansion was to give the German people the *Lebensraum*, or “living space,” that it needed to ensure its security and economic independence.

#### **EXERCISE OF POWER**

The Nazis did not conceal that they would attain power legally, but once in office they would destroy the constitutional system. Within one month after Hitler was appointed chancellor early in 1933, he had communists and many socialists confined to quickly established concentration camps and suspended civil rights. Through cajolery, pressure, and terror, he prevailed upon the Reichstag (parliament) to give him dictatorial powers, which he used to eliminate trade unions and all political parties except the Nazi Party. In 1934, he murdered the top leadership of the Storm Troopers, or S.A., and some non-Nazis, when he felt threatened by a rival from within his own ranks. He justified these acts of criminality by declaring: “I was

responsible for the fate of the German people and thereby I became the Supreme Judge of the German people.”

The Nazi practices of eliminating opponents by sending them to concentration camps or murdering them, persecuting Jews purely on racial grounds, maintaining a police state, and pursuing an aggressive foreign policy left no room for the observance of ethical principles in politics. It is important to realize, however, that liberal democratic governments also generally do not feel bound by ethical constraints if the national interest is at stake. Although idealists among philosophers and scholars argue that, for example, foreign policy must be based on prudence and ethical principle, realists on the order of George Kennan (and they are a majority) maintain that in world politics moral or ethical concerns must be subordinated to national interest. Given the absence of accepted international standards of morality and effective bodies of enforcement when violations occur, each government, being concerned with military security, the integrity of its political life, and the well-being of its citizens, must act on its own to protect its national interests. Implied in this stance, however, is



a sense of moderation and responsibility when pursuing the national interest in international relations.

### EXPANSIONISM

The Nazi regime under Hitler's direction defined national interest in the most expansive terms. Hitler once characterized Germany's foreign policy by declaring: "Germany will become a world power or it will not exist at all." During the early years of Nazi dictatorship, he and his associates constantly proclaimed the German Reich's "sincere desire for peace," while unilaterally abrogating the restrictions of the Treaty of Versailles, rearming Germany, and then, in 1938, annexing Austria and the German-speaking Sudetenland of Czechoslovakia. In 1939, Nazi Germany unleashed World War II through aggression against Poland, followed by campaigns into France and other European countries in 1940. One year later, Hitler attacked the Soviet Union, waging an unparalleled brutal ideological war in the quest for *Lebensraum* in the East.

While worldwide violence was raging as a result of war, the Nazi regime also prepared for the elimination of "racially inferior" populations and "those of lesser value" in society. The persecution of German Jews culminated in the violence against Jewish property and people of the *Kristallnacht* of 1938. With the outbreak of the war in 1939, a euthanasia program was begun, resulting in the killing by injection or by gassing of almost 100,000 mentally and physically disabled persons, most of whom were German. Finally, the plan to liquidate all European Jews in Nazi hands—the Final Solution—was implemented by Hitler and some of his immediate associates in 1941. It claimed the lives of almost six million people. In addition, Nazi actions led to the murder of millions of Gypsies, Slavs, homosexuals, and other racial and political "enemies." This unprecedented mechanized genocide was only stopped by the defeat of Nazi Germany and the suicide of Adolf Hitler in 1945.

### COLLAPSE OF HITLER'S REGIME

After the total defeat of Germany and the inglorious death of Hitler, Nazism never revived as a significant force. Following the establishment of the Federal Republic of Germany in 1949, its Federal Constitutional Court outlawed the noisy but unim-

portant Socialist Reich Party in 1952 as a neo-Nazi organization. During the 1960's and 1980's, two right-wing parties were formed: the National Democratic Party and the Republicans. Both have shown some neo-Nazi features but have achieved little influence. More noteworthy have been a number of small neo-Nazi groups formed since the 1970's, whose racist hate propaganda and violence, directed not primarily against Jews but against foreigners, especially Turks, have aroused consternation since the unification of Germany in 1990. These groups cannot, however, be viewed as the forerunners of an organized neo-Nazi movement.

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SEE ALSO: Anti-Semitism; Concentration camps; Fascism; Genocide and democide; Hitler, Adolf; Holocaust; Nazi science; Nuremberg Trials; Schindler, Oskar.

## Needs and wants

**DEFINITION:** Needs are generally understood to be whatever is necessary to enable human beings to continue to be human, and not merely what is necessary for survival; wants are things that enhance human life but are not necessary to it.

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** A principal challenge in any theory and practice of distributive justice is the construction of a system of claims and desert related to a defensible index of human needs and wants.

An index of human needs is never completely exhausted by speaking of food, clothing, and shelter. Nobody dies from a lack of music or good books, but this does not mean that such things do not constitute human needs. Indeed, needs may even arguably include such basic liberties as freedom of speech, movement, thought, and choice.

The distribution of what one needs is related to questions of fairness, equality, and justice. However, to distribute goods in proportion to basic needs is equivalent to neither equality nor justice, because there must first be some grounds for saying whether distribution should be independent of the question of desert.

One may ask whether it is the case that to say that *S* needs *X* is to say that if *S* does not have *X*, he or she will be harmed. If *X*'s absence is a crucial or fundamental harm to *S*, then a moral ought arises apart from desert. This is different from saying that the fact that *S* needs *X* means that without *X* that person cannot achieve some goal or purpose he or she wants to achieve.

A person wants a certain thing if when a certain desire occurs, there is an increase in one's inclination to perform an act to satisfy it. Wants are thus related to desire, and among desires the ethicist may ask which are rational and which are not, and whether some are derivative and some final. After all, there may be no limit to what human beings can want, but there are limits on what can be done or provided. For example, men cannot give birth to babies, no matter how much they may want to do so.

If an index of needs and wants can be established, one may still wonder whether these are natural, or whether they vary according to human condition and technological achievement. Generally speaking, the

more abundant a society's material goods, the more previously thought of wants become seen as needs. This means that if needs are determined by nature and wants are circumstantial, then an ethicist's task is of one sort. Whereas, if both are circumstantial, culturally and technologically contingent, then the work of ethics is different because the line between need and want is fixed by human decision.

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SEE ALSO: Desire; Greed; Incommensurability; Inequality; Justice; Poverty; Profit economy; *Walden*.

## Negligence

**DEFINITION:** Failure to maintain due standards of care in one's actions, thereby causing or potentially causing harm to another

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Negligence raises interesting and unique questions about the relationship of intentionality to guilt. Virtually all moral relations have a potential for negligence.

Negligence has long been an important concept in both ethics and law. In ethics, the notion of negligence arises out of the conception that one owes a duty of a degree of care toward one's fellow humans in all one's activities and that under given circumstances, one may owe even greater degrees of care arising out of special duties that one takes upon oneself in virtue of the public office or profession one has assumed.

Law and morality both recognize a distinction between advertent negligence, which involves the wrongdoer's proceeding with acts after recognizing the dangerous nature of those actions or omissions, and inadvertent negligence, which involves the

wrongdoer's undertaking dangerous acts (or omissions) without having recognized the risk that they impose upon others. The former, which is often called recklessness, is generally regarded as the more culpable form, while the latter raises complex theoretical difficulties for ethicists and legal scholars.

The primary problem with inadvertent negligence both in ethics and in law arises from the seeming contradiction between the nature of such negligence and the deliberate intentionality requisite for an act to be culpable. In moral theory, the problem is easily resolved by linking the inadvertent negligence to the idea of culpable ignorance.

The wrongdoer behaved unsafely because he did not know the potential consequences of his actions, but this ignorance does not exculpate him because he should have known. At some time in his past, he failed to acquire the knowledge necessary to recognize the character of his acts. If this failure resulted from deliberate neglect on the part of the wrongdoer—for example, skipping sessions of his job training—then this was culpable ignorance and the wrongs which flowed from it were blameworthy.

In the case of legal negligence, both civil and criminal, more difficult problems seem to present themselves. Criminal guilt usually involves both an *actus reus*, or guilty act, and a *mens rea*, or guilty mind (criminal intention). H. L. A. Hart, the noted British legal philosopher, wrestled with this problem without reaching a conclusive solution: How can inadvertent negligence have a *mens rea*? If one were to recognize the nature and potential consequences of one's act(s), would one not be guilty of advertent negligence, or worse?

The answer to this puzzle may lie in a nonproximate *mens rea* that the law may be seen as assuming to exist in the absence of plausible proof to the contrary. Take, for example, the case of a roofer who has been carefully dropping waste materials from a roof into a dumpster several floors below. Suddenly, after such care, he hurls a bucket off the roof without checking its trajectory and injures a pedestrian below.

The roofer testifies at his trial that he does not know why he threw the bucket as he did and that he gave no thought to the dangers involved in such an act. If he is believed, he will be convicted of an offense connected with inadvertent negligence. If the roofer could provide a plausible explanation of his

action that could trace its origins to a cause ultimately outside the roofer's control, however, he might expect acquittal.

Assume that the roofer produces proof that the tar he employed—a new variety on the market—emitted hallucinogenic fumes and that he was working with that tar just before the allegedly negligent incident. If his proofs were accepted, he would doubtlessly be exonerated, because he had indicated a cause for his actions that lay outside his control.

In the absence of such proof, however, the unstated assumption of the law must be that at some earlier time—perhaps even years before—the defendant developed (by omission or commission) habits of mind that were likely ultimately to lead to negligent actions in the future and that in the acquisition of these habits lay the culpability.

The acceptance of those habits of mind constitutes a nonproximate *mens rea* for any negligent acts that might later be done as a result. This interpretation demonstrates that the law of negligence is not a strict liability statute—that is, one enforced without regard to intentionality—as some have maintained.

#### OTHER DIFFICULTIES

Another difficulty that has perplexed legal theorists involves whether the standard of negligence should be objective or subjective. H. L. A. Hart stated that the objective standard attributes fault to an agent who failed “to take those precautions which any reasonable man with normal capacities would in the circumstances have taken.” A subjective standard would give greater weight to the particular circumstances and capacities of the subject.

Finally, there is the question of the relationship of the degree of blameworthiness in negligent acts to the actual results that flow from them. A negligent driver (for example, one using excessive speed) might injure somebody or might not. Under one theory, his or her blameworthiness remains the same despite the external circumstances, but others have asserted that effects in the extramental world are a factor in guilt, as a result of so-called “moral luck.”

*Patrick M. O'Neil*

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SEE ALSO: Accountability; Business ethics; Duty; Employee safety and treatment; Hart, H. L. A.; Intention; Moral luck; Professional ethics; Prudence; Responsibility.

## ***New York Times Co. v. Sullivan***

THE EVENT: U.S. Supreme Court decision that limited states' authority to award libel damages and established "actual malice" as the standard for cases involving public officials, later expanded to include "public figures"

DATE: Ruling made on March 9, 1964

TYPE OF ETHICS: Media ethics

SIGNIFICANCE: The Supreme Court's opinion in *Sullivan* significantly expanded the First Amendment protection of the press's right to engage in social criticism and political commentary by specifying that nothing printed about a public official could be deemed libelous unless it was the specific intent of the author to defame the official. Thus, even untrue stories are protected in the absence of malicious intent to do harm.

*New York Times Co. v. Sullivan* was sparked by an advertisement placed in *The New York Times* in 1960 by the Committee to Defend Martin Luther King and the Struggle for Freedom in the South. The advertisement, which was meant to raise support for King's Civil Rights movement, criticized several southern jurisdictions, including Montgomery, Alabama, although it did not name any individuals. In response, Montgomery city commissioner L. B. Sullivan sued the *Times* for libel in circuit court, which found the newspaper guilty under Alabama law. After the Ala-

bama Supreme Court affirmed this judgment, the *Times* appealed to the Supreme Court, claiming violations of its rights of free speech and due process under the First and Fourteenth Amendments to the Constitution. The Court held unanimously that Alabama law failed to protect adequately freedom of speech and of the press, and that "actual malice" would henceforth be the national standard for determining libel actions involving public officials.

*Lisa Paddock*

SEE ALSO: Due process; First Amendment; Libel; Supreme Court, U.S.

## **News sources**

DEFINITION: Individuals who provide information to reporters for mass media dissemination

TYPE OF ETHICS: Media ethics

SIGNIFICANCE: Journalistic codes of ethics require reporters objectively to evaluate information provided by sources, to verify important information with multiple independent sources, and to protect the privacy of confidential sources by withholding their names and other identifying details from the public.

The information conveyed through the mass media is of fundamental importance to American society. On the basis of this information, public opinion is formed, votes are cast, and democracy is enacted. Media professionals, therefore, are obligated to seek out and make use of information sources that are reliable, credible, and well-intentioned. Too often, however, such exemplary sources do not exist, and journalists are left to struggle with questions of conduct and concerns about the ethical treatment of their sources.

### **JOURNALISTIC ETHICS**

The National Society of Professional Journalists attempts to address the issue by assessing both the journalist's principles and the consequences of his or her actions. Truth-telling is a fundamental governor in a free society and becomes, therefore, an activity that journalists are both morally and socially obligated to pursue. Developing and maintaining reliable

news sources is an essential part of this journalistic mission, for without credible sources, reporters may never gain access to the type of information that their “watchdog” role requires.

The U.S. Constitution, through the broad protections offered by the First Amendment, recognizes the unique nature of the press’s responsibilities and grants generous latitude in the cultivation and protection of source-reporter relationships. Strict, absolute rules of conduct are incompatible with this intentionally unrestricted domain, leaving questions of ethics up for examination on a case-by-case basis.

The three main ethical considerations regarding sources of information are anonymity, confidentiality, and the source-reporter relationship. The use of anonymous sources is a fairly common media practice despite industry concerns about both its practical and ethical value. Practically, media professionals agree that the custom detracts from the press’s integrity and engenders suspicion about the veracity of the report. Ethically, related considerations range from the erosion of the public trust to the publication of stolen or purchased information and the potential for furthering someone else’s purpose by disseminating information that is politically or financially expedient to the source.

### **ANONYMITY**

Anonymity undermines the journalistic mission of truth-telling because the source is an important part of the story. Failure to disclose the name of the source results in an incomplete or distorted version of truth. Once an anonymous source has been used, the issue of confidentiality arises. Various ethical questions surround this issue. How far is a news organization obligated to go in order to protect the identity of its source? How binding is a reporter’s promise of anonymity?

A 1991 Supreme Court decision ruled that the Minneapolis *Star Tribune* violated an implied contract created by the promise of anonymity when the paper publicly revealed a source’s identity. The decision reinforced the mutually dependent nature of the source-reporter relationship, one that has long been the subject of controversy. While general opinion agrees that the relationship is frequently characterized by betrayal and manipulation, industry members differ regarding whether it is the reporter or the source who is guilty of malevolence. The debate

sparks the question of intention and the ethical implications of using people as a means to further an individual’s purpose, journalistic or otherwise.

In general, a liberalized deontological approach is employed to resolve these ethical quandaries. That is, media professionals are expected to adhere to general industry guidelines unless there is a compelling reason not to do so. For example, most news organizations have policies that reflect a cautionary stance regarding the granting of anonymity. Reporters are encouraged to try to get the source to agree to attribution and/or to find alternative ways to verify the information. Many news organizations require that journalists receive authorization from a superior before quoting from anonymous sources. Typically, editorial approval for anonymity is granted when that anonymity is supported by duty-based principles: when the information is of vital public interest and consistent with the truth-telling ethic; when the justification of minimizing grievous harm is clearly served, such as in the protection of a whistleblower or the victim of abuse; or when a concern for social justice is at stake, as in governmental corruption cases. In addition, industry guidelines seek to mitigate further the negative effects of anonymous sources by requiring identification as fully as possible, such as by position or title, and by explaining the reason for the use of anonymity.

Because anonymity is zealously guarded, once granted, the promise of confidentiality becomes supreme. The reputation of the press rests on the integrity with which sources are protected, and even the threat of legal action is not justification for exposing a confidential source. Confidentiality may be broken, however, if the news organization discovers that the source has provided false or misleading information. Malicious intent by a source, as was the case in the Minneapolis *Star Tribune* case, is not an acceptable reason to breach the confidential relationship. Rather, the responsibility lies with journalists not only to examine their own motives for publishing certain information but also to explore the possible motives of their sources. These actions act as safeguards against the likelihood that media professionals will fall prey to sources who are using the press in an effort to damage another’s reputation, and reinforce a basic Judeo-Christian principle: Reporters should not treat others or allow themselves to be treated, as a means to someone else’s end.



The use of anonymous sources raises a number of ethical considerations in itself, as well as the potential for confidentiality and source-reporter relationship abuses. Therefore, journalists should pursue such a course of action only after thoughtful and deliberate consideration.

*Regina Howard Yaroch*

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SEE ALSO: Accuracy in Media; American Society of Newspaper Editors; Confidentiality; Fairness and Accuracy in Reporting; International Covenant on Civil and Political Rights; Journalistic entrapment; Journalistic ethics; Tabloid journalism.

## Nicomachean Ethics

- IDENTIFICATION: Book based on Aristotle's lectures, recorded by his son Nicomachus
- DATE: *Ethica Nicomachea*, wr. c. 335-323 B.C.E. (English translation, 1797)
- TYPE OF ETHICS: Classical history
- SIGNIFICANCE: The *Nicomachean Ethics* is arguably the first text in Western philosophy to treat ethics as a coherent philosophical system. It defines a virtuous person as one who desires the good that the intellect discerns. Such a good is usually a

mean between the extremes of too much and too little.

Aristotle assumes that all things, human beings included, have a good, a purpose or end, which it is their nature to fulfill. To understand the virtue of human nature, one must discover the specific good that is its purpose. Human nature, in Aristotle's analysis, has two levels: the nonrational and the rational. Each level has its good and corresponding virtue.

The virtue of the rational level is to recognize and contemplate truth. This purely intellectual virtue has value in itself but is not sufficient for morality. Morality is only possible when both levels of human nature work together.

The nonrational level of human nature includes vegetative functions, such as biological growth, over which reason has no control, and appetitive functions, such as hunger and sexual desire, which can be guided by reason. The virtue of this level of human nature occurs when the "appetite" comes to desire the good that the intellect discerns. This is moral virtue. It requires not only insight but also practice that cultivates moral behavior into habit.

In most cases, Aristotle says, the good is a mean between two extremes. Courage, for example, is the good that lies between rashness (too much) and cowardice (too little).

*Ted William Dreier*

SEE ALSO: Aristotelian ethics; Aristotle; Golden mean; Good, the; Teleological ethics.

## Niebuhr, H. Richard

- IDENTIFICATION: American theologian
- BORN: September 3, 1894, Wright City, Missouri
- DIED: July 5, 1962, Greenfield, Massachusetts
- TYPE OF ETHICS: Religious ethics
- SIGNIFICANCE: In works such as *The Meaning of Revelation* (1941) and *Christ and Culture* (1951), Niebuhr used insights from history, sociology, psychology, and philosophy to explore ways in which the Christian faith could help to transform and redeem the world. He became one of the leading Christian ethicists of the twentieth century.

H. Richard Niebuhr taught and wrote in the heyday of Christian theology in the twentieth century. Karl Barth, Paul Tillich, and his own brother Reinhold were his contemporaries. Niebuhr's ethics emphasized perpetual reformation. His evaluation of Christianity in the United States convinced him that Christian faith everywhere had to keep attuned to the God who could free it from cultural enslavement. To the degree that Christian communities made the "fitting response," they could spark a transformation that would bring the world closer to the kingdom of God.

Niebuhr's greatest contribution may be his way of engaging in ethical reflection. His thought moved back and forth between society and human encounters with the ultimate. His ethics aimed at turning rigidity into openness, misplaced absoluteness into creative relativity, and the difficulties of history into movements of responsible faith. Thus, if adjectives such as existential, relativistic, and cultural are necessary to describe Niebuhr's ethics, no less accurate are terms such as theocentric, communal, and universalistic.

SEE ALSO: Christian ethics; Hartshorne, Charles; Niebuhr, Reinhold; Tillich, Paul.

Theological Seminary in New York; Niebuhr remained there until his retirement in 1960.

Although Niebuhr continued his social activism while at Union, he also became famous as a writer and as a professor of Applied Christianity. He wrote more than twenty books and 1,500 articles, reviews, and editorials. Among his important topics were liberalism and fundamentalism, and the nature of faith in the light of history and science. Perhaps his most significant contribution to American social ethics was in his rethinking of the social gospel, a religious movement prevalent in early twentieth century American theology that optimistically held that people, through their efforts to reform society, could help God bring his kingdom to Earth in the near future.

Niebuhr did not think that the problems of society could be easily solved, for to him, social decisions presented themselves as choices between relative evils. In his writings, he focused on the limitations imposed by evil. Niebuhr argued that, although individuals were capable of moral behavior and development, nations, corporations, labor unions, and other such collective entities were not, because pride more easily manifested itself in groups.

*James M. Dawsey*

SEE ALSO: Christian ethics; Niebuhr, H. Richard.

## Niebuhr, Reinhold

IDENTIFICATION: American theologian

BORN: June 21, 1892, Wright City, Missouri

DIED: June 1, 1971, Stockbridge, Massachusetts

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: An important leader in, and critic of, the social gospel movement of the early twentieth century, Niebuhr worked to demonstrate that his brand of Christianity was relevant to the practical issues of his day.

Reinhold Niebuhr, the son of an immigrant minister, was born in Wright City, Missouri, in 1892. After studying at Eden Theological Seminary and Yale Divinity School, he became in 1915 the pastor of the Bethel Evangelical Church in Detroit, where he took an active role combating racial prejudice and supporting labor's right to strike. In 1928, Henry Sloane Coffin offered Niebuhr a teaching position at Union

## Nietzsche, Friedrich

IDENTIFICATION: German philosopher

BORN: October 15, 1844, Röcken, Saxony, Prussia (now in Germany)

DIED: August 25, 1900, Weimar, Germany

TYPE OF ETHICS: Modern history

SIGNIFICANCE: One of the most influential thinkers of the nineteenth century, Nietzsche created a critique of traditional ethics in *Beyond Good and Evil* (*Jenseits von Gut und Böse: Vorspiel einer Philosophie der Zukunft*, 1886), and *On the Genealogy of Morals* (*Zur Genealogie der Moral*, 1887) profoundly impacted the intellectual landscape of the twentieth century. The precise nature of his critique remains a subject of controversy, however, as there is little or no consensus as to the "authentic" meaning of his texts.



Friedrich Nietzsche. (Library of Congress)

Nietzsche attacked traditional ethical theories, especially those rooted in religion. He did so because he believed that human life has no moral purpose except for the meaning that human beings give it. His outlook encouraged moral perspectivism or pluralism, but he also advocated a demanding personal ethical perspective of his own. It emphasized the individual will, excellence, and discipline. In both its critical and its affirmative dimensions, Nietzsche's philosophy continues to have profound effects on moral theory and practice.

### THE WILL TO POWER

"We are unknown to ourselves, we men of knowledge—and with good reason." Thus begins Nietzsche's *On the Genealogy of Morals*. His theme was that even though people may regard themselves as well informed, sophisticated, and knowledgeable, their lack of courage keeps them from uncovering what is happening in human existence and morality. Nietzsche tried to check this plague of self-delusion.

Nietzsche contended that it is self-deception not to admit honestly that "life simply *is* will to power." He was no advocate of the democratic ideal of human equality. Such a doctrine, he thought, only levels the quality of life toward mediocrity. Individuals vary greatly in their talents and abilities, and there are basic qualitative differences that leave us unequal as persons. Nevertheless, each individual, according to Nietzsche, will do what he or she can do to assert power.

As Nietzsche interpreted the course of human history, Western culture had been dominated by an unfortunate distinction between "good" and "evil," a distinction that the Christian religion in particular has done much to encourage. Spurred by a deep hatred of aristocratic ways they could not emulate, the masses of humanity, often supported by religious leaders, indulged in a revenge-motivated negation of the qualities of an aristocratic life. As Nietzsche saw things, the "good" of the good-evil distinction had emphasized equality, selflessness, meekness, humility, sympathy, pity, and other qualities of weakness. It had castigated the noble, aristocratic qualities—self-assertion, daring creativity, passion, and desire for conquest—by calling them evil. The prevalence of this concept of evil, Nietzsche contended, is responsible for weakness and mediocrity among those in dominant positions. It has annihilated the qualities that are essential for excellence in life.

Human existence, however, need not end on this dismal note. If Nietzsche sometimes regarded himself as a voice crying in the wilderness, he also thought human life could redeem itself by going "beyond good and evil": "Must not the ancient fire some day flare up much more terribly, after much longer preparation?" he wrote. "More: must one not desire it with all one's might? even will it? even promote it?" The spirit of nobility—affirmation of life, struggle, conquest, and a passionate desire to excel—these characteristics need to be uplifted. Nietzsche's aim, however, was not to duplicate the past but to put these essential qualities back into modern life.

### GOD IS DEAD

Nietzsche's proclamation of the death of God was a fundamental ingredient in the reevaluation of all values Nietzsche advocated. This proclamation emerged from his conviction that the morality of mediocrity and affirmations of God's existence, es-

pecially as the latter are understood in Christianity, stand inextricably tied together. Nothing, argued Nietzsche, has done more than Christianity to entrench the morality of mediocrity in human consciousness. In Nietzsche's view, for example, the Christian emphasis on love extols qualities of weakness. Christianity urges that it is our responsibility to cultivate those attributes, not because of an abstract concept of duty but because it is God's will that we do so. As this conception developed, Nietzsche argued, it bound people in debilitating guilt. It also led them to an escapist tendency to seek for fulfillment beyond this world.

Arguably one-sided, Nietzsche's critique was loud and clear: Christianity, with its conception of a transcendent, omnipotent, omniscient, just, and loving God, denies and negates too much that is valuable in this world. Nietzsche did not deny that the long dominance of the Christian faith is a real manifestation of the will to power and that certain individuals have revealed unusual qualities of strength in establishing Christianity's authority. He was convinced, however, that the result has been to place an inferior breed in control of life. Nietzsche believed that, by proclaiming that God is dead, he would eliminate the underpinning of Christian morality, thus making it less difficult to move beyond the conventional understanding of good and evil.

The issue of God's existence, believed Nietzsche, is more psychological than metaphysical. That is, Nietzsche thought that belief in God is an additional tool used to distort the facts of life and to attack and to bring to submission individuals of noble character. His aim was not so much to prove or disprove the existence of God as to show that belief in God can create a sickness. He wanted to convince people that the highest achievements in human life depend on the elimination of this belief.

#### IMPLICATIONS FOR ETHICAL CONDUCT

Nietzsche's philosophy places strong demands on those who would live by it. He urged such people to consider that life is an eternal recurrence. Therefore, one ought to choose so there is no need for regret. The goal is to act so that, if confronted by an identical situation an infinite number of times, one could honestly say that one would do nothing differently.

*John K. Roth*

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SEE ALSO: *Beyond Good and Evil*; Cruelty; Derrida, Jacques; Egoism; Individualism; Pluralism; Power; Relativism; Selfishness; Weakness of will; Will.

## Nihilism

**DEFINITION:** Doctrine holding that there is no rational foundation for truth and that existence is without meaning

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Nihilism may refer to the ultimate lack of conviction, that is, an inability to believe in anything at all. It may also refer to the active embrace of nothingness—either through ascetic self-denial or through antisocial violence, destruction, or anarchy—as a positive goal. The distinction is elucidated in Nietzsche's famous diag-

nosis: “Man would rather will nothingness than have nothing to will.”

Nihilism in general refers to the view that the world is without meaning. It is often used as a term of criticism, for if a philosophical position can be shown to result in nihilism, its assumptions may warrant reexamination. Other thinkers maintain that nihilism is a tenable position to hold.

### FRIEDRICH JACOBI

The term “nihilism” was first used by the German philosopher Friedrich Jacobi. Jacobi criticized modern philosophy’s faith in reason as the foundation of all knowledge. The rationalist doubts everything but what the mind can discover by itself. For Jacobi, this skeptical approach must culminate in the belief that nothing exists, for there is no rational foundation for belief in anything outside one’s own mind. For Jacobi, reason affirmed nothing, and he called the belief in nothing “nihilism,” from the Latin word *nihil*, meaning “nothing.”

In his *David Hume on Belief: Or, Idealism and Realism* (1787), Jacobi argues that the radical skepticism of Hume is in fact nihilism. The nihilist, as epitomized for Jacobi by Hume, sees no justification for belief in the existence of the external world, other people, God, or even a self.

Nihilism, then, is primarily a problem with the theory of knowledge for Jacobi. The reliance of modern philosophy on reason as the source of all knowledge leads to an unacceptable outcome, and therefore the reliance on reason alone must be misguided.

Nihilism also has unacceptable ethical implications, according to Jacobi. If nothing exists outside one’s own mind, there can be no ethical obligations to other beings. The nihilist is free to decide what is right or wrong. Whatever the nihilist wills is good, because there is no standard for goodness other than what the mind itself wills.

### RUSSIAN NIHILISM

Nihilism first came into popular use in Russia during the mid-nineteenth century, as both a literary and a political term. In Ivan Turgenev’s novel *Fathers and Sons* (1862), the character Bazarov proudly declares himself a nihilist. For Turgenev, nihilism entails rejecting tradition in favor of scientific rationalism and materialism.

As a political movement in Russia, nihilism was associated with belief in radical freedom, a questioning of all social conventions and authority. The nihilists saw themselves as the vanguard of social change, exposing tyranny and hypocrisy in the name of reason. Factions of the movement degenerated into advocating anarchism and terrorism.

For Fyodor Dostoevski, nihilism is associated with atheism. In *The Brothers Karamazov* (1880), Ivan Karamazov declares, “If God does not exist, then everything is permitted,” exemplifying the destructive ethical consequences of nihilism. There is no basis on which to call any act right or wrong. The individual has complete freedom to follow all desires and impulses and to declare these desires good.

### FRIEDRICH NIETZSCHE

The figure in philosophy with whom nihilism is most closely associated is the German philosopher Friedrich Nietzsche. He uses the term in both a negative and positive sense. As a term of criticism, he uses it to describe the result of Western culture’s search for truth. In Nietzsche’s view, this search began with Socrates’ dialectic method as seen in the dialogues of Plato. He sees the reliance on rational inquiry as undermining the healthy, noble, and artistic instincts typified by the ancient Greek tragedians.

In *The Will to Power* (1887), Nietzsche asks: “What does nihilism mean? That the highest values devaluate themselves.” Western culture values truth most highly, but the very search for truth is destined for failure at the outset because, according to Nietzsche, there is in fact no truth to be discovered. He sees himself as the first person to fully grasp this insight, but he believes that the history of modern thought has increasingly moved toward the same realization and thus toward nihilism. The entire enterprise of truth-seeking is in fact nihilistic because it avoids the reality that there is no truth.

In *Thus Spoke Zarathustra* (1884), Nietzsche prophesies that Western civilization will culminate in the “last men,” who are aware that there is no foundation for values or truth, but who are indifferent to this lack. The last men will live a life of pleasure, relieved of the burden of seeking truth and of any moral duties that an objective right or wrong might require. Nietzsche calls this attitude “passive nihilism.”

Out of the last men will emerge an “overman,” one who fully recognizes that there is no independent



meaning or value in the world. The overman in this sense is a nihilist also. In contrast to the last men, however, he sees that the lack of independent meaning gives him the power to create his own truth. This realization enables him to create a world of significance in his own image, breaking free of the passive nihilism of the last men. Nietzsche calls the overman's creative response to nihilism "active nihilism," and sees this creation of meaning out of nothing as the highest, noblest task for humans.

### THE TWENTIETH CENTURY

A number of twentieth century philosophers argue that it is impossible to justify moral judgments rationally. Nihilism is sometimes used as a critical term to describe these views. For example, the emotivist Charles Stevenson argues that moral judgments are merely aesthetic expressions of approval or disapproval and cannot be proved or disproved. Similarly, the existentialism of Jean-Paul Sartre and Albert Camus asserts that moral judgments are always simply the arbitrary decisions of individuals.

*Paul Gallagher*

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SEE ALSO: Anarchy; *Being and Nothingness*; *Beyond Good and Evil*; Camus, Albert; Dostoevski, Fyodor; Existentialism; Sartre, Jean-Paul.

## Nirvana

**DEFINITION:** Eastern concept of the final transcendent state of being achieved by the virtuous and enlightened when they extinguish desire and individual consciousness, enabling them to end the cycle of reincarnation

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Most closely associated with Buddhism, nirvana provides an ethical teleology similar in some respects to the Christian heaven. Rather than simply representing a reward for virtue, however, nirvana also provides Buddhists with a model of virtue.

The term "nirvana" (Sanskrit, *nirvāṇa*) is used to designate the ultimate reality in Buddhist traditions. While the Hindu and Jain traditions also employ this concept, nirvana has received its most distinctive formulations in the many varieties of Buddhism.

### EARLY INTERPRETATIONS

According to Buddhist tradition, Siddhārtha Gautama, the Buddha, achieved enlightenment more than 2,500 years ago and came to see the true nature of existence. The Pali scriptures relate that in that moment Gautama, now referred to as the Buddha, or awakened one, realized both the fundamental problem of existence and its solution. The Buddha's message, based on this moment of insight, was that the basic quality of existence is *duḥkha*, which connotes suffering, illness, emptiness, unsatisfactoriness, and insubstantiality. In his analysis of this situation, the Buddha stated that the pervasive reality of *duḥkha* is predicated on a false understanding of the nature of the self. People suffer anguish because they believe in a permanent, substantial self or soul, a belief that generates obsessive craving (*trṣṇā*) for objects, experiences, ideals, or persons that will provide comfort, security, and enrichment for the "self." Transient reality, however, is unable to fulfill human desires. Those things that people expect to satisfy their cravings for permanence and happiness are unable to do so because they are insubstantial and evanescent. The

more people grasp, the more they suffer and, according to Buddhist teaching, the more they are reborn into the world of *samsāra*. (The Buddhist traditions accept many of the Hindu assumptions about the nature of reincarnation.)

The Buddha then offered a practical solution to the problem of *duḥkha*. If the cause of anguish is a mistaken belief, then its resolution lies in gaining wisdom, or enlightenment. Enlightenment reveals the insubstantiality of the self (*anātman*) and shows that what is called “self” (Buddhists often use the term “ego” to designate this construction) is merely a constantly changing constellation of energies (aggregates of being). The deep existential appropriation of this insight has profound behavioral and moral consequences, beginning with the cessation of craving. The *arhat* (one who has achieved enlightenment) has realized nirvana, the absolute state of perfect wisdom and release from the cycle of rebirth.

Nirvana is most often described in negative terms, not because it designates a negative state, but because it names a reality that is beyond ordinary experience and hence beyond the limitations of language. Nirvana is “the eradication of ignorance,” “the elimination of suffering,” and the “end of desire.” Translated literally, nirvana is “extinction.” Unfortunately, this meaning has often conveyed to the Western mind the misleading impression that Buddhism is a nihilistic religious tradition. Nirvana does not mean extinction of the self—since in Buddhism there is no real self—but rather the extinction of the illusion of self. Referred to in more positive terms, nirvana is bliss, absolute happiness, and unconditioned tranquillity.

Tradition distinguishes between two modes of nirvana: nirvana with substrate (*sopadhiṣeṣa nirvāṇa*) and nirvana without substrate (*nirupadhiṣeṣa nirvāṇa*). The distinction names the difference between the arhat who lives and the one who is dead, or the difference between nirvana and final nirvana (*parinirvāṇa*). As a living person, the arhat may still experience physical pain and other forms of karmic fruition (the consequences of previous actions). At *parinirvāṇa*, however, all karmic energies are dissipated and the arhat is released from rebirth. The Buddha refused to answer his disciples’ questions about the nature of final nirvana. At most, he would say that final nirvana is neither nothingness nor not-nothingness, a paradoxical way of stating that the unconditional is beyond ordinary comprehension.

Nirvana is intrinsically related to the ethical outlook of Buddhism. The path to nirvana is in great measure an ethical one. The Buddha prescribed for his followers a regimen that included study, meditation practice, and moral behavior (the eightfold noble path). He encouraged his followers to live by specific precepts, which were to be accepted not as commandments but as principles for striving to live a compassionate and egoless existence. Among these precepts were abstaining from false speech, not harming sentient beings (*ahiṃsā*), not taking that which is not offered, abstaining from sexual misconduct, not consuming alcohol or other drugs, and earning one’s living in a way that helps rather than harms other beings. The Buddha also counseled the cultivation of wholesome characteristics such as friendliness, patience, and compassion. Each aspect of the Buddhist path is intended to enable the individual to overcome the ego’s tendency to become attached (or addicted) to things, persons, and ideas. The path fosters non-attachment and egolessness, which advances one’s progress toward enlightenment. Wisdom and morality therefore are inextricably connected. To behave in a purely selfless way, one must grasp the truth about the nature of existence, especially the nonexistence of the self; and to realize this truth, one must follow the precepts that help remove the obstacles that hinder awareness.

#### LATER INTERPRETATIONS

In subsequent development of the Buddhist traditions (particularly in the Mahāyāna and Vajrayāna), greater emphasis was placed on the element of compassion, and nirvana came to be interpreted in more corporate terms. Because of his compassionate and selfless nature, the Buddha, it was believed, would not abandon those who had not yet attained nirvana. Spurred by his conviction, the Mahāyāna Buddhist communities began to venerate the ideal of the *bodhisattva*. The bodhisattva was regarded as a great being who postponed final nirvana to assist all beings in the alleviation of suffering and the realization of nirvana. Since Buddhahood was now considered an ontological reality attainable in principle by anyone, the Buddhist universe came to be populated by countless bodhisattvas, all working to bring about the simultaneous nirvana of all beings.

*Mark William Muesse*

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SEE ALSO: Ahimsā; Bodhisattva ideal; Buddha; Buddhist ethics; Four noble truths; Hindu ethics; Jain ethics; Karma.

## Nobel Peace Prizes

**DEFINITION:** Annual prizes awarded to individuals or organizations that have done the most to promote world peace during the previous year

**DATE:** First award made in 1901

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** By honoring those people who have furthered the causes of human rights and world peace, the Nobel Peace Prize has served to publicize and promote good works.

Alfred Bernhard Nobel, a Swedish chemist and industrialist, was initially noted for his invention of dynamite, for which he received a patent in 1867. Although the explosive properties of his invention were later associated with military weapons, the only applications that Nobel had in mind were for peaceful purposes such as the construction of railroad systems and highways. His industrial research also contributed toward the production of a variety of materials, including artificial textiles and rubber. As a consequence, Nobel had amassed a considerable fortune by the time of his death in 1896.

Establishment of the Nobel awards was based on Nobel's will, which was written in November, 1895.

Nobel directed that the major portion of his fortune—which was then worth the equivalent of nine million U.S. dollars, should be set aside for a fund, invested in safe securities, whose interest would be distributed in the form of annual prizes to people who had done the most for humanity during the previous year. The awards were initially to be given in the fields of chemistry, literature, physics, physiology or medicine, and peace. Economics was added later. The Peace Prize was to be administered by a committee of five persons elected by the Norwegian parliament. The Nobel Foundation, which was to supervise the investments, was established and approved by King Oscar II of Sweden, in June, 1900.

Nobel's attitude toward peace evolved from his interest in literature. In 1887, he began conducting a regular correspondence with the Austrian writer Bertha von Suttner. The wife of an Austrian baron, von Suttner was among the first notable women writers to establish a pacifist view. Her 1889 novel *Die Waffen nieder!* (1889; *Lay Down Your Arms*, 1892) was a denunciation of war and its consequences, and its title became the slogan for the peace movement. In 1905 von Suttner herself became the seventh recipient of the Nobel Peace Prize.

Although the extent to which Nobel was directly influenced by the baroness is in dispute, there is no question that Nobel admired both her writings and her work on behalf of pacifism. Nobel had few illusions about the attitude of the peace movements toward immediate disarmament and compulsory arbitration. It was his view that movement toward those worthy goals could only proceed gradually. For example, he believed that governments should develop agreements for the peaceful settlement of disputes but that those agreements should be limited to a single year.

**SUPPORTING PEACE**

During the early 1890's, Nobel evolved the idea of an economic support for peace. Several concepts contributed to this idea. In a letter that he wrote to von Suttner in 1892, he argued that if nations would establish mutual military agreements, the "atmosphere of security" would ease the transition to disarmament. In addition, the very horror of war itself, particularly in the light of the development of new and more destructive weapons, would cause "all civilized nations . . . to recoil from war and discharge their troops."

It remains unclear why Nobel rejected Swedish

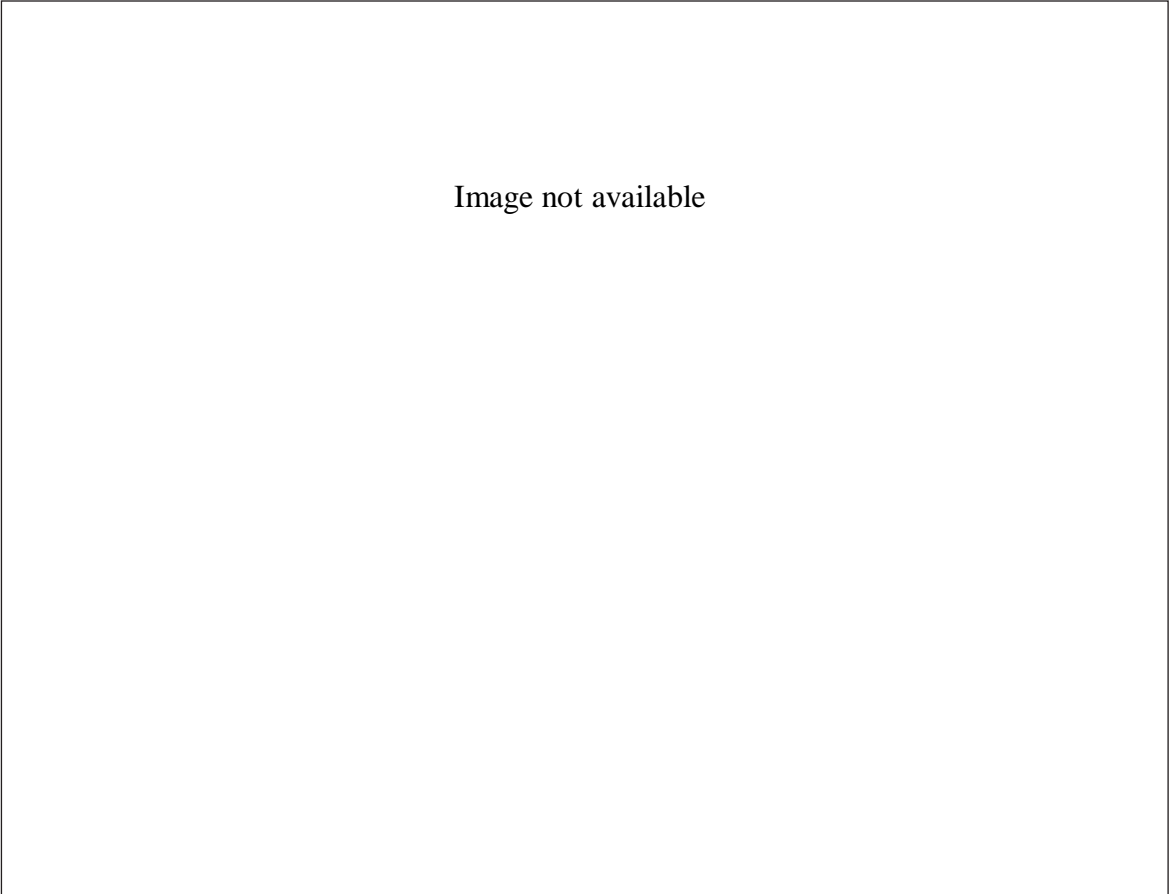


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*Iranian attorney Shirin Ebadi receives the 2003 Nobel Peace Prize for her human rights work among Muslim women. Other recent winners include United Nations secretary general Kofi Annan (2001) and former U. S. president Jimmy Carter (2002). (AP/Wide World Photos)*

academies for the Peace Prize Committee in favor of the Norwegian parliament. The Swedish press were, in fact, indignant when Nobel's "rejection" became known. Several theories for Nobel's decision have been proposed. The explanation that seems most credible reflects on the Norwegian parliament's strong support for international cooperation and arbitration. In addition, during the period in which Nobel was clarifying his will, the Norwegian poet Bjørnstjerne Bjørnson was playing a major role in the peace movement. Another explanation that seems equally likely is that Nobel had hoped the rivalry between Norway and Sweden would be eased if the final prize were presented in Oslo, rather than in Sweden.

Nobel's original idea was that each year's prize should be awarded to persons who have done the

most to promote the concept of peace during the previous year. However, by the end of the twentieth century most of the awards were going to organizations. The most obvious example is that of the United Nations. Controversy has also been associated with certain choices, though this in itself is nothing new. For example, the 1973 awards made to Henry Kissinger of the United States and Le Duc Tho of Vietnam for their efforts to end the Vietnam War achieved little. Much the same might be said about the 1994 awards to Palestinian spokesman Yasir Arafat and Israeli representatives Shimon Peres and Yitzhak Rabin, and their futile efforts to end the Middle East conflict.

Despite such controversies, the award has brought recognition to organizations and issues about which the international public is often unaware. For exam-

ple, the 1997 award on behalf of attempts to eliminate land mines raised hopes that their use in the future might at least be limited. Likewise, the 1999 award to Médecins Sans Frontières (Doctors Without Borders) brought attention to an apolitical organization that had been largely unknown throughout the world.

### SELECTION PROCEDURES

The procedure for selecting recipients of the Nobel Peace Prize is similar to that established for awarding the other prizes. Nominations are requested in September of the year preceding the award, and the deadline is the end of January in the year of the award. Individuals eligible to tender nominations include both current and former members of Norway's parliament, their advisers, members of international committees relevant to the peace process.

Final decisions on recipients are made by the Norwegian Nobel Committee. Committee members are picked by the Norwegian parliament and are chosen on the basis of their expertise in at least one of three areas: international law, political history, and political economy. The field of nominees is narrowed between February and September, and the final decision is usually announced in early October.

The first recipients of the award in 1901 were Jean Henri Dunant and Frédéric Passy. Dunant had spent his life in the pursuit of morality and peace; it was his vision that led to the establishment of the International Red Cross in 1863. During the Franco-Prussian War in the 1870's, Dunant pushed for an international court of arbitration through his association with Alliance Universelle de l'Ordre et de la Civilisation. Among the speakers before the alliance was Passy. Dunant also worked for more humane treatment for prisoners of war, views that eventually came to a measure of fruition. Passy, too, was a strong advocate for peace societies. As a member of the French Chamber of Deputies, he was instrumental in creating a variety of treaties of arbitration.

During the more than one hundred years since the first awards were made, a wide variety of both individuals and institutions have been honored with the prize. Winners have been international, from the Americas and Europe, but also from Asia and Africa. During the first five decades of the award, the basis for the honor was generally international in scope. For example, beginning in 1902, individuals associated with the International Peace Bureau were hon-

ored several times. After World War II, however, honorees tended to be more parochial, in that awards were based on initiatives for changes in more localized areas. In 1952, for example, Albert Schweitzer was honored for his humanitarian work in Africa. In 1960, Albert Lutuli received the prize for his peaceful campaign to end apartheid in South Africa. Lutuli's award represented a watershed for the prize committee in that it was the first time a black African was so honored. Other Africans later honored included Desmond Tutu (1984) and Nelson Mandela (1993), also of South Africa, and Kofi Annan (2001), the Ghanaian secretary-general of the United Nations. In 2004, Wangari Muta Maathai of Kenya became the first African woman to receive the award. She was honored primarily for her environmental work—a reflection of the Nobel Committee's broadening interpretation of Alfred Nobel's intent.

*Richard Adler*

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## Nonviolence

**DEFINITION:** Refusal to use violence to resolve conflict and/or the use of nonviolent forms of power to resist oppression or promote social change

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Although based for some practitioners in a belief that nonviolent resistance is in fact more effective than violent resistance in attaining social justice, nonviolence is often an anticonsequentialist practice based in the belief that even just ends cannot justify violent means.

Nonviolence, as Robert L. Holmes has documented, has roots in a variety of cultures and historical documents, including the Bible, the Talmud, the *Bhagavadgītā*, *Laozi*, and Sophocles' *Antigone* (c. 441 B.C.E.). In certain periods and traditions, such as early Christianity (pre-fourth century) and Jainism (a religion related to Hinduism), the prohibition against violence takes an absolute form. Based on the recognition of the sacredness of all human life, nonviolence stands as a continuing protest to the wanton destruction of life evidenced in the collective histories of warfare, crime and punishment, and economic and political oppression.

### HISTORY

Throughout most of its history, nonviolence has been expressed as nonresistance, the refusal to use violence to combat evil even for purposes of self-defense. In the nineteenth century, in the work of persons such as Henry David Thoreau and Leo Tolstoy, strategies of passive resistance were developed whose purpose was to point out social injustice with the hope of generating a consensus for positive social change. Such theorists advocated noncompliance with unjust laws and resistance against unjust social policies.

The practice of nonviolence was further developed in the twentieth century, particularly in the work of Mohandas K. Gandhi in freeing India from British rule and that of Martin Luther King, Jr., in struggling to end racial inequality in the United States. Both developed strategies of nonviolent resistance that emphasized the active confrontation of injustice for purposes of social transformation. Both emphasized that true nonviolence is not passivity in the face of evil, but the active confrontation of evil

and injustice wherever they exist. Central to these religious philosophies is the belief in personal as well as social transformation. The practitioner of nonviolence must, as Gandhi notes, renounce the "internal violence of the spirit" and truly love the opponent. Also central is the recognition of the ineffectiveness of violence, which only creates more hatred and more violence in a never-ending spiral. Only nonviolent suffering acting as witness to truth and justice can break the spiral. Nonviolentists must, then, according to Gandhi, learn "the art of dying" just as violentists have learned the "art of killing."

Following the partial success of Gandhi's and King's movements, political theorists began to analyze nonviolence as a political rather than a religious strategy. Here the emphasis is placed on organizing nonviolent forms of power as a means of forcing social change rather than upon personal transformation and the use of the power of love. As analysts recognized, the exercise of power requires the consent of the governed. Organized withdrawal of that consent on a large scale can lead to the collapse or transformation of social systems (such as the collapse of communism in Eastern Europe). Such theorists explore the use of various forms of nonviolent power in such areas as labor (strikes and slowdowns), buying (boycotts), noncompliance with laws, and moral suasion. Much analysis has focused on situations in which nonviolent strategies have been employed.

Theorists have unearthed a rich tradition of historical applications of nonviolence. Although nonviolence is often viewed as a tool for oppressed, powerless groups, advocates have developed plans for the total nonviolent civilian defense of nations against external aggression. Confronted with nuclear weapons, against which military defense may mean self-annihilation, nonviolent civilian defense is presented as the only sane alternative.

As a theory and a practice, nonviolence continues to develop and be refined. Important developments include an expansion of the concept of violence that is to be transformed by nonviolent means to include psychological violence (for example, racism, sexism, terrorism), institutional violence, the violence caused by the structure of existing social institutions (such as hunger, poverty, political oppression), and violence against the natural environment. Feminists have developed connections between feminist theory and nonviolence pertaining to women's issues and

the development of nonhierarchical social structures. Nonviolence continues as an important strategy in a variety of Third World settings in which the resort to violence by oppressed groups is regarded as futile.

### ETHICAL ARGUMENTS EMPLOYED

(1) All human life is sacred and all persons have equal worth. People do not have the right to take a life, not even in self-defense. (2) The recognition of the sacredness of persons requires people to intervene nonviolently wherever people suffer from war, political oppression, poverty, or discrimination. (3) Violence breeds more violence and does not provide lasting solutions to conflicts. One must, then, love one's opponent, accept the opponent's violence, and return love. Love, however, requires that one recognize truth and injustice, demanding change. Only such love can break the cycle of violence and create just social structures and renewed relationships. (4) There are many nonviolent means that may be employed. Moral action requires the development of an effective strategy for social change. (5) Although the practice of nonviolence may lead to suffering and death for its practitioners and will sometimes fail, the suffering caused will be much less than it would have been if violent means had been employed. In addition, the likelihood of lasting success is much greater.

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## Normative vs. descriptive ethics

**DEFINITION:** Distinction between moral philosophies that tell people what they should do (normative ethics) and moral philosophies that merely describe what people already believe they should do (descriptive ethics).

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Descriptive ethical statements are generally taken to be judgments of fact which may be shown to be true or false. Normative ethical statements are much more difficult to prove, and for some moral philosophers, are statements of value which are neither true nor false.

Normative ethics deals with the formulation of ethical codes of behavior and moral models of evaluative decision making. Normative ethics prescribes moral principles defining the good, the right, duty, obligation, law, and justice. A normative approach assumes the universality of its ethical principles and attempts to justify them on a rational basis.

Christian ethics is a classic example of normative ethics. The following are normative moral utterances: "All promises ought to be kept." "Killing another human being is wrong." "Capital punishment is just because it deters crime." "A father has a duty to provide physical support for his children." In all these examples, the common element is the prescription of a certain course of action or its evaluation. The most famous example of normative ethics is found in the Ten Commandments.

### DESCRIPTIVE ETHICS

Descriptive ethics is ethics shorn free of prescriptive or evaluative elements. Descriptive ethics deals with the meanings of moral utterances, the relationships between them and moral actors, and the nature of moral argumentation. Descriptive ethics may take a sociological, psychological, ethnographic, or philosophical approach. A sociological analysis of ethics may concern itself with the relationship between moral behavior and social coercion. Psychology may deal with the relationships between moral behavior

and the different stages of human growth and development. Ethnography may study the relationships between ethical beliefs and culture and tradition. Philosophical analysis will tend to concern itself with the semantic meaning of moral utterances, their sense and pragmatic context.

Thomas Hobbes treated ethics as a descriptive science of the aversions and appetites of the human organism. The good, according to Hobbes, is any object of human desire and appetite. Human behavior, in this view, is motivated by aversion to fear and want and appetites for security and gain. Hobbes's descriptive approach is made possible by his mechanistic view of the universe and human nature.

### NATURALISM

The descriptive approach that finds a natural cause for moral behavior is known as naturalism. One famous advocate of naturalism was David Hume, who, more than any other philosopher, thoroughly modernized and secularized ethics and philosophy. In *A Treatise of Human Nature* and *An Enquiry Concerning the Principles of Morals*, Hume attempts to answer the metaethical questions of the meanings of ethical terms such as "good," "right," "justice," "virtue," and "vice." Hume concludes that ethical terms are not qualities of a special moral sense or predicates of ethical objects. Instead, they only convey sentiments of approbation or approval; therefore, ethical judgments are entirely subjective. Whenever an object is judged to be good, it means that it is either pleasant or useful. Thus, moral judgments are really judgments of taste.

Naturalistic analysis claims that the good and the right are determined by human appetites. Naturalism holds that an object is valued as good because it is desirable. The proposition "X is good" means "I desire X." One form of naturalism is emotivism, which holds that ethical judgments are only expressions of personal feelings of approval or distaste. This could lead to subjectivism and ethical relativism. In fact, there can be no real ethical disagreements. Ethical judgments only express the attitudes of speakers.

Hedonism is another form of naturalism. Hedonism equates good and evil with pleasure and pain. Whatever produces pleasure is equivalent to the good. Utilitarianism in the hands of Jeremy Bentham maintained a vulgar view that overvalued the quantitative aspects of pleasure. John Stuart Mill, in *Utilitarian-*

*ism*, distinguished between good and bad pleasures. Intellectual and cultural pleasures are superior to mere physical pleasures. As Mill put it, "I would rather be Socrates dissatisfied than a pig satisfied." One of the most formidable challenges to naturalism came from G. E. Moore. Moore's critique of naturalism is known as the naturalistic fallacy. This fallacy involves defining good in terms of something else, such as pleasure. For Moore, good was an indefinable quality.

As Karl-Otto Apel points out, normative ethics seems to have been made obsolete by Hume's distinction—norms cannot be derived from facts; an "ought" statement cannot be derived from an "is" statement. The scientific grounding of ethics is impossible. Science deals only with facts. In effect, Hume relegated moral norms to the subjective domain. As a result, modern science will accept objectivity only in the mathematical and empirical sciences—not in morality. Morality is purely subjective, from the point of view of modern science. Since Hume and Max Weber, science has claimed to be value free, only positing technological goals, but one can only ask with Apel: What about the criteria for and desirability of technological goals? Can science really free itself from ethics?

As Apel claims, scientific claims involve arguments. Arguments occur in speech situations, in contexts of communication in which certain ethical norms are, in fact, presupposed. Other persons are recognized as genuine subjects of communication. Involvement in argumentation implies ethical claims such as truthfulness and sincerity. Thus, if Apel is correct, science is not value free and there cannot ever be a purely descriptive ethics.

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SEE ALSO: Emotivist ethics; Fact/value distinction; Hedonism; Hobbes, Thomas; Homeland defense; Hume, David; Is/ought distinction; Metaethics; Mill, John Stuart; Moore, G. E.; Naturalistic fallacy.

## North Atlantic Treaty Organization

**IDENTIFICATION:** International alliance initially formed to provide security to Western European nations against a perceived Soviet threat

**DATE:** Founded on April 4, 1949

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** During the Cold War, North Atlantic Treaty Organization's (NATO) status as a true alliance of equals, rather than a mere instrument of the United States, was sometimes questioned, raising issues about imperialism and the self-determination of European members. In the post-Cold War era, NATO remains one of the most important organs of military power on the world stage, albeit one with a less coherent sense of purpose.

The North Atlantic Treaty Organization is a defensive and political alliance among twenty-six nations. The alliance was created when twelve nations (Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, the United Kingdom, and the United States) signed the North Atlantic Treaty in Washington, D.C., on April 4, 1949. It was later joined by Greece and Turkey (February, 1952), West Germany (later Germany; May, 1955), Spain (May, 1982), the Czech Republic, Hungary, and Poland (March, 1999), and Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia (March, 2004). The treaty is a military alliance designed to prevent aggression or to repel it should it occur. It also provides for continuous consultation and cooperation among member nations in political and economic matters.

The United States was instrumental in creating NATO and has enjoyed hegemonic status within the alliance; the alliance's commitments consume about 50 percent of the U.S. defense budget each year. American commitment to NATO marked a fundamental transformation of the guiding principles of

U.S. foreign policy; it caused the United States to depart from its traditional policy against entanglement in permanent alliances and from its isolationist foreign policy.

### HISTORICAL BACKGROUND

NATO has provided the basic framework for the political and military structure of the West during the postwar period. The idea of a permanent peacetime alliance among North Atlantic nations was conceived when "Cold War" conflict was developing between the United States and the Soviet Union. The Truman Doctrine of March, 1947, for example, acknowledged the disharmony of interests with the Soviet Union and underlined the need to contain the expansion of Soviet communism. The events of 1948—the communist coup in Prague in the spring of 1948 and the Soviet blockade of Berlin in June, 1948—further convinced the United States and its allies that the Soviet Union was an expansionist power and that it was willing to use force and subversion to become involved in the affairs of Western Europe.

NATO, which was a response to the perceived Soviet threat to Western Europe, became the keystone of American security commitments. NATO had two main goals. Its short-term goal was to rehabilitate the war-shattered economies of Western European nations and to maintain their political stability by countering communist-inspired subversions in Europe. NATO's long-term goal was to re-create a European balance of power against the Soviet Union by making Europe strong militarily as well as politically and economically. NATO has succeeded in accomplishing both goals.

### STRUCTURE OF NATO

The North Atlantic Council, which is composed of ministerial representatives of member countries, is the chief policy-making body of NATO; it meets at least twice a year. The Council is assisted by several committees. The Military Committee is the highest military authority in NATO. It is composed of the chiefs of staff of all member countries except France (Iceland, having no military forces, is represented by a civilian), and it makes recommendations to the Council and to the Defense Planning Committee on military matters. NATO forces are divided into three commands: Allied Command Europe, the Atlantic Ocean Command, and the Channel Command.

### NATO’S FIRST HALF CENTURY

Although the alliance has survived for more than a generation, NATO’s solidarity has varied over time. During the early 1950’s, West Germany’s participation in NATO became an issue and was settled in the Paris Agreements of 1954; West Germany joined the alliance in 1955. The withdrawal of the French forces from the integrated military command structure of NATO in 1966 weakened the alliance (France remains a member of the North Atlantic alliance). As a result of the French action, NATO headquarters had to be moved from Paris to Brussels. In 1974, Greece withdrew (until 1980) from the NATO military command because of Turkish military actions in Cyprus. Yet the political cohesion of NATO has been quite remarkable.

NATO members agreed from the beginning that the primary purpose of the alliance was to be prepared militarily to counter Soviet attack. Their strategy rested in credible deterrence of threats to Western security. For protection against possible Soviet attack on Europe, NATO has relied on the U.S. nuclear umbrella. American nuclear weapons have been deployed in Western Europe, though they have always remained under U.S. command. The deployment of intermediate-range nuclear weapons (Cruise and Pershing II missiles) in 1983 and 1984, however, brought strong opposition from intellectuals, political leaders, and peace activists who feared that the presence of the intermediate-range nuclear weapons in Europe would increase the likelihood of a nuclear confrontation with the Soviet Union.

NATO’s strategy of deterrence has also been questioned on moral and ethical grounds, since it uses civilian populations as potential nuclear targets. Yet, the developments of the late 1980’s—the 1987 Soviet-American INF treaty (supported by all NATO members) on the elimination of a class of intermediate- and short-range nuclear missiles based in Europe, the breaking down of the Berlin Wall in 1989 followed by the reunification of two Germanys in 1990, and the disintegration of the Soviet Union and of the Warsaw Pact (NATO’s communist counterpart)—have radically transformed the political and strategic environment in which NATO operates.

*Sunil K. Sahu*

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SEE ALSO: Bosnia; Cold War; International law; Peace-keeping missions; Truman Doctrine; United Nations.

### “Not in my backyard”

DEFINITION: Popular objection to the establishment of socially necessary but unattractive or troublesome facilities, such as landfills, prisons, and group homes

DATE: Term first used during the 1980’s

TYPE OF ETHICS: Environmental ethics

SIGNIFICANCE: Both proponents and opponents of unpopular projects utilize moral arguments to support their positions.



“Not-in-my-backyard” (often represented by the acronym NIMBY) objections are often raised to the introduction of an unwanted facility to an area, particularly one in or near a residential area. Almost all members of the society may recognize the need for the facility and support it in principle, while at the same time not wanting it in their own neighborhoods or communities. Citizen groups may form and noisily oppose projects such as prisons, nuclear waste sites, and low-income housing projects. In acrimonious NIMBY debates among project developers and members of the public, all sides may raise ethical arguments. As in other aspects of life, multiple ethical principles often apply and create conflict of moral rules.

### **ETHICAL ARGUMENTS IN FAVOR OF PROJECTS**

The first argument in favor of an unpopular project is that it will serve the common good of society. The project’s utilitarian consequences, it may be argued, will bring health, happiness, and general well-being to the greatest number. Indeed, a community would have a difficult time surviving without facilities to dispose of its wastes, create its energy, and provide its human services. The question is: Where are the facilities necessary to perform these functions to be located?

Abhorrent consequences may follow if NIMBY advocates succeed. The blocked project will simply be relocated elsewhere, to the detriment of another community. Furthermore, there is a possibility that the alternative site may not be as safe or effective as the site initially selected by scientific planners.

Human beings are ethically required not to cause real harm to others. However, they also are not obligated to abstain from conduct that is erroneously perceived as harmful. Protesters are often ill-informed about plans they oppose. For example, many people do not distinguish between hazardous and nonhazardous types of waste, or they may believe false stereotypes about the dangers of people with mental disabilities. The fact that members of a community are psychologically uncomfortable with a plan does not constitute a morally relevant reason for disallowing it.

### **ETHICAL RULES IN OPPOSITION**

In an ideal society, the costs imposed by essential services should be shared equally by all. Unpopular projects, such as waste dumps and prisons, unfairly

burden their closest neighbors. While the community as a whole may be served by having such facilities, the facilities’ nearest neighbors receive no compensation for the extra noise, unpleasant odors, extra dangers, inconvenient traffic, and fall in the value of their properties. Furthermore, a basic rule of fairness requires that all members of a community should clean up their own messes. NIMBY neighbors are blameless; they are not any more responsible for community problems such as nuclear wastes, energy shortages, highway congestion, or prison populations that the unpopular facilities are designed to fix.

In a fair contest, the better competitor should win without cheating. Some NIMBY opposition arguments focus on unethical project planning and marketing. Public land uses should be determined in consultation with the public, as community members should have a say in events affecting their own neighborhoods. However, in NIMBY situations, proposals are typically imposed and implemented by outside bodies. Such bodies may promote projects unethically, break their promises, conceal the truth, and intimidate opponents.

### **TWO TYPES OF NIMBY PROJECTS**

One class of NIMBY projects poses some type of environmental threat, while at the same time providing a needed service. A large subclass is disposal site proposals, including facilities for nuclear wastes and regular landfills. There are also environment-altering NIMBY proposals that do not deal with waste, such as airports, oil refineries, windmill farms, cellular phone towers, and ballparks.

A second major class of projects provides needed human services such as new prisons, group homes for people with drug or alcohol problems or mental disabilities, and nursing homes that admit AIDS patients. Babies and children are not exempt from NIMBY opposition. Even small day-care facilities have been opposed in some residential neighborhoods. The ethical issues raised about these two project types include the points already discussed, as well as variants for each type of project.

### **ENVIRONMENTAL PROJECTS**

When waste disposal sites and polluting farms or factories are planned, the neighbors who are affected are typically poor and nonwhite. The concept of “environmental racism” critiques burdening society’s

### Examples of NIMBY Projects

Airports  
 Day-care facilities  
 Drug rehab centers  
 Garbage dumps and landfills  
 Group homes for troubled youths  
 Halfway houses for alcoholics  
 Low-income housing  
 Mental hospitals  
 Nursing homes  
 Oil refineries  
 Power plants  
 Prisons and jails  
 Recycling centers  
 Schools  
 Sports arenas and other venues that draw crowds  
 Windmill farms

least powerful groups, unable to defend themselves, with exposure to unsafe and unpleasant substances. To add insult to injury, the employment opportunities promised to the poor in return for acceptance of the new facilities often do not materialize.

Some ardent environmental activists contend that all the world's neighborhoods deserve protection from exposure. They argue that it is immoral to export toxins to developing countries. Rich nations should not dump their trash on the world's poor. This viewpoint has been nicknamed NOPE, an acronym for "Not on Planet Earth." Activists urge fundamental changes in materialistic societies such as the United States. They argue that Americans need fewer landfills, not more, and suggest that recycling and less wasteful lifestyles are the answers. According to this view, landfills are the evil products of pollution and materialism.

Proponents of new waste sites contend that they will improve public health and safety, especially in communities whose existing dumps are overburdened and leaky. Without larger, leakproof facilities, a town's dumps may remain, and dangerous practices such as late-night dumping of wastes by unscrupulous haulers will continue. Furthermore, it is argued, it is morally unfair to put off permanent solutions to waste problems, leaving them for future generations to solve.

### HUMAN SERVICE PROJECTS

A moral community is responsive to the needs of all its members. It is compassionate toward its weakest and most needy. All people should be treated humanely, and in ways that allow them to thrive and develop their abilities. Additionally, both law and morality require that people be treated equally unless there are valid reasons for doing otherwise. There is no morally relevant reason to exclude people with mental disabilities from middle-class neighborhoods. Similar arguments are made by advocates for placing small, moderate-income housing within such neighborhoods. Research has shown that both subgroups are harmed by being segregated off by themselves. Moreover, society as a whole can benefit in that intergroup contact often leads to decreases in intergroup prejudices.

*Nancy Conn Terjesen*

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SEE ALSO: Ecology; Environmental ethics; Environmental Protection Agency; Nuclear Regulatory Commission; Toxic waste.

## Nozick, Robert

IDENTIFICATION: American philosopher  
 BORN: November 16, 1938, Brooklyn, New York  
 DIED: January 23, 2002, Cambridge, Massachusetts  
 TYPE OF ETHICS: Politico-economic ethics  
 SIGNIFICANCE: Robert Nozick made significant contributions to political ethics, epistemology, rational choice theory, and other areas of philosophy. He also provided philosophical justifications for

questioning redistribution of wealth and income in the modern welfare state.

Robert Nozick is best known for his book *Anarchy, State, and Utopia* (1974), which he wrote partly in response to *A Theory of Justice* (1971) by his fellow Harvard professor, John Rawls. Rawls's book had provided a philosophical justification for the welfare state by asking what kind of society rational persons would want if they did not know what their own positions in that society would be. Rawls maintained that this would be a society that provided the most possible resources to its least fortunate members. The ethical implication of this argument was that inequality among people could be accepted as just only to the extent that it was in the interest of those at the bottom.

Nozick responded to Rawls's thesis by arguing that justice requires recognition of the rights of individuals to self-ownership and to ownership of the products of their own labor. Resources, he argued, are created by the things that individuals do, and they are exchanged among individuals. So long as people acquire their possessions through their own work and exchange, they have just and ethical claims to their own property. Redistribution involves taking from some individuals and giving to others. Unless it is redistribution of goods acquired unjustly, through force, this is equivalent to making some people work unwillingly for other people, taking away the right to self-ownership.

The ethical positions of both Rawls and Nozick rejected utilitarianism, the argument that social ethics should be based on the greatest good of the largest number of people. Both philosophers founded ethical principles on individuals. For Rawls, however, this entailed creating the kind of society that would maximize the well-being of an abstract and hypothetical individual who might be placed at the bottom. For Nozick, it entailed as little interference as possible in the lives of individuals.

After publishing *Anarchy, State, and Utopia*, Nozick wrote several books that explored other philosophical questions. His last book, *Invariances: The Structure of the Objective World* (2001), examined issues of the nature of objective truth. While his first book relied on traditional philosophical reasoning, his final book attempted to take into consideration scientific evidence from economics, evolutionary biology, and cognitive neuroscience. Among

other considerations, Nozick attempted to root ethics in the evolution of human consciousness. Arguing that ethics stem from cooperation for the sake of mutual benefit, he described a series of levels of ethics, from the most minimal sorts needed for cooperation, to aid and caring for other people. However, he did not entirely desert his earlier libertarianism, since he argued that the highest levels of ethics must be voluntary and cannot be created by the force of a government or other social agency.

Carl L. Bankston III

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SEE ALSO: Consent; Corporate compensation; Distributive justice; Entitlements; Income distribution; Libertarianism; Poverty; Rawls, John; *Theory of Justice, A*; Utilitarianism.

## Nuclear arms race

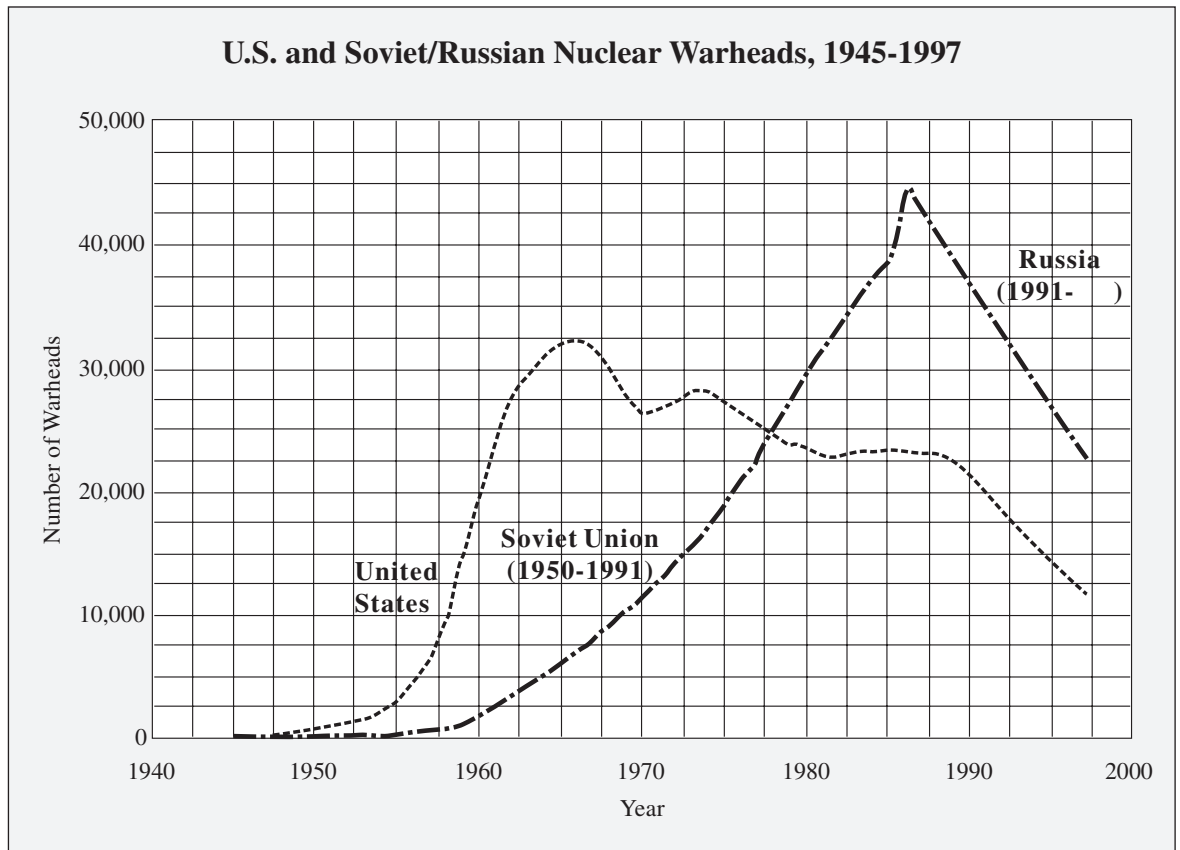
**DEFINITION:** Rapid competitive expansion of nuclear weapons among rival nations in order to gain military and political superiority

**DATE:** Began in August, 1949

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** The increasing numbers of progressively more destructive nuclear weapons in the world has intensified the possibility for human misery and threatens the very existence of the planet.

Arms races have been a major factor in prompting war in modern times, especially since World War I (1914-1918). Demobilization immediately after the end of World War II was quickly followed by rearmament as the Cold War era unfolded. The nuclear arms race began on August 29, 1949, when the Soviet Union tested its first atom bomb, and it intensified when the United States and the Soviet Union first tested hydrogen bombs in November, 1952, and August, 1953, respectively. This led to the strengthening of military alli-



Source: Data adapted from *The Bulletin of the Atomic Scientists* (November-December, 1997).

Note: For the years following 1987, approximately 50 percent of the Russian warheads and 75 percent of the U.S. warheads shown were operational. The remaining warheads were held in reserve or had been retired but not yet destroyed.

ances (the North Atlantic Treaty Organization, or NATO, and the Warsaw Pact) and the escalation of threats. In January, 1954, the United States warned that it would meet communist aggression with “massive retaliation” using nuclear weapons.

During the late 1950’s, the Soviet Union improved its ability to produce and deliver nuclear weapons, thus causing the Western bloc to fear a “missile gap” and motivating the Western nations to produce more missiles. Questions regarding the morality of pursuing such a course have received widely varying answers over time, ranging from the rightness of attempting to deter aggression to the position that the arms race is inherently wrong because it protects the power and wealth of the privileged. Nuclear tests aroused worldwide concern about radioactive fallout, but test bans were ignored by France and China, which acquired hydrogen bombs by 1968.

After this occurrence, the nuclear arms race between the United States and the Soviet Union surged ahead. American officials announced in 1974 that the United States was capable of dropping thirty-six bombs on each of the 218 Soviet cities with populations of 100,000 or more.

The arms race between the United States and the Soviet Union slowed somewhat during the 1970’s and 1980’s as a result of arms limitation and reduction treaties. It ended altogether when the Cold War came to an end in 1989. The conclusion of the arms race between super powers did not end the danger posed by nuclear build-up and proliferation, however. When the Soviet Union fragmented, the fate of the weapons which had been under its centralized control was uncertain. Several newly formed states found themselves with nuclear arms they were ill-equipped to maintain or even secure. Moreover, after

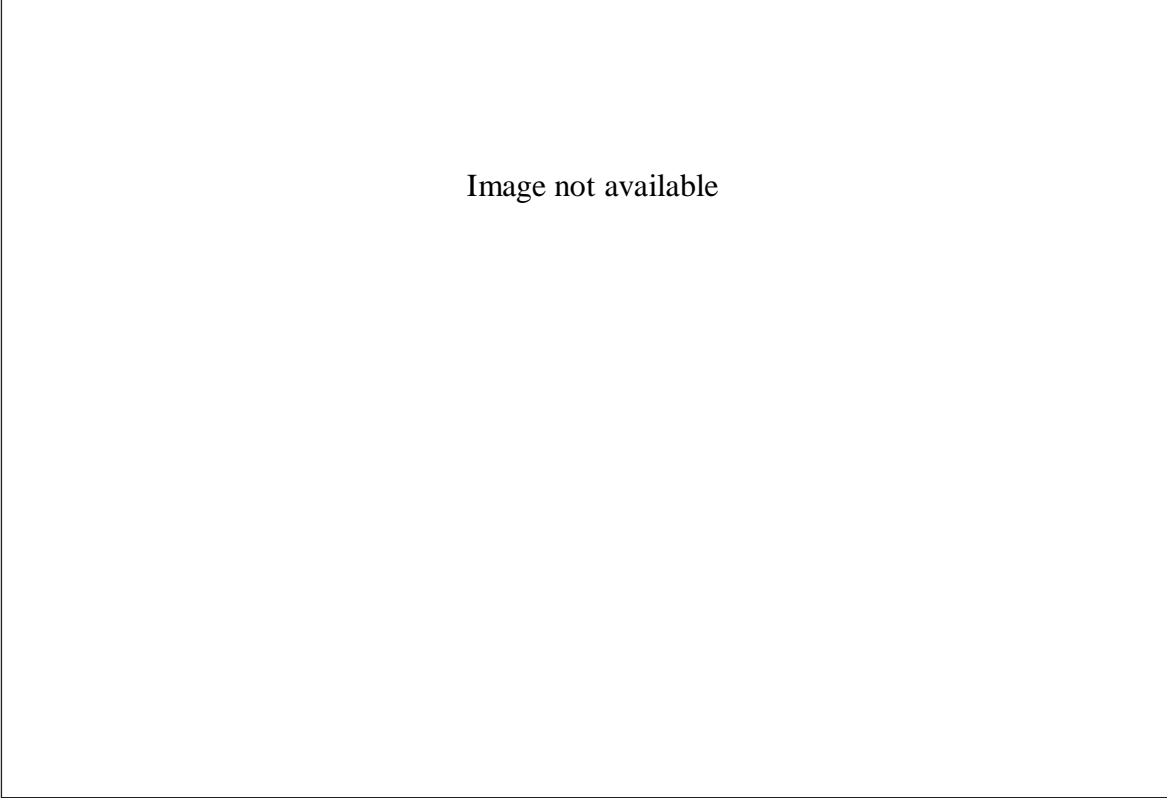


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*Pakistanis demonstrating in support of their nation's successful nuclear weapons tests in 1998. (AP/Wide World Photos)*

the 1980's, the focus of nuclear proliferation shifted to the smaller, sometimes less-industrialized countries that regarded nuclear weapons as simply another tool in the struggle for power and survival. North Korea admitted in 2003 that it possessed a limited cache of nuclear weapons, but it subsequently withdrew that admission. India, which had had nuclear capabilities since 1974, officially declared itself to be a nuclear state in 1998 following the underground detonation of five atomic devices. Pakistan responded with its own nuclear tests less than a month later.

These developments pose two separate problems. First, India and Pakistan were still bitter enemies during the early twenty-first century with religious differences at least as deep-seated as the political and economic differences that drove the Cold War. As a result, the brinkmanship between them was potentially even more volatile than that between the United

States and the Soviet Union had been. Additionally, the breakup of the Soviet Union and the development of nuclear technology by Pakistan and possibly North Korea have led to a new and unprecedented concern: that a nuclear power might sell devastating weapons to terrorists or other private individuals. Because such individuals do not necessarily represent, or even reside in, any particular nation, they are unlikely to be concerned about retaliation. Since the threat of retaliation has been the primary deterrent to the use of nuclear weapons since their creation, nuclear combatants who do not fear retaliation are a matter of grave concern.

*Andrew C. Skinner  
Updated by the editors*

SEE ALSO: Atom bomb; Cold War; Military ethics; Mutually Assured Destruction; SALT treaties; Weapons research.



## Nuclear energy

**DEFINITION:** Production of energy via processes that affect the nucleus of the atom

**DATE:** Developed during the mid-twentieth century

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The use of nuclear science to generate power raises ethical issues, because it is unclear whether the significant benefits of atomic power outweigh the actual and potential damage to humans and the environment caused by radioactive materials and nuclear accidents.

The invention and utilization of devices to convert energy from natural forms into readily accessible forms has accompanied the technological progress of humans. Humans are continuously searching for methods that efficiently meet their rapidly increasing energy demands.

The “nuclear age” began in 1938 with the discovery by Otto Hahn and Fritz Strassmann that substantial amounts of energy are released when heavy atoms such as uranium are broken into smaller atomic fragments. This process of nuclear fission is one of three types of nuclear reaction that release substantial amounts of energy. The fission of one gram of uranium 235 can keep a 100-watt light bulb continuously lit for twenty-three years, whereas only eight minutes of light can be generated by burning one gram of gasoline. When controlled, the fission process can be used to generate electric power; uncontrolled, it becomes the destructive power of atom bombs.

### PEACEFUL VS. MILITARY USES

Although the peaceful uses of nuclear power cannot be morally equated with the military uses, events such as the accidents at Three Mile Island and Chernobyl demonstrate the conflict between basic ecological priorities and technological accomplishments. Ethical considerations in the past have focused mainly on human beings. People tend to regard themselves as the only beings of inherent value, with the remainder of the natural world being a resource valued only for its usefulness to humans. While the limitations of past technologies have allowed the survival of the natural biosphere, modern technology, with its potential for impact on future generations, requires an ethics of long-range responsibility.

When Hiroshima was bombed, little was known about radioactive fallout. During the 1950’s, it was discovered that the above-ground testing of nuclear weapons introduced radioactive materials into the upper atmosphere to be transported by the winds for deposition in distant places. The strontium 90 produced in these explosions became a concern in 1954. Chemically, it behaves like calcium and is incorporated into the food chain via plants, cows, and milk, ultimately ending up in children’s bones. Another radioactive by-product, iodine 131, incorporates itself into the thyroid gland. The radioactive emissions from these incorporated elements can lead to the development of cancer.

Humans can thrive only in the particular environmental niche to which they are adapted. The fact that human bodies cannot discriminate between species such as radioactive iodine and safe iodine shows that damaging the environment jeopardizes the survival of the human race. Radioactive pollutants are particularly insidious because they remain in the environment for long periods of time—it takes almost four hundred years for the radioactivity of a sample of strontium 90 to degrade to a negligible level. These problems led the United States and the Soviet Union to prohibit the atmospheric testing of nuclear weapons in 1963.

On December 2, 1942, a team of scientists at the University of Chicago produced the first controlled nuclear chain reaction, the experiment that led to the harnessing of the atom for peaceful purposes. Nuclear reactors have since been used to generate electricity, to power ships and rockets, and to power water desalination plants.

### SAFETY ISSUES

Although a modern nuclear reactor is not a bomb, because its concentration of radioactive fuel is too low, environmental safety is still an issue. Major accidents, such as the 1957 Windscale, England, disaster in which the reactor core overheated and a significant amount of radiation was released into the atmosphere and the 1986 Chernobyl catastrophe in which ninety thousand people had to be evacuated from a nineteen-mile danger zone and a large amount of radioactive material was ejected into the atmosphere, are examples of the destructive potential of nuclear energy production. Although absolute safety at nuclear reactors cannot be guaranteed, modern

**Location of Chernobyl Accident**



safeguards have decreased the likelihood of such disasters.

Little attention was paid to the disposal of nuclear wastes during the early days of nuclear power generation. Nuclear waste includes all by-products generated in either routine operations or accidents at any point along the nuclear fuel trail (uranium mining, enrichment, fuel fabrication, spent fuel, and so forth). Since these wastes cannot be detoxified, they must be completely isolated from human contact until they have decayed to negligible levels. For plutonium, the most dangerous species in nuclear waste, this time period is at least 240,000 years.

Is it possible to store such materials in isolation for thousands of centuries? Historically, nuclear waste has not been adequately contained. While scientists predicted that the plutonium stored at Maxey Flats, Kentucky, the world's largest plutonium waste facility, would migrate only one-half inch on-site over a 24,000-year period, it actually migrated two miles

off-site within ten years. More than 500,000 gallons of waste stored at Hanford, Washington, leaked into the soil, introducing radioactive pollutants into the Columbia River and the Pacific Ocean. The worst example of breached storage occurred in the Ural Mountains of the Soviet Union during the late 1950's, when an unexpected and uncontrolled nuclear reaction occurred in stored waste, rendering more than twenty square miles uninhabitable to humans and other species. Thus, the ethics of using nuclear energy until the technology exists for safe storage repositories must be questioned.

Even if safe storage technology can be developed, storing waste for thousands of centuries remains a gamble. Disposal sites must remain undisturbed by acts of war, terrorism, and natural processes such as ice sheets and geological folding, while storage conditions must not allow the waste to become reactive. History discounts the ability of humans to protect their "treasures" for extended periods of time; for ex-

ample, the tombs of Egypt were left undisturbed for less than four thousand years.

How humanity generates the energy needed by its technology is a complex issue. The elimination of nuclear energy generation without a concomitant reduction in humanity's energy requirements would only result in the burning of more fossil fuel. Although this occurrence would avoid future nuclear disasters and end the accumulation of radioactive waste, it would also exacerbate the "greenhouse effect" and the resultant global warming, which also puts the biosphere at risk for future generations. Ultimately, the chance of disaster in the present and the legacy of toxic waste that humans neither have the knowledge to make safe nor the ability to contain must be compared to the risks posed by alternative methods of energy production to present and future generations.

*Arlene R. Courtney*

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SEE ALSO: Atomic Energy Commission; Global warming; Greenhouse effect; "Not in my backyard"; Nuclear arms race; Nuclear Regulatory Commission; Science; Toxic waste; Union of Concerned Scientists.

## **Nuclear Regulatory Commission**

**IDENTIFICATION:** Independent agency of the U.S. government that licenses and regulates the civilian uses of nuclear energy and materials

**DATE:** Established on October 11, 1974

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The Nuclear Regulatory Commission (NRC) is responsible for protecting the environment from damage caused by nuclear materials.

The Energy Reorganization Act of 1974 established the Energy Research and Development Administration (ERDA) and the Nuclear Regulatory Commission (NRC) and abolished the Atomic Energy Commission (AEC). One purpose of the act was "to enhance the goals of restoring, protecting, and enhancing environmental quality." The act separated the licensing and regulation of civilian nuclear energy and materials from their development and promotion. These functions had been joined under the AEC. The act directed the NRC to identify possible nuclear-energy sites and to evaluate potential environmental impacts from their construction and operation. In 1977, the ERDA was abolished and its responsibilities were transferred to the Department of Energy.

The NRC regulates the processing, transport, handling, and disposal of nuclear materials and is responsible for protecting public health and safety and the environment. It licenses and oversees the construction and operation of nuclear reactors that generate electricity. Before licensing reactors, the NRC holds hearings to enable public participation in the process. It also inspects facilities for violations of safety standards and investigates nuclear accidents.

*Marguerite McKnight*

SEE ALSO: Atomic Energy Commission; Nuclear energy; Toxic waste; Union of Concerned Scientists.

## Nuremberg Trials

**THE EVENT:** Series of trials in which Nazi officials were prosecuted for war crimes

**DATE:** 1945 to 1949

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** The Nuremberg Trials were a significant milestone in the development of international laws capable of enforcing human rights. They were based upon the principle that a soldier's duty to the state is superseded by the soldier's duty to humanity and to moral laws, even in times of war.

Following the end of World War II, twenty-four Nazi leaders were brought before the International Military Tribunal as war criminals on charges of conspiracy; crimes against peace—planning or waging a war

of aggression; war crimes—“violations of the laws or customs of war,” including murder or ill-treatment of civilians and prisoners of war, killing hostages, plundering property, wanton destruction of cities, and “devastation not justified by military necessity”; and crimes against humanity—“murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial, or religious grounds in execution of or in connection with any crime within the jurisdiction of the tribunal, whether or not in violation of domestic law of the country where perpetrated.”

### THE DEFENDANTS

The tribunal tried twenty-two of the indicted. Hermann Göring, first the head of the Gestapo and later the commander-in-chief of the Luftwaffe, was



*Former high-ranking Nazi officials listen to testimony at Nuremberg. The most prominent of the defendants, Hermann Göring (in left front corner of the box) committed suicide before his ordered execution could be carried out. Seated next to him is Rudolf Hess, who became the last convicted Nazi leader to die in prison, in 1987. (National Archives)*

considered the major defendant. Rudolf Hess had been deputy leader; in 1941, he flew to Scotland and was imprisoned. Joachim von Ribbentrop served as foreign minister. Wilhelm Keitel took over as the chief of staff of the High Command of the Armed Forces after Adolf Hitler abolished the War Ministry in 1938. Ernst Kaltenbrunner headed the Reich Security Police, including the Gestapo and the security service of the SS. Alfred Rosenberg was the minister for the Occupied Eastern Territories.

Hans Frank, a Nazi Party lawyer, was the governor-general of occupied Poland. Wilhelm Frick was the minister of the interior. Julius Streicher was the leading anti-Semite propagandist. Walter Funk was president of the Reichbank. Hjalmar Schacht headed the Reichbank prior to Funk and the Ministry of Economics prior to the war, where he piloted the financing of war production. Karl Doenitz, as admiral, directed the U-boat battle in the Atlantic and succeeded Erich Raeder as commander-in-chief of the Navy. Raeder was commander-in-chief of the Navy until 1943, when he resigned in a disagreement with Hitler.

Baldur von Schirach built the Hitler Youth organization and later was made governor of Vienna. Fritz Sauckel headed the forced-labor mobilization. Alfred Jodl was chief of the Operations Staff of the Armed Forces. Franz van Papen served as vice chancellor after Hitler came to power. Arthur Seyss-Inquart, an Austrian who assisted in the Nazi takeover of Austria, was Reich governor of Austria, assisted in the Nazi takeover of Czechoslovakia and Poland, and was Reich commissioner for the Netherlands. Albert Speer was Hitler's architect and minister of armaments. Constantin von Neurath, a diplomat, was made the Reich protector of occupied Czechoslovakia. Hans Fritzsche headed the radio division of the Propaganda Ministry. Martin Bormann, Hitler's secretary and head of the party chancellery after Hess fled, had not been captured but was tried in absentia. Robert Ley, leader of the Labor Front, committed suicide before the trial began, and industrialist Gustav Krupp was found to be too senile to stand trial.

The charter (articles 9, 10, and 11) provided that

### Summary of Nuremberg Verdicts

<i>Defendant</i>	<i>Verdicts</i>
Hermann Göring	Guilty on all four counts
Alfred Jodl	Guilty on all four counts
Wilhelm Keitel	Guilty on all four counts
Constantin von Neurath	Guilty on all four counts
Joachim von Ribbentrop	Guilty on all four counts
Alfred Rosenberg	Guilty on all four counts
Wilhelm Frick	Guilty on three of four counts
Walter Funk	Guilty on three of four counts
Erich Raeder	Guilty on all three counts
Arthur Seyss-Inquart	Guilty on three of four counts
Martin Bormann ( <i>in absentia</i> )	Guilty on two of three counts
Karl Doenitz	Guilty on two of three counts
Hans Frank	Guilty on two of three counts
Rudolf Hess	Guilty on two of four counts
Ernst Kaltenbrunner	Guilty on two of three counts
Fritz Sauckel	Guilty on two of four counts
Albert Speer	Guilty on two of four counts
Baldur von Schirach	Guilty on one of two counts
Julius Streicher	Guilty on one of two counts
Hans Fritzsche	Not Guilty on three counts
Franz von Papen	Not Guilty on two counts
Hjalmar Schacht	Not Guilty on two counts

the tribunal could declare organizations criminal and that individuals could be tried before national, military, or occupation courts of the four Allied powers for membership in such organizations. The indictment charged that the following organizations were criminal in character: the Reich cabinet, the leadership corps of the Nazi Party, the SS (*Schutzstaffeln*, or Black Shirts), the SD (*Sicherheitsdienst*), the SA (*Sturmabteilungen*, or Stormtroopers), the Gestapo (secret state police), and the General Staff and High Command of the Armed Forces.

#### THE TRIALS

Each of the four Allied powers named a judge and an alternate judge to the International Military Tribunal: Lord Justice Geoffrey Lawrence and Justice Norman Birkett (Great Britain); Attorney General



Francis Biddle and Judge John J. Parker (United States); Professor Henri Donnedieu de Vabres and Conseiller Robert Falco (France); and Major General I. T. Nikitchenko and Lieutenant Colonel A. F. Volchkov (Soviet Union).

The trial began on November 20, 1945, and, after 216 trial days, concluded on October 1, 1946, when the tribunal delivered its judgment. Justice Robert Jackson of the Supreme Court led the prosecution counsel for the United States; Attorney General Hartley Shawcross and David Maxwell-Fyfe for Great Britain; François del Menthon, Auguste Champetier de Ribes, Charles Dubost, and Edgar Fauré for France; and General R. A. Rudenko and Colonel Y. V. Pokrovsky for the Soviet Union. Each defendant was represented by the counsel of his choice.

The tribunal acquitted three defendants (Schacht, von Papen, and Fritzsche). Twelve were sentenced to death by hanging (Göring, von Ribbentrop, Keitel, Kaltenbrunner, Rosenberg, Frank, Frick, Streicher, Sauckel, Jodl, Bormann, and Seyss-Inquart) and were hanged on October 16, 1946. Three were sentenced to life imprisonment (Hess, Funk, and Raeder); two to twenty-year terms (von Schirach and Speer), one to fifteen years (von Neurath), and one to ten years (Doenitz). Göring committed suicide the evening before the scheduled executions. Four Nazi organizations were declared criminal: the leadership corps of the Nazi Party, the SS, the SD, and the Gestapo.

Between October, 1946, and April, 1949, twelve subsequent trials, conducted by American judges primarily from state supreme courts, were held at Nuremberg. In the Doctors' Trial, twenty-three physicians were tried; all but seven were found guilty of experiments on human subjects. Other trials involved judges who were SS members, SS officers who operated concentration camps and committed mass murders, industrialists—including Alfred Krupp (son of Gustav) and the directors of I. G. Farben—who used slave labor, and army leaders who took hostages, destroyed villages, and shot prisoners.

Ron Christenson

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SEE ALSO: Concentration camps; Geneva conventions; Genocide and democide; Holocaust; International Criminal Court; International justice; International law; Nazi science; Nazism; War crimes trials.

## Nussbaum, Martha

DEFINITION: American legal scholar

BORN: May 6, 1947, New York, New York

TYPE OF ETHICS: International relations

SIGNIFICANCE: Nussbaum believes in a universal world morality among nations that controls and binds their actions and argues that a shared sense of ethics should be the driving force behind international dealings, not expediency or force.

International affairs, the evolving nature of education, and the conflict between national culture and world morality are among the subjects that Martha Nussbaum has addressed in voluminous writings and speeches. She has been inspired by the philosophers and political scientists of the late Renaissance and Enlightenment eras, such as John Locke and Jean-Jacques Rousseau. Hugo Grotius, in particular, has powerfully influenced her views. Locke's view that individuals possess inalienable, basic rights (life, liberty, and property, as he defined them) is one of Nussbaum's core beliefs, as is Rousseau's contention that a truly functioning democracy is possible and pragmatic. Grotius, who is Nussbaum's most important philosophical influence, is widely considered to be the first author to deal persuasively with issues such as human rights, the ethical conduct of war, and world peace. Nussbaum has embraced all of these ideas while adding her own thoughts and findings in support of an anticipated rebirth of international moralism.

While fully embracing the right of people to be free and make free choices, Nussbaum accepts the necessity of the sovereign state and its primacy in foreign affairs. This support of state power exists only to the degree that the state governs its citizens justly in accordance with natural rights and conducts itself in a proper, ethical fashion in its dealings with other nations. She further postulates that all nations are immutably tied to one another by a set of moral responsibilities, and these ethical and moral concerns are what should always determine the course of international relationships. Moreover, nation states have the ethical obligation to protect the natural rights of their citizens and to provide them with the basic necessities of life, and the international community has the responsibility of aiding each state in achieving these goals.

Nussbaum firmly opposes cultural relativism, believing that many traditional group beliefs—such as those inspired by religion, race, ethnicity, and class—oppress women. Moreover, such oppression is downplayed or ignored by liberal cultural relativists and supporters of situational ethics. Nussbaum argues that many progressives are quick to point out the injustices inflicted by governments, and rightly

so, but far fewer speak out against the wrongs inflicted by tradition and culture. In Nussbaum's view, the degradation of women leads to a new demand for international morality to establish and protect the natural rights of all. International relations based on consensus building, and not unilateralism, will help create a more just world.

*Thomas W. Buchanan*

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SEE ALSO: Altruism; Diversity; Grotius, Hugo; Locke, John; Moral equivalence; Narrative ethics; Relativism.

# O

## Obedience

**DEFINITION:** Submission to or compliance with the will of someone in authority

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The ethical import of obedience is generally judged by the values of the authority figure to whom one is obedient. It is a virtue when the authority, or the ideals represented by the authority, seem virtuous; it is a serious moral transgression when the authority's commands are deemed immoral.

Obedience is not necessarily bad or good. A sinister example of obedience occurred in World War II, when more than six million innocent people were tortured and killed by Nazis who claimed that they were only following the orders of their superiors. A positive example of obedience is a three-year-old who obeys her parents' commands to play in the yard rather than the road. A sinister example of disobedience is a criminal who disobeys laws. A positive example of disobedience is Rosa Parks, who was arrested in 1955 for disobeying laws that segregated seats on public buses in Montgomery, Alabama. Her disobedience of the law was a landmark in the civil rights revolution in the United States. Whether obedience is right or wrong is determined by the individual, the situation, and others' or history's evaluation of the obedience or disobedience.

Some obedience is necessary. Social groups of any size depend on a reasonable amount of obedience to function smoothly. Society would be chaotic if orders from police, parents, physicians, bosses, generals, and presidents were routinely ignored or disobeyed. The division of labor in a society requires that individuals have the capacity to subordinate and coordinate their own independent actions to serve the goals and purposes of the larger social organization.

Obedience results because people do not feel responsible for the actions they perform under orders

from an authority figure. They believe that the person giving the orders has the responsibility for the results of the actions. At the Nuremberg Trials after World War II, many of the Nazi war criminals stated that they believed their actions were wrong but did not feel personally responsible for them, because they were merely following orders.

The feeling of not being responsible, however, is insufficient to explain why people so readily follow orders, especially in cases in which the behavior far exceeds the scope of the order. For example, the cruelty and savagery of some of the soldiers in the infamous My Lai incident (in which U.S. soldiers killed innocent Vietnamese villagers) was not necessarily demanded in their orders to "pacify the village."

A personal factor that may underlie the willingness to follow orders is ideological zeal, the belief that the required actions are right or in support of a good cause. Another personal factor is gratification; people feel powerful and free upon carrying out the orders. Furthermore, individuals sometimes believe that they will reap material gain or personal advancement by following the specified orders. Another personal factor that influences whether people obey is the role that they are filling. Roles often include rules that people obey the orders of certain others.

### SITUATIONAL FACTORS

Situational factors that influence obedience are prestige, proximity, the presence of others who disobey, and reminders of personal responsibility. Prestige means that it is easier to obey the commands of a high-ranking (prestigious) officer than those of a low-ranking officer. Proximity has to do with both the person giving the orders and the victim. Thus, it is easier for soldiers to follow orders given in person rather than over the phone, and it is easier to follow orders to kill others by high-altitude bombing than to follow orders to kill others by stabbing. Also, it is easier to disobey when others present are disobeying

than it is if others are obeying. Finally, obedience diminishes when a person is reminded that he or she will be held personally responsible for any harm that results from his or her actions.

Several other factors may affect disobedience. First, embarrassment hinders disobedience. Many people do not want to rock the boat, make a scene, or be rude. Second, lacking a language of protest hinders disobedience. Many people literally have no words with which to disobey. Third, people may be entrapped into obedience. The first steps of entrapment pose no difficult choices. One step leads to another, however, and the person is ultimately committed to a course of obedience.

Obedience can result from five types of power that individuals and groups can exercise over others. First, coercive power arises from the potential to deliver punishment to force another to change his or her behavior. For example, parents who punish their children for putting their hands into cookie jars are exercising coercive power to induce their children to obey their directives to stay out of the cookie jar. Second, reward power arises from the potential to deliver positive reinforcement to induce another to change his or her behavior. For example, parents who give their children cookies for doing their homework are exercising reward power to induce their children to obey their directives to do their homework. Third, legitimate power arises from being in a particular role or position. Generals, for example, have the authority to give orders to underlings because of their rank. Fourth, expert power arises because others see the person as particularly knowledgeable. Physicians, for example, induce others to obey their directives to quit smoking because they are seen as health care experts. Fifth, reverent power arises because others admire the person giving the orders. For example, Mother Teresa could probably get others to obey her commands because she was greatly admired.

*Lillian M. Range*

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SEE ALSO: Civil disobedience; Conscientious objection; Divine command theory; Leadership; Milgram experiment; Nuremberg Trials; Psychology; Whistle-blowing.

## **Objectivism**

**DEFINITION:** Philosophical system developed by Ayn Rand that claims that there are objective facts about the world and human beings that should be the basis for philosophical speculations

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Randian objectivism posits that each individual human being has intrinsic value and incomparable worth, and is therefore obligated to act only in his or her own interest. It rejects altruism, communitarianism, and socialism in the name of liberal individualism and egoism.

There is an initial problem with explaining objectivism. Its major developer and proponent, Ayn Rand, did not write a well-reasoned philosophical treatise on her worldview, but used objectivism as a backdrop for the characters in her novels and offered glimpses of it in her frequent lectures. One must be a bit of a detective to piece together her position. Compounding the problem is the fact that a significant segment of the philosophical community does not take her work seriously, because she was not a professional philosopher. It should be said at the outset that objectivism is not only an ethical theory but also an overarch-



Ayn Rand. (Library of Congress)

ing integrated worldview with ethical, metaphysical, epistemological, political, social, and aesthetic elements. What follows is an account of the ethical component of her thought.

### REJECTION OF ALTRUISM

Ayn Rand begins by rejecting traditional ethical theory, which she labels “the ethics of altruism.” Whether utilitarian or deontological in nature, the ethics of altruism requires a moral agent sometimes to set her or his interests aside and act for the interests of others. It is even possible, in this view, to be obligated to give up one’s life for the sake of others. To put it another way, the ethics of altruism may require a moral agent to think of herself or himself as without value as compared to others. Individuals can become merely means to others’ ends. Rand finds this result absolutely abhorrent. At the core of her theory is the fact of the absolute moral worth of the individual. Each human being has intrinsic value, and any theory that requires someone to negate that value is wrong.

Egoism, on the other hand, embraces the intrinsic worth of the individual and places the individual’s in-

terests at the heart of the ethical theory. Because it claims that a right action is one that is in the best interest of the individual who is acting, it will never require that an agent sacrifice her or his interests for the interests of others. The worth of the individual is intact.

### RAND’S VERSION OF EGOISM

Egoism as an ethical theory has been around at least since the time of Plato. Rand takes the basic framework of the egoistic principle and reworks it in the light of certain moral facts about human beings that she takes as fundamental. These facts can be ascertained by reflecting on the answers to the following questions. What is the end for which a human should live? On what principle shall a human act to achieve this end? Who should benefit from the actions? In other words, what is the ultimate value? What is the ultimate virtue? Who is the primary beneficiary?

According to Rand, life itself is the goal of life. People live in order to live. This is why she says that human life has intrinsic value. A human life is always an end in itself. The principle on which to act is rationality. It is that aspect of human nature that distinguishes humans from other living things. Therefore, it must be the primary virtue. One lives life to the fullest by being rational. Finally, the only beneficiary of an agent’s actions that would meet the criterion of rationality would be the agent. It is this last condition that permits the marriage of these moral facts with egoism. It follows, then, that for a human being to achieve an end, she or he must live according to the ethical principle of rational self-interest. Human beings are under an ethical obligation to do whatever would promote the interests of that individual.

### REACTION

Needless to say, objectivism caused a stir. Critics were quick to point out that Rand’s ethical claims were tantamount to selfishness and, since selfishness is not a desirable character trait, ought to be dismissed summarily. Rand did little to dispel this association with selfishness and, in fact, tried to exploit this identification (and controversy) for her own gain. Witness the title of her 1964 book: *The Virtue of Selfishness*.

In point of fact, however, though Rand did use the word “selfishness” often, her theory is much more



sophisticated than her critics allow. She gives selfishness a precise definition, which turns out to be nothing like the imprecise understanding of the term in common usage. For Rand, selfishness is merely the rational pursuit of self-interest. Certainly, it would be in one's rational self-interest to take into consideration, sometimes, the interests of others. The common understanding of selfishness embodies the idea of pursuit of one's interests exclusively without regard to the interests of others. Therefore, Rand's use of the term is different from the common usage. Rand admits that she chose the term "selfishness" deliberately for its shock value and uses the above equivocation for the twofold purpose of undermining the ethics of altruism and championing her brand of ethical egoism.

This ethical component of objectivism, then, stands or falls with ethical egoism. There is nothing inherently wrong with Rand's version. The other components of objectivism, however, do not stand up well to philosophical criticism, and this is another reason objectivism is held in low regard.

*John H. Serembus*

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SEE ALSO: Altruism; Cognitivism; Egoism; Fact/value distinction; Rand, Ayn; Self-interest; Selfishness.

## *On Liberty*

IDENTIFICATION: Book by John Stuart Mill (1806-1873)

DATE: Published in 1859

TYPE OF ETHICS: Modern history

SIGNIFICANCE: *On Liberty* has been a central focus of liberal ethics and philosophy for well over a century, and it continues to be a major work for those interested in questions of individual freedom.

In *On Liberty*, John Stuart Mill provided a powerful defense of individual freedom of thought and action. Mill's ideas have been a source of inspiration for those concerned with civil liberty and individual freedom for more than one hundred years, but his assertions in this volume were not in accord with the rest of his substantial body of work. The popularity of *On Liberty* was the result of a combination of Mill's substantial reputation and the work's contents, which, while popular with the general reader, have been frequently criticized by professional scholars and reviewers.

#### MILL'S BACKGROUND

John Stuart Mill was the son of Scottish philosopher James Mill, who, under the influence of Jeremy Bentham, reared the boy to be a prodigy. At the age of three, the young Mill was studying Greek, and throughout his youth, childish pleasures were denied him in favor of intellectual activities. At twenty, he fell into clinical depression, apparently caused by the lack of emotional support in his upbringing, but he recovered and ultimately had a successful career as a bureaucrat in the India Office and as a philosopher. Among his important works are *System of Logic* (1843), *Principles of Political Economy* (1848), and *The Subjection of Women* (1869). In 1830 he met Harriet Taylor. They conducted an intense though, according to themselves, chaste courtship until 1851, when, Taylor's husband being two years dead, they married. Harriet Taylor proved to be an important influence on Mill's thought. It was thanks to his wife that Mill came to regard "the woman question"—that is, women's social, political, and economic equality—as one of the most important issues of the mid-nineteenth century. This attitude appears to have been decisive in the development of *On Liberty* (1859), Mill's most popular work.

**ON LIBERTY**

Mill opened his consideration of the question of liberty by asserting that he was making one simple, straightforward proposition: Society had no warrant by legal sanction or moral suasion to limit the individual's freedom of thought or action for any reason except to prevent harm to another person or property. Even should an action be clearly shown to be harmful to the individual, Mill insisted, any restriction other than fair warning was wrong.

In the realm of ideas, Mill believed that free discussion was necessary if the truth was to be determined. To deny any idea currency was to deny the possibility, however faint, that it might be true and to deny it the opportunity of challenging other ideas to test their truthfulness. To set standards of logic or taste or scholarship or of any kind was to set up a censor. Who was to set the standard and enforce it? One of Mill's great fears was that the community might attempt to do so, thus establishing a tyranny of the majority.

While certainly extreme, Mill's position concerning freedom of expression was far from unprecedented, though he did not take the case so far in any of his other writings. His argument that action too should be unfettered as long as it posed no threat to anyone but the actor, however, was quite unusual. In *On Liberty*, it is clear, though not really explicit, that Mill was concerned much more with physical and material harm than with moral or spiritual harm when he asserted that society might restrain the individual from harming others. As truth emerged from the forum of free debate, the development of truly individualistic character in a person arose from the process of choosing types of conduct. For many of Mill's contemporaries, this was little more than advocacy of anarchy. Within the liberal tradition, freedom of action was regarded as good but not without limits. Free speech would lead to changes in those limits (laws, custom, and so forth) so that acceptable behaviors might be enlarged. Mill's emphasis on diversity and individual, unfettered, development was one of his significant contributions to liberalism.

The absolute nature of Mill's view of liberty left him with a number of difficult questions to confront. For example, what about indirect harm such as that caused by drunks to their dependents? Does experience ever establish a moral truth so clearly that society should insist that it be observed? Mill insisted that

beyond teaching rationality to children (the principle of liberty did not apply until an individual reached maturity), society had no right to require a standard of conduct. When society tried to do so, it usually simply insisted on the standard of the majority. Unfortunately, the examples provided in *On Liberty* tend to be issues such as religious beliefs, which had already been largely agreed upon as inappropriate for society to impose.

Another problem for Mill was the source of individual morality. He had long since rejected the possibility that humankind's moral sense was intuitive or innate. In the end, he asserted that moral sense was "natural" in that it was a "natural outgrowth" of human nature. Although this conclusion was not very satisfactory, Mill went further with the question.

Not only did the ideas in *On Liberty* not coincide with those contained in Mill's other work, but there were two issues that Mill was unwilling to leave to the workings of the principle of liberty: education and population control. He was willing to insist that parents be required to educate their children and that the growth of population be restrained. These matters were too critical for the welfare of humankind to be left to be developed, like truth, from debate; therefore, the state should intervene. This lack of consistency within his complete oeuvre and even within *On Liberty* itself seems to have been a result of the influence of Harriet Taylor Mill. Not only was she more inclined toward single-issue, simplistic thought than was Mill, but she also pressed Mill to pursue the issue of women's equality ever more vigorously. *On Liberty* reads as if it came from an extremely repressive society, but aside from what was called the "woman question," nineteenth century England was not such a society. Part of the purpose of *On Liberty* seems to have been to universalize the issue of feminine equality so that men had a stake in it and would take it seriously. This purpose apparently led Mill into a position more extreme than the one that he generally took.

**IMPLICATIONS FOR ETHICAL CONDUCT**

Mill's established reputation meant that *On Liberty* had an immediate and large audience. Although many reviewers and scholars took issue with some of its ideas, the book was enormously popular with undergraduates and the general reading public. Not only did it broaden the liberal attitude about freedom

of speech, but it also led to a much greater support for freedom of action. Its influence continued to be strong during the early twenty-first century.

*Fred R. van Hartesveldt*

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SEE ALSO: Democracy; Freedom and liberty; Freedom of expression; Liberalism; Mill, John Stuart; Political liberty; Privacy; Social justice and responsibility; Utilitarianism; Value.

## On War

IDENTIFICATION: Book by Carl von Clausewitz (1780-1831)

DATE: *Vom Kriege*, 1832-1834 (English translation, 1873)

TYPE OF ETHICS: Military ethics

SIGNIFICANCE: In *On War*, Carl von Clausewitz argued that war is not an end in itself but always a means to the achievement of a political end, and it must therefore be understood through the lens of politics and conducted by political rather than solely military leaders. He also advocated a policy of total war, in which all available resources are used to attack and destroy all resources available to the enemy. Only total war, von Clausewitz argued, can achieve total victory.

Carl von Clausewitz's purpose in analyzing war is purely theoretical and not prescriptive. To the ques-

tion "What is war?" he answers: "War is an act of violence to compel our opponent to fulfill our will." War is not an isolated act; it is an extension of *Politik*—a blatant instrument of such policy. The decision to go to war and the proposed goal beyond victory are political, not military. Theory must, however, be analyzed in the context of real events. A paper war is not a real war; a real war is subject to influence by chance and circumstance. Real war is dangerous for its participants and is a test of their exertion.

War is not only "an elaborate duel" ("*ein erweiterter Zweikampf*"), a vast drama—a comedy for the victor, a tragedy for the loser. From another point of view, war is a game ("*ein Spiel*") and a "gamble" ("*ein Glücksspiel*"), both objectively and subjectively. A theory of war must be an analytical investigation that later might prove beneficial to reason and judgment. It must consider the ends and means of warfare, which consist of strategy and tactics. Tactics are the uses to which the army is put to achieve victory. Strategy has to do with the plan for achieving victory. The real activity of war lies in the tactical aspect of battle, since tactics govern fighting. The immediate object of battle is to destroy or overcome the enemy, but the ultimate object is to subject the enemy to one's will in a political sense. Toward this end a combatant may desire to enforce whatever peace it pleases; it may occupy the enemy's frontier districts and use them to make satisfactory bargains at the peace settlements.

*Richard P. Benton*

SEE ALSO: *Art of War, The*; Geneva conventions; Just war theory; Military ethics; War.

## Oppression

DEFINITION: Systematic subjugation or domination of a relatively disempowered social group by a group with more access to social power

TYPE OF ETHICS: Human rights

SIGNIFICANCE: Oppression is a function of collective, social, and structural configurations of power. Therefore, those who seek to resist perceived patterns of oppression often have trouble communicating about it effectively within the context of a liberal individualist society which insists that in-

dividual actions and individual choices are the only proper objects of moral judgment.

Within a given society or subculture, groups are often either accorded or denied access to rights and privileges, relative to other groups, based on specific socially constructed categories. This system is based on a belief in the inherent superiority of one group over all others and its right to dominate. While it is true that one individual can harass, intimidate, violate, molest, and brutalize another, in the broadest sense, “oppression” as a concept is generally discussed within a larger historical, social, and political context.

Oppression is composed of two key elements: prejudice and social power. “Prejudice”—from the Latin *praejudicium* (“previous judgment”)—involves holding an adverse opinion or belief without just ground or before acquiring sufficient valid information. “Social power” can be defined as the ability to get what one wants and to influence others. “Target group” is the term given to those oppressed groups that are denied access to the rights and privileges enjoyed by other groups. Group members are oppressed simply on the basis of their target group status. (Synonyms for “target group” include “minority group,” “oppressed group,” “disenfranchised group,” “subordinate group,” and “stigmatized group,” among others.)

Examples of target groups in the United States are people of color—African Americans, Asian Americans, Latinos, Native Americans or “Indians” (race); immigrants (ethnicity or national origin); Jews, Muslims, atheists (religion); women (biological sex); gay, lesbian, and bisexual people (sexual orientation or identity); transgenderists (gender identity); working class and poor people (class); the very old and the very young (age); people with mental and physical disabilities (ability); and fat people (appearance). “Dominant group” is the term given to groups with access to rights and privileges that are denied to target groups. (Synonyms for “dominant group” include “majority group” and “oppressor group.”)

Examples of dominant groups in the United States are white people or “Caucasians” (race); people of European, especially Anglo-Saxon, ancestry (race, ethnicity, national origin); Christians, and especially Protestant sects (religion); males (biological sex); heterosexuals (sexual orientation or identity); middle

and “owning” class (class); people generally between the ages of twenty-one and fifty (age); and people considered “able bodied” physically and mentally (ability, appearance).

Most people find themselves both in groups targeted for oppression and in those dominant groups that are granted relatively higher degrees of power and prestige. Some examples of such situations are a white middle-class woman, a Jewish man, an African American Christian man, a white lesbian, and a blind thirty-five-year-old white man.

### FORMS OF OPPRESSION

There are as many names for the varieties of oppression as there are for the categories of target and dominant groups based, for example, on race (racism), ethnicity or patriotism (ethnocentrism, chauvinism, imperialism, xenophobia), religious affiliation (religious prejudice, anti-Semitism), biological sex (sexism, misogyny), sexual orientation or identity (homophobia, biphobia, heterosexism), economic status (classism), age (ageism), and mental and physical ability (ableism).

This does not mean that all groups experience forms of oppression similarly. The experiences of victims of racism, for example, are not identical to those of the victims of homophobia. The forms of oppression, however, run parallel and at points intersect. All involve negative prejudgments whose purpose is to maintain control or power over others. Oppression can be the result of a deliberate, conscious act, or it may be unconscious and unintentional yet still have oppressive consequences.

Oppression involves negative beliefs (that may or may not be expressed), exclusion, denial of civil and legal protections, and, in some cases, overt acts of violence directed against target groups. The many forms of oppression can be said to operate on four distinct but interrelated levels: the personal, the interpersonal, the institutional, and the societal (or cultural). The personal level refers to an individual’s belief (bias or prejudice) that members of target groups are inferior psychologically or physically.

The interpersonal level is manifested when a bias affects relations among individuals, transforming prejudice into its active component—discrimination. The institutional level refers to the ways in which governmental agencies; businesses; and educational, religious, and professional organizations systemati-

cally discriminate against target groups. Sometimes laws, codes, or policies actually enforce discrimination. The societal (or cultural) level refers to social norms or codes of behavior that, although not expressly written into law or policy, nevertheless work within a society to legitimize prejudice and discrimination. This often involves epithets and stereotypes directed against target groups. Oppression is said to be “internalized” when target group members take on the shame that is associated with their target group status.

### FUNCTIONS OF OPPRESSION

Dominant groups maintain oppression over target groups for a number of reasons: to gain or enhance economic, political, or personal rewards or to avoid the potential loss of such; to protect self-esteem against psychological doubts or conflicts; to promote and enhance dominant group value systems; to better comprehend a complex world by categorizing or stereotyping others.

Although oppression clearly serves many functions, it can also be said to hurt members of the dominant group. Frederick Douglass, a former slave and an abolitionist, said at a civil rights meeting in Washington, D.C., on October 22, 1883, that no person “can put a chain about the ankle of [another person] without at last finding the other end fastened about his neck.” His words remain relevant, for everyone is diminished when anyone is demeaned.

*Warren J. Blumenfeld*

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SEE ALSO: Ageism; Anti-Semitism; Bigotry; Disability rights; Discrimination; Ethnocentrism; Exploitation; Homophobia; Racial prejudice; Racism; Segregation.

## Organ transplants

**DEFINITION:** Replacement of worn-out, diseased, or injured organs and tissues with healthy substitutes

**DATE:** Begun in early twentieth century

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Organ transplantation and substitution raises ethical issues regarding the definition of death, the equitable distribution of scarce resources (including the ethics of selling body parts), and the quality of life of the transplant patient.

For centuries, humans have longed to be able to replace the diseased or injured parts of the body with healthy organs. Stories abound from ancient civilizations of attempts at organ and tissue transplantation, but until recently these seem to have been mostly dreams. Finally, during the early nineteenth century, there were successful skin grafts. These were autografts in which a patient's own tissue was used, and thus there was little danger of rejection. When material was taken from one member of a species and placed in another (an allograft), however, it was rejected by the recipient.

This was not the only problem faced by these early medical pioneers. Before organ transplantation could be done on a routine basis, it was necessary to develop better methods of tying up weakened arteries, aseptic surgery, anesthesia, and tissue typing. By 1913, the French physician Alexis Carrel transplanted a kidney from one cat to another and later de-



veloped a perfusion machine that drenched a removed organ in blood, thus sustaining its life.

However, a major obstacle remained; namely, the rejection of the transplanted organ. The mechanics of this little-understood process were discovered by Peter Medawar at Oxford University during the 1940's. He found that this process was caused by the immune system's rejection of the body's lymphoid organs. Thus, the recipient's system recognized the donor tissue as foreign and responded by destroying the transplant. The amount of genetic disparity of the two individuals determines the degree and speed of this rejection. Attempts to limit the activity of the immune system eventually led to the use of a combination of a

corticosteroid (prednisone) with the antileukemia drug (azathioprine). A third medicine, cyclosporine, discovered in 1972, was particularly important because it took less of a scattergun approach than the others. Rather than suppressing the entire immune response, cyclosporine targets the T cells, the particular parts of the system that attack alien tissues. The most effective treatment of transplant patients includes daily doses of these three drugs.

#### TYPES OF ORGAN TRANSPLANTS

The human body contains twenty-one different transplantable organs and tissues, including the heart, liver, kidneys, lungs, pancreas, cornea, bone marrow, and blood vessels. In 1954, a team of Boston physicians led by Joseph E. Murray successfully transplanted a kidney from one twin brother to another. Cardiac transplantation began in 1967, when Christiaan Barnard performed a human-to-human operation, but the first fully successful heart transplant was done by Norman Shumway in the United States. Although lung transplants were attempted as early as 1964, because of problems with infection that are peculiar to this organ it was not until the 1980's that John D. Cooper of Toronto made the process feasible. The work of Thomas E. Starzl led in 1967 to successful transplanting of the liver. Also during the decade of the 1960's, the pancreas, bone marrow, cornea, and blood vessels were transplanted with increasing frequency.

By the turn of the twenty-first century, more than 16,000 kidney, liver, pancreas, heart, heart-lung, and lung transplants were being performed each year in the United States alone. These operations seem to be the only treatment that can transform individuals from a near-death condition to a relatively normal life in a matter of days.

#### ETHICAL CONCERNS

Such procedures raise a number of ethical and moral problems. Those that concern organ donation often result from

Image not available

*A doctor prepares a human heart for transplant at the Cleveland Clinic in Cleveland, Ohio, in July, 2003. (AP/Wide World Photos)*

worry that individuals will not receive adequate treatment if they sign donor agreements.

An understanding of the modern definition of death can deal with much of this confusion. Until the 1960's, cessation of brain function inevitably followed cessation of cardiopulmonary function. Individuals did not live for extended periods with the heart and other organs functioning after the brain activity ceased. New medical techniques such as the use of respirators made this condition possible. Machines could maintain blood and oxygen circulation even when the body could never again operate on its own.

The notion of "brain death" was therefore proposed. In 1966, Pope Pius XII defined death as the departure of the spirit from the body through the cessation of brain function rather than the loss of pumping action of the heart. The United States and other countries have passed laws that have given legal sanction to this definition. Patients who are brain dead may be kept alive for a few days, but not permanently. A physician can confirm this situation beyond a doubt through neurological examination. Public support for this position has gained wide acceptance, and currently very few people oppose organ donation.

More difficult problems remain that involve the recipient. Some of these concern the selection of those who are to receive transplants. Despite the thousands of operations performed in 1991, there were still more than 30,000 individuals listed by the United Network for Organ Sharing (UNOS) who needed one or more of the major organs. In an attempt to alleviate this shortage, UNOS, an organization of transplant centers, was founded. It has established a national waiting list to ensure equitable organ allocation according to policies that forbid favoritism based on race, sex, financial status, or political influence. The only considerations are the medically determined conditions of the patients. This organization has been quite successful in raising awareness of the need for donor organs.

Even if a person receives a transplant, there is a continuing need for a more healthy lifestyle and the constant cost and bother of daily medication. Finally, the entire situation of the expense and availability of transplants is a microcosm of the macrocosm of health care for everyone. How can scarce resources be allocated? Who is wise or caring enough to decide

who will die and who will have a chance at a new life? Such questions must be addressed by the general field of medical ethics.

*Robert G. Clouse*

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SEE ALSO: Bioethics; Health care allocation; Life and death; Medical ethics; *Principles of Medical Ethics*.

## **Ortega y Gasset, José**

IDENTIFICATION: Spanish philosopher

BORN: May 9, 1883, Madrid, Spain

DIED: October 18, 1955, Madrid, Spain

TYPE OF ETHICS: Modern history

SIGNIFICANCE: A metaphysics professor and existentialist, Ortega y Gasset helped to bring Spain into contact with the thought and culture of the rest of Europe. He was the author of *The Revolt of the Masses* (1929).

José Ortega y Gasset was a professor of metaphysics at the University of Madrid from 1910 until 1936. He had traveled and studied in Europe, especially in Germany, and when he returned, he brought European philosophy and political thought that had been ignored in Spain for centuries. An excellent and pro-

lific writer, he wrote scores of newspaper and magazine essays and articles on philosophy and on general cultural topics. He studied and taught metaphysics, because he was interested in questions about the fundamental nature of reality.

Ortega y Gasset's quest for an ultimate reality led him to questions about the nature of knowledge and the nature of society. Ortega y Gasset's social theories made him an international figure. In *The Revolt of the Masses*, he argued that society is always ready to topple and that humankind is always ready to slip back into barbarism. Only by bowing to an elite class can people keep their societies going. This small, elite group thinks and plans and holds the power—it gets things done. So long as everyone else is willing to accept this leadership, human societies can stand firm.

Cynthia A. Bily

SEE ALSO: Elitism; Existentialism; Unamuno y Jugo, Miguel de.

## Orwell, George

IDENTIFICATION: British novelist and essayist

BORN: Eric Blair; June 25, 1903, Motihari, Bengal, India

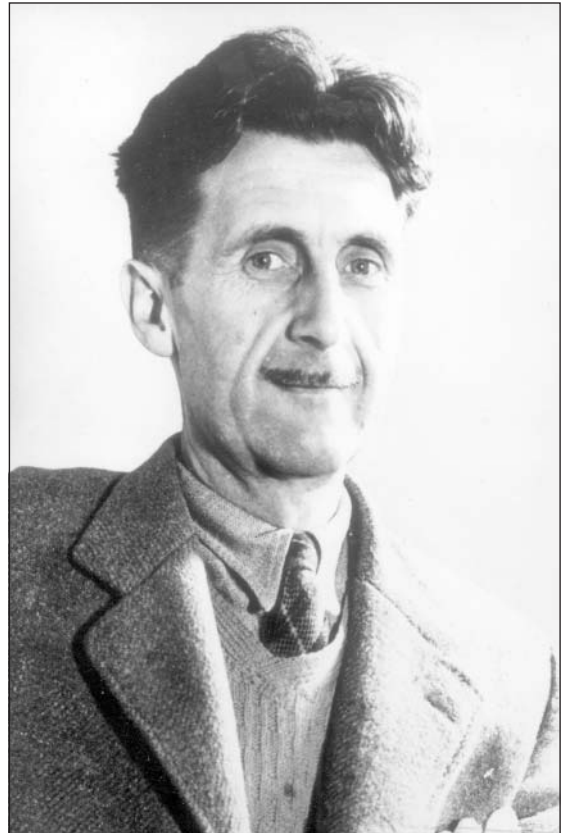
DIED: January 21, 1950, London, England

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Despite his belief that states could never be restrained from tyranny by ethical or religious codes, Orwell remained committed to the belief in an essentially socialist state, based on democratic principles, under which individuals enjoyed equality and justice under the law.

Best known for the political fable *Animal Farm* (1945), a satirical examination of the Russian Revolution, and the dystopian novel *Nineteen Eighty-Four* (1949), which provides a broader indictment of totalitarianism, George Orwell infused all of his writing with a keen moral sense. Spurning the traditional morality of religious institutions, he championed humanistic values rooted in the fundamental decency of human beings.

Orwell's essay "Reflections on Gandhi" (1949) evaluates the Indian nationalist leader Mohandas K.



George Orwell. (Library of Congress)

Gandhi's appeal to Western leftist movements, despite what Orwell calls the "otherworldly, antihumanist tendency of his doctrines." He argues that groups as varied as anarchists and pacifists fail to recognize that "Gandhi's teachings cannot be squared with the belief that Man is the measure of all things, and that our job is to make life worth living on this earth, which is the only earth we have." It is the power of the average person, working toward a common good with honesty and integrity, that Orwell identified as the principal hope of humanity.

Orwell's abhorrence of totalitarianism, expressed in varying degrees in all of his major works of fiction, nonfiction, and journalism, stemmed chiefly from the tendencies of governments to suppress individual liberties. In "Literature and Totalitarianism" (1941), Orwell wrote, "We live in an age in which the autonomous individual is ceasing to exist—or perhaps one ought to say, in which the individual is ceasing to have the illusion of being autonomous." The physical

suppression of individual liberty is no less dangerous in Orwell's view than the suppression of personal opinion or will. Totalitarianism seeks the submission of the individual to the state. Troublesome people could be removed, as Winston Smith discovers in *Nineteen Eighty-Four*; but more dangerous still, troublesome ideas or facts could also disappear by revising or simply erasing them. In such a world, the nature of truth becomes subservient to the state, the power of individuals to effect change is eliminated, and the equality of all people becomes impossible.

Perhaps the closest thing to an ethical or religious maxim in Orwell's thought is the concept of decency. In "The English People" (1944), Orwell tries to provide a sense of the typical morality of the English. "They have the virtues and the vices of an old-fashioned people. To twentieth-century political theories they oppose not another theory of their own, but a moral quality which must be vaguely described as decency." Orwell's idea of decency covers a multitude of social and political qualities, from a strict code of honesty in words and actions to the preservation of basic human freedoms by the state. It is this old-fashioned idea of decency that embodies Orwell's love of all things English, from a simple cup of tea to the beauty of the common toad, and that sustains his belief in the ability of common individuals to make life worth living.

*Philip Bader*

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SEE ALSO: Arendt, Hannah; Communism; Dictatorship; Fascism; Gandhi, Mohandas K.; Honesty; Stalin, Joseph.

## **The Other**

**DEFINITION:** Term used to signify a negative object for the sake of positive identification

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** In its function as negative object used for positive identification, the concept of the other serves as a conceptual placeholder to elicit ethical responsibility.

Using the "other" as a term to orient discourses on ethics is a relatively recent development. However, as an ethical issue, the general concept of the "other" has been in play as long as humans have tried to account for the strangeness of existing in the world and as a way to control their particular environments.

Specifically, in assigning orientations for individuals' ethical relations, the issue of the other has evolved from signifying relationships of negative identification to that of ordering relationships of supporting the continued existence of the other, as other. In the former mode, human beings have traditionally taught themselves to identify all that is other as that which does not belong to the same kind, group, or set grounded on the propositional claims made by authoritative (or authoring) subjects. The result has historically been politically and socially to attempt to eliminate each other, indeed all others, in efforts to substantiate one's own identity claims or to secure material possessions for the sake of survival.

To judge the prevalence of this need to control or destroy the other to secure and maintain individual and group self-identity, one can find evidence in social narratives. People create grand narratives to justify the accounting methods they use to educate their young into forms of society that replicate earlier patterns of survival over others. Accordingly, modernity can be understood as chronicling the emergence of humans from the dark ages of authoritarian control, maintained by the exercise of violent force by some beings over others, to a process of rediscovering the other and reassessing institutional patterns based on structural relationships of dominance and subjection.

This new relationship with other beings of the world resulted in hundreds of years of progressive enlightenment and liberation, marked by revolutionary upheavals and forms of transforming social and environmental relationships. However, such transformations were accompanied by the application of

historical patterns of hegemonic control with newly developed instruments of industrialization that also resulted in the highly efficient and logically ordered business of efficiently eliminating other human beings. This trend culminated in the Holocaust of World War II, in which tens of millions of “other” human beings were killed.

Three modern French intellectuals whose writings have explored this phenomenon are Albert Camus, Simone de Beauvoir, and Emmanuel Levinas. Camus wrote popular stories about modern alienation. Beauvoir defied the historical “othering” of women as inferior by men in her famous book, *The Second Sex* (1953), and Levinas reversed ideas about the other, claiming that “the other is that one for whom I am most responsible.”

*Julius Simon*

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## Ought/can implication

**DEFINITION:** Philosophical principle which states that anything one is morally obligated to do, one is necessarily capable of doing

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** If the ought/can implication is valid, then one’s inability to do something stands as proof that one was not required to do it, or that one is not morally accountable for failing to do it. The principle presupposes that the world makes sense, and it arguably contradicts the Christian doctrine of Original Sin.

The “ought-implies-can” principle has practical and theoretical importance in ethics. In particular cases, it provides a defense against the charge of wrongdoing, not by providing an excuse for the wrong, but by denying that any wrong was committed. Assuming the principle to be true, if one can never act otherwise, then any time one thinks that one did not act in such a way as to fulfill an obligation is really a time when one did not have that obligation. In other words, assuming the truth of the principle and that one can never act otherwise, one can never do wrong.

The root idea of the moral “ought” seems to be that something is morally necessary or morally owed. “Ought” is supposed to imply “can” in the sense that if it is not true that one can do *x*, then it is not true that one is obligated to do it. Some people think that the principle is, like the statement “Bachelors are males,” true simply because of the meanings of the words. It is self-contradictory, however, to say “Bachelors are not males,” and it is not self-contradictory to say “I know what I ought to do, but I cannot do it.” Therefore, the principle does not seem to be a conceptual truth.

R. M. Hare, in chapter 4 of his *Freedom and Reason* (1963), claims that people use “ought” in moral contexts to prescribe or advise, and that it makes no sense to advise one to do something that is impossible. Even if such advice is pointless, however, it does not follow that the principle is true. One does not show that “believing *X*” implies that “*X* is true” by pointing out that in certain contexts it makes no sense to advise one to believe something that is false.

A defender of the principle may say that people do not blame a person for failing to do something once they realize that it was impossible for that person to do it. The suggestion is that people do not blame in such cases because the person’s inability to do something meant that the person was not, after all, obligated to do it. It seems, however, that people might not blame in such a case because they accept the person’s inability as an excuse for failing to fulfill the obligation, not because they accept the inability as a reason for saying that the person was not obligated.

**CULPABLE POWERLESSNESS**

A person may have inappropriate feelings and be unable to control them. Even then, it may be reasonable to say that that person ought to feel ashamed,



grateful, disturbed, or remorseful, and that there is something wrong with anyone who cannot have these feelings. One may say that the “ought” in such cases expresses an ideal, as does the “ought” in the statement “Everyone ought to be able to live like a king.” An “ought” that expresses an ideal does not imply “can,” but not every case in which “ought” does not imply “can” seems to involve an ideal “ought.”

Consider, for example, cases of culpable powerlessness. Imagine that Smith promises to meet Jones in two hours, then changes his mind and takes a powerful sedative. At the time of the promised meeting, Smith cannot be there, but it still seems that he ought to be there. Defenders of the principle may say that Smith’s obligation to be there ceased once he could not be there, but that he did wrong in making it impossible for himself to be there. If people should be blamed for failing to fulfill an obligation, however, then Smith was obligated to be there, since one would blame him for not being there as well as for making it impossible for himself to be there. To hold to the principle in cases of culpable powerlessness seems to make it too easy for people to cancel their obligations.

Alvin I. Goldman, in chapter 7 of his *A Theory of Human Action* (1970), considers rewriting the principle as follows to avoid such cases: If a person ought to do  $x$  at time  $t$ , then there is some time, at or before  $t$ , at which he or she is able to do  $x$  at  $t$ . In that case, there is no reason to say that Smith is not obligated to keep his appointment, since before he took the sedative he was able to keep the appointment he had made for time  $t$ .

Now, however, cases of powerlessness that should rule out obligation will not do so. For example, if before Smith could take the sedative he was struck with complete paralysis while alone in his apartment, his obligation should terminate. It will not terminate given the revised principle, however, since according to it, he *can* still keep his appointment.

There is, however, the following basis for believing that at least one interpretation of the principle is true. If a person ought to do  $x$ , he is properly subject to moral judgment if he fails to do it. If he is properly subject to moral judgment if he fails to do  $x$ , then it is physically possible for him to do it. (Something is physically possible if it is consistent with the laws of nature. Being able to fly is inconsistent with those

laws, and that is why not being able to fly is not properly subject to moral judgment.) Therefore, if a person ought to do  $x$ , it is physically possible for him to do it. If “ought” also implies a sense of “can” that rules out causal determination, the principle provides some reason for believing that determinism is incompatible with freedom and moral responsibility.

*Gregory P. Rich*

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SEE ALSO: Determinism and freedom; Hare, R. M.; Kant, Immanuel; Maximal vs. minimal ethics; Moral luck; Moral responsibility; Responsibility; Thomas Aquinas.

## **Outsourcing**

**DEFINITION:** Business practice of having important company services performed by other companies or individual persons outside the firm

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Changing conceptions of corporate efficiency have reconfigured divisions between in-house functions and those that are subcontracted to external agencies, raising new ethical questions about the treatment of employees.

Corporations were once largely self-contained and comprehensive collections of functions, some of

which might be outsourced, that is, subcontracted to other companies or to individual freelance workers. Keeping functions in-house removed the need to generate profits, and therefore generally saved money; however, costs could easily outweigh savings. Moreover, units of a company that are not expected to generate profits have less reason to use resources effectively. Thus, the same considerations supporting competition in the marketplace would seem to favor competition within the corporation.

In effect, extensive outsourcing brings the competitiveness of the marketplace inside individual corporations, as functions are contracted out to more specialized companies or individual workers. The decade of the 1990's witnessed dramatic developments in this direction, as corporations downsized and otherwise re-engineered their way to being more cost-effective and thus more profitable. Automobile manufacturers do not need to do their own landscaping or package delivery, so one might legitimately ask what other functions such companies could outsource—design, production, sales, accounting, perhaps even management.

One logical result of this line of thought is a distributed, or networked, organization, which has been called the “virtual” corporation. The enterprise becomes a kind of dormant network that can be brought to full life when the need arises, much as a Hollywood film-production company expands its activities when it launches a new film.

#### GLOBALIZATION AND ITS DISCONTENTS

Increasingly easy, cheap, and reliable communications and transportation systems make a distributed approach to business possible for corporations.

In the government sphere, the same approach is known as privatization. As American manufacturing jobs have moved overseas in search of cheaper labor, other functions, such as software design and financial services, can be imported as needed. An ethically positive consequence of this new globalized flexibility is increased possibilities of productive, synergistic linkages among people, resources, and opportunities. This can mean a constant stream of better and cheaper products and services. Ethically negative consequences include destabilization of companies, greater insecurity for employees whose jobs are being reconfigured or eliminated, and the domination of everyday life by the ceaseless scramble for continuous quality improvement in a world in which everything is new and improved, but nothing is ever good enough.

*Edward Johnson*

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SEE ALSO: Business ethics; Corporate responsibility; Corporate scandal; Cost-benefit analysis; Downsizing; Globalization; Multinational corporations.

# P

## Pacifism

**DEFINITION:** Moral opposition to war or to violence in general

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Pacifism is often seen as a virtue, especially in discussions of famous pacifists such as Jesus Christ or Mohandas K. Gandhi. It may also be judged immoral, however, when it involves the refusal to take up arms against evil or terror.

One of the most ethically troubling aspects of human existence is the problem of war, because of its connection with killing. Given the moral aversion to killing found in most ethical theories, war has been the subject of much ethical reflection and analysis in an attempt to provide either a justification for or a critique of war. Pacifism results from the belief that war can never be justified and is always immoral. Although pacifism may take different forms, moral opposition to war is a common theme. One of the questions that pacifists have tried to answer is whether pacifism also implies opposition to all forms of violence in addition to war.

### HISTORY AND SOURCES

While pacifism has a philosophical grounding, its main source is religion. The Jain tradition in India practices pacifism by avoiding killing even insects. Buddhism also has a pacifist dimension. The dominant source for pacifism in Western culture, however, has been the Christian tradition.

Employing elements of the Hebrew scriptures, such as peace, righteousness, and compassion, along with an image of Jesus as nonviolent, early Christians began to raise ethical questions about war and participation in the military. The basis for these concerns centered on two factors. First, the Roman army had its own gods and religious rituals that contradicted both the Christian emphasis on one God and Chris-

tian forms of worship. Participation in the Roman army for a Christian would therefore be equivalent to idolatry or false worship. The second factor was based on more explicit ethical concerns about the morality of killing. Using the statements of Jesus, especially those taken from the Sermon on the Mount, some early Christians developed a moral framework that opposed the shedding of blood and, by extension, participation in war. Warfare was seen as a denial of the message of Jesus regarding love of enemies as well as a rejection of the kind of life that Jesus demanded of his disciples. The question thus arose whether a person could be both a Christian and a warrior.

This ethical issue of Christian participation in war increased as Christianity came more and more to be the established religion of the state following the proclamation of toleration by Constantine in the year 313 C.E.. Christians faced the dual changes of subsiding persecution and more direct involvement in the affairs of state, including war.

The ethical concern over war turned on the conflict between two principles: not harming others and protecting the innocent. Sometimes protecting the innocent might entail harming others, even killing them. War also became a matter of loyalty to the state. Moral qualms about killing were often resolved by means of a separation between public and private ethics. Christians could kill and participate in war as a consequence of the public duty of being soldiers, but not as private individuals. In addition, the development of the just war theory began to be the dominant ethical perspective on war in Christianity. There was still a strong pacifist element within the Christian tradition, however, and it surfaced most dramatically in the Protestant Reformation during the sixteenth century.

The Radical Reformation, or the Anabaptists, viewed war as directly antithetical to the Christian message. The Anabaptists sought a return to what

was described as the New Testament Church, which they understood to be completely opposed to war and violence. One of the major documents of the Anabaptist movement, the Schleitheim Confession of 1527, holds that the use of the sword is outside the perfection of Christ. The Anabaptists thus rejected the distinction between public and private ethics and the justification that it provided for war. As a consequence, they also sought to limit the demands of the state and to call into question the claims of value made on behalf of the state. The Anabaptists are the ancestors of the Historic Peace Churches, such as those of the Mennonites, Quakers, and Amish. Pacifism is a central component of their views of Christian ethics.

Pacifism was also defended on humanistic and philosophical grounds. Desiderius Erasmus, the sixteenth century Christian humanist, argued that war was wasteful and impractical. It offered nothing from which humanity could benefit and only revealed the horrors that human beings could visit upon one another. The eighteenth century philosopher Immanuel Kant emphasized the impracticality and irrationality of war. His famous dictum to treat people as ends and never as means also created a strong argument against the morality of war, since it seemed that war did treat people as a means. These religious and philosophical views have combined to give pacifism its focus and variety. John Howard Yoder lists eighteen types of pacifism in his book *Nevertheless* (1976).

### MORAL FOUNDATIONS

The moral basis of pacifism usually has several dimensions: a view of God, a normative understanding of humanity, and the importance of love. A philosophically based pacifism may not fully develop a view of God. If God is part of the pacifist ethic, God is seen as underlying creation, which imparts a moral structure to the world in the direction of sustaining creation. War, which is destructive, denies the divine relationship to creation and becomes immoral. Humanity is characterized by a fundamental unity.

Beneath the differences that qualify human existence is an explicit humanness that extends beyond differences such as race, religion, or ethnic origin. Pacifism seeks to uphold the basic unity by refusing

to allow the differences to become justifications for war and killing. As a result, love is often the central moral feature of pacifism in a practical sense. A pacifist would claim that love, as the basis for human actions, entails the rejection of war and possibly even all forms of violence. For this reason, the goals of pacifism are more than simple opposition to war; they involve finding alternatives to the use of violence to resolve conflicts and an emphasis on peace research and education.

Ron Large

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SEE ALSO: Ahimsā; Buddhist ethics; Conscientious objection; Gandhi, Mohandas K.; Jain ethics; Jesus Christ; King, Martin Luther, Jr.; Nonviolence; Peace studies; Religion and violence.

## Pain

**DEFINITION:** Fundamentally unpleasant physical or emotional sensation; suffering

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Pain names the broad class of experience which all sentient beings are conditioned to avoid. It is the most primal negative influence on behavior, as pleasure is the most primal positive influence. In many ethical systems, to intentionally cause pain in another is among the most serious moral transgressions, and to alleviate the pain of another is among the most morally admirable acts.

The treatment and relief of pain is often considered to be a central goal of the medical profession, at least by those who seek care. People usually think of pain as a warning sign that something has gone wrong in the body's systems; however, not all pain serves this function, and not all pain is indicative of physical malfunction.

### PHYSIOLOGY

Pain is usually separated (somewhat arbitrarily) into two diagnoses: acute and chronic. While chronic pain is often defined clinically as acute pain persisting longer than six months, there are differences in perception and meaning that go beyond merely temporal distinctions.

Acute pain is also of two types, classified by the speed with which the actual nerve impulses reach the brain. When an event, such as a burn, triggers signals to be sent to the brain, one set of signals travels much faster. These are the initial impulses, "fast" pain, that travel on myelinated (sheathed in a protein-lipid layer) A delta fibers. These impulses reach the brain in a fraction of a second, while the "slow" pain, which travels on unmyelinated C fibers, takes up to a couple of seconds to register in a person's consciousness. The further the site of stimulus is from the brain, the greater the difference in the times these signals register. Fast pain is sharp and bright. Slow pain is dull and aching, and ultimately more unpleasant.

In addition to the nerve impulses sent to the brain, for which the chemical neurotransmitter seems to be substance P (for pain), chemicals are released at the site of stimulus. Prostaglandins draw blood to the area to gain the healing and infection-fighting power

of white blood cells. Prostaglandins also increase the sensitivity of the nerves in the immediate vicinity of the injury, as do bradykinins and leukotrienes, which are also released.

### PSYCHOLOGICAL COMPONENTS OF PAIN

Pain cannot, however, be relegated to mere physical perception. The knowledge of the consequences of pain is inextricably entwined with the feeling and assessment of pain. In a now-famous study published in 1946, Henry K. Beecher found that men who were severely wounded in battle reported far less pain (and some no pain at all) than did civilian patients with comparable wounds caused by surgery. The reason for this seems clear: For men in battle, severe wounds are the ticket home. Pain cannot be separated from the personal and social consequences of its presence.

Many people take pain and suffering to be synonymous, yet they are different and distinct. Pain can occur without causing suffering, as does the pain that athletes endure during competition. There can certainly be suffering without pain, either physical, such as severe itching, or mental, as in grief. (Some authorities do not distinguish between physical and mental suffering, believing them to be so linked as to be inseparable.) Pain is usually taken to be a physical perception, while suffering is psychological distress. Intrinsic to suffering is a threat to the integrity of a person as a whole. The anticipation of pain and loss can cause as much suffering as the actuality thereof.

### MEANINGS OF PAIN

Pain has had different interpretations in different cultures and periods of history. While today Western culture ostensibly reaches toward the eradication of pain, this has by no means always been the case. Aside from medical inability to eliminate pain in the past, pain and suffering have themselves been considered valuable in many cultures. The Christian religion, in particular, has traditionally deemed experiencing pain, in some circumstances, a virtue.

Suffering, especially suffering for others, is considered one of the highest forms of sanctity, as can be seen from the litany of saints by martyrdom throughout the ages. In other religious traditions, pain and suffering are, or can be, due punishment for sins or wrong actions committed either in this life, as in Judaism and Islam, or in past lives, as in Hinduism and



Buddhism. The word “pain” in English is derived from the Latin word *poena*, meaning “punishment.” The English word for one who seeks medical care, “patient,” also comes from the Latin. Its root, *pati*, means “the one who suffers.” Underlying these derivations, and extending beyond the words themselves, is the cultural acceptance that pain and suffering are an inevitable part of life and as such are not intrinsically evil. This attitude is the basis for medical hesitancy to consider pain a problem to be treated in and of itself, rather than simply as a symptom of other disease or injury.

#### TREATMENT OF PAIN

Because of these deep-rooted cultural attitudes toward pain and those who suffer, only recently has aggressive treatment of pain become an issue in medical ethics. Studies have shown surprising underutilization of pain-relieving medication for sufferers of severe pain, especially among terminal cancer patients. This seems to be because of fears of addiction to narcotics and a lack of knowledge of proper use. The use of heroin for terminal patients has long been accepted in Great Britain but continues to be prohibited in the United States.

Alternative forms of treatment are becoming more acceptable, although the efficacy of some remains to be substantiated. Biofeedback techniques, chiropractic, hypnosis, and TENS (transcutaneous electrical nerve stimulation) are generally accepted to be of value for many patients. Acupuncture is gaining ground in the United States. For millions of people, however, effective pain relief still lies in the future.

*Margaret Hawthorne*

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SEE ALSO: Biofeedback; Cruelty; Harm; Hypnosis; Illness; Sentience.

## Pan-Africanism

DEFINITION: Global nationalist movement aimed at uniting peoples of African descent

DATE: Term coined in 1900

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: Pan-Africanism seeks through racial unity to find solutions to the problems of flagrant injustice, economic deprivation, and discrimination based on skin color. Despite operating across existing political boundaries, it raises many of the ethical issues raised by nationalism generally, and it has been both celebrated and vilified as a species of nationalism.

The European discovery and partitioning of Africa was a classic story of gold, glory, and God, compounded by greed, adventure, and missionary zeal. In the process, imperialist invaders squeezed the continent of its wealth, while announcing to the world that they were bringing the benefits of civilization to backward peoples. Pan-Africanism awakened a new spirit that rejected patience and the acceptance of suffering and inferiority. The emotional impetus for its concepts flowed from the experience of a widely dispersed people—those of African descent—who believed themselves either physically, through dispossession or slavery, or socially, economically, politically, and mentally, through colonialism, to have lost their homeland. With this loss came enslavement, persecution, inferiority, discrimination, and dependency. It involved a loss of freedom and dignity. This realization, bolstered by an awareness of their common heritage, led to a desire among black people for some link with their African origins. It became a vehicle for the struggle of black people to regain their wealth, pride, strength, and independence as emotions were converted into ideas and ideas into slogans. Above all, however, the ideals of

Pan-Africanism grew from the desire to regain dignity and equality for all black people.

### GROWTH IN DIASPORA

Originally, Pan-Africanism was dominated by the leadership of black people residing in the United States and the West Indies. During the late 1870's, following the era of Reconstruction, African Americans in the United States were alienated by growing racism and economic depression. Some among them began to think in terms of returning to Africa. Marcus Garvey, who was of Jamaican origin, would later ex-

plot this discontent by preaching a back-to-Africa message to the black people of the New World during the early 1920's. His idea of exodus to Africa was embedded in the prospective creation of an exclusively black race, an idea that earned him the endorsement and eventually the open support of the Ku Klux Klan, who, although for different reasons, welcomed his desire to expatriate all blacks to Africa.

Another pioneer spokesman for Pan-Africanism in the diaspora was W. E. B. Du Bois. His main concern was achieving absolute equality for the entire black race, an idea that had been born out of his con-

### Pan-Africanism Time Line

<i>Date</i>	<i>Place</i>	<i>Event</i>
1900	London	Henry Sylvester Williams calls first Pan-African Conference.
1920	New York	Declaration of the Rights of the Negro Peoples of the World is read at a conference held in New York. During the conference, Marcus Garvey is elected provisional president of Africa.
1919-1927	Europe and the United States	W. E. B. Du Bois calls four Pan-African Congresses.
1945	Manchester, England	Fifth Pan-African Congress is the first organized by Africans.
1958	Accra, Ghana	First conference of Independent African States is held.
1959	Ghana	Ghana-Guinea Union is declared by its signatories to be the beginning of a Union of Independent African States.
1960	Addis Ababa, Ethiopia	At Second conference of Independent African States, Pan-African movement splits into two factions over ideological rifts.
1960	Brazzaville, Congo	Brazzaville Group (also known as the Union of African States and Madagascar) convenes and makes public its moderate views on African unity and related issues.
January 3-7, 1961	Casablanca, Morocco	Casablanca Conference announces that it favors a political union that will eventually lead to a "United States of Africa."
May 8-12, 1961	Monrovia, Liberia	Taking its cue from the Brazzaville Group, the Monrovia Conference announces that it favors a form of unity that allows for the preservation of national sovereignty.
July 1, 1961	Accra, Ghana	In response to the Brazzaville Group, Ghana, Guinea, and Mali issue the Charter for the Union of African States.
May 25, 1963	Addis Ababa, Ethiopia	Organization for African Unity, which unites the two camps, is founded.

viction that the “favored few” had no moral right to prosper at the expense of the toil of the “tortured many.”

### THE NATIONALIST DIMENSION

The second stage of Pan-Africanism began with the gradual decolonization of Africa after World War II, when the character and leadership of the movement became more Africanized. Educated Africans who had come to study in universities in Europe and America had come to know firsthand about racial intolerance and the economic subjugation of blacks. Three of those students, Kwame Nkrumah of the Gold Coast (later Ghana), Nnamdi Azikiwe of Nigeria, and Hastings Banda of Nyasaland (Malawi), all of whom had been exposed to the Pan-Africanist movement of the diaspora, would later become presidents of their respective countries at independence.

The African nationalist leaders gave a new meaning to Pan-Africanism—African solidarity and unity—for it was believed then (and now) that the process of political and economic emancipation that had begun during the nationalist days could be consolidated only through a cohesive and united continental Africa. The dreams of African unity that they had so nurtured and cherished would run into all kinds of problems, however, and by 1960, ideological differences had sharply divided the newly independent nations into rival camps, a division that was further aggravated by superpower rivalry. While some insisted on a political union that would require giving up some sovereignty, others favored a simple association of states. This proved to be harmful for the continent’s much-needed economic development and political stability, and it was not until 1963 that they finally found a common ground with the establishment of the Organization of African Unity (OAU).

The OAU’s charter sought to “promote unity and solidarity of African states” through “political, economic and scientific cooperation.” Ever since, the continent has been plagued by a series of problems ranging from political instability to outright economic disasters. Allegations of human rights abuse are widespread, and in many cases, the prospects for majority rule have been dampened by the installation of military regimes, which usually are corrupt and morally bankrupt. Civil wars and cases of mass starvation are rampant, while the whole continent con-

tinues to be haunted by the discriminatory policies of South Africa. Many of these problems have been blamed on, among other things, the lack of a sound guiding philosophy for development as well as the absence of a leadership code of ethics.

*Olusoji Akomolafe*

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SEE ALSO: African ethics; Du Bois, W. E. B.; Integration; Nationalism.

## Panentheism

**DEFINITION:** Belief that all reality is a subset of the being of God

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Panentheism attempts to reconcile the belief that God is everything and the belief that God transcends reality by positing that both statements are true.

To understand panentheism, one must also become familiar with pantheism, for both philosophies consider God, this world, and the universe, and both try

to explain how the three are related. The older of the two is pantheism, which posits that God and the universe are one and the same. Despite apparent diversity and disorder in the cosmos, the universe is ordered and unified, and that order and that unification are expressions of God. Because pantheists give no place to the transcendence of God, however, that philosophical position eventually gave rise to panentheism, whose advocates hold that all reality is part of the being of God and that God transcends all reality. God is the universe, but he is also much more. Although the philosopher who first coined and defined the term “panentheism” was the German Karl Christian Friederich Krause, various early Greek philosophers (such as Thales, Xenophanes, and Parmenides) held many views that were consistent with panentheism.

### PANENTHEISM

In developing their philosophical “system,” modern panentheists usually follow Krause, who attempted to mediate between theism and pantheism. Panentheists believe that God (absolute being) is primordial, a being without contrariety who is one with the universe but is not exhausted by it (God is bigger than the universe). All individuals are part of a spiritual whole, a league of humanity. For the human being, self-consciousness provides the starting point of panentheism, for it allowed, Krause held, the ego to learn that it was both mind and body and also to learn that it was part of God.

Because God is good, humankind should share in the goodness, and humankind’s inner union with God becomes the foundation of ethics, with ethics becoming the heart of religion. Just as a living cell has certain freedom within a living body, however, so, too, do humans have a degree of freedom. Krause viewed all individuals as part of the divine, and he became a crusading reformer who, for example, argued against capital punishment; he also believed that republican government was the only political system that was worthy of the divine. Regarding all “organized” religion as oppressive, he criticized theocracy, religious censorship, and religionists’ disdain for the world.

Closely related to both pantheism and panentheism is the doctrine of “emanation,” which asserts that an overflowing superabundance of the divine God resulted in the production of the universe. All reality, then, flows from a perfect and transcendent

principle. The first gift of the divine overflow was intelligence, which allowed humans to understand their world, their reality. Opposed to evolutionism, emanationism is timeless, and its source (God) remains undiminished.

### PANENTHEISM: ITS CRITICS AND ITS SUPPORTERS

Most critics hold that both pantheism and panentheism fail to account for the individuality, the personality, and the freedom of each human being. Likewise, both beliefs fail to account for evil, ignorance, and error on the part of some people. Thus, negatives exist in the world and the universe—negatives that could not emanate from a perfectly good God. Using acquired knowledge and the powers of observation, critics also deny that the universe contains total unity. Indeed, the idea of a unified universe is actually devoid of content, because diversity obviously exists. Likewise, modern scientific progress is not in accord with a unity theory. Charles Darwin’s evolutionary theory, for example, stands opposed to both pantheism and panentheism. Organized religion also remained most critical of both pantheism and panentheism; one religionist called both beliefs “worms” of heretical “perversity” and inventions of the devil.

Some critics of panentheism attack the philosophic reputation of Krause, who gave the doctrine its most complete explanation. During his lifetime, for example, his ideas were so suspect that he was denied professorships at such prestigious universities as Göttingen and Munich. Furthermore, he coined many words that had meaning only for him (and that confused later scholars). Likewise, he also produced bizarre neologisms that were too much for the German language, as well as being untranslatable.

Over time, supporters of panentheism—such as Krause’s disciples Julian Sanz del Rio of Spain, Heinrich Ahrens of Belgium, and Hermann von Leohardi of Germany—attempted to answer the critics, but in doing so they raised more questions. For example, while grappling with the problem of evil, some supporters argued that evil resulted only when an individual organism—because of ego—tried to tear itself away from the harmony of the whole (which is part of God). Yet such a defense actually raises the question about the goodness of God. Why would God create organisms that ultimately try to tear away?

Although panentheism has shown a remarkable ability to survive, such survival is no indication that—especially in view of the criticisms—it has any basis in fact.

*James Smallwood*

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SEE ALSO: Ethical monotheism; God; Pantheism.

## Pantheism

**DEFINITION:** Belief that God and reality are coextensive

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Pantheism holds that God is everything and everything is God. Its effects upon ethics are paradoxical and potentially controversial, since it would seem to require respect for all life and nature, but it also raises difficult questions about how suffering, evil, and injustice can be part, not merely of God's plan, but of God himself.

Pantheism is older than civilization. Some see its origins in animism, the primal religious conviction that

everything has a soul or spirit. Popularized during the Enlightenment, the English word "pantheism" is from two Greek roots, *pan* ("all") and *theos* ("god"), meaning that "God is everything." This term suggests that God is the totality of all things—real and imagined, actual or potential. As a being "apart" or "separate" from nature, God does not "exist." Within the Western tradition, Pantheism was a powerful moral force for the Stoics, the Neoplatonists, and such modern thinkers as Baruch Spinoza. Within the Eastern traditions, Pantheism is evident in Islamic mysticism (Sufism), certain types of Daoism (urging conformity to the *Dao*, or "rhythm of the world"), and Hinduism.

*C. George Fry*

SEE ALSO: Daoist ethics; Ethical monotheism; Ethics; God; Marcus Aurelius; Mysticism; Panentheism; Spinoza, Baruch; Stoic ethics; Sufism.

## Paradoxes in ethics

**DEFINITION:** Formal arguments that prove the truth of contradictory propositions

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The existence of paradoxes in ethics may demonstrate that reason and rationality alone are insufficient tools for making ethical decisions.

Ethical questions deal with the correct values one should use in making individual and collective decisions. The dilemma for recent ethical thinkers has been to agree upon a set of values that may form the basis for collective decisions, given the increasing pluralism of many societies and the global environment. A common response has been that even though all individuals may not agree on value issues, if all individuals agree to behave rationally—that is, to act in a consistent manner in pursuing their individual self-interests—then collective goals can be reached and collective decisions can be made. Unfortunately, two problems show that ethical paradoxes arise even when the only assumption one makes about individual motivations is that all individuals are acting to maximize their own utilities. These paradoxes cast doubt on the idea that rationality is a sufficient means of reaching collective decisions or goals.



### LOGIC OF COLLECTIVE ACTION

Two political theorists, Brian Barry and Russell Hardin, define a paradox as a set of conflicting or contradictory conclusions to which one is led by apparently sound arguments. The first paradox of rationality to be discussed is the problem of collective action. This problem states that a self-interested individual may not be able to work with others toward a collective good even when all individuals involved realize that their individual interests would be served if all cooperated in the venture. A “collective good” is defined as a benefit in which all in a group may share, even if all do not contribute to its creation or maintenance. Examples of collective goods include clean air, which all may breathe even if all individuals did not help clean up the environment, or public television, which all may watch even if all did not send in contributions during a pledge drive.

It has been generally assumed in the social sciences that self-interested individuals will contribute to collective goods if they feel that they receive more in benefits than the cost of contribution; hence, the common appeal from public television that “if you feel the entertainment on PBS is worth more than \$100 a year, please pledge this amount to the station.” The logic of collective action, however, disputes this claim.

Assume that one individual does believe that the benefits received will outweigh the costs of contributing. If the individual contributes to the goal and the goal is reached, that individual’s profit is the worth of a share of the collective good minus the cost of contribution. If the individual does not contribute to the goal, however, and the goal is reached, that individual’s profit is the worth of his share of the collective good with no deductions. Under these circumstances, the self-interested individual should “free-ride” on the work of others and not contribute. If the individual contributes to the goal and the goal is not reached, the individual’s profit is negative and is equal to the cost of contribution, since there is no collective good to share. If the individual does not contribute to the goal and the goal is not reached, the individual’s profit is zero.

Under these circumstances, the self-interested individual should once again not contribute. Hence, the individual should not contribute regardless of whether the goal is reached; the only exception to this

rule occurs when one individual’s contribution will make the difference between success or failure in the venture. Given that the chances of such a situation are very small in large groups, no large-scale collective action should be possible. One may ask, of course, “what if all persons acted that way?” The sting of the problem is that all self-interested persons should be expected to act this way, so that goods such as clean air, public television, and others should not be created by voluntary contributions.

### ALTRUISM

Some people have argued that a sense of altruism might lead individuals to contribute to a collective good. There are two problems with this argument. First, even if one is motivated by humanitarian concerns, it still might not be reasonable to contribute to a large-scale collective effort if that effort might not succeed because of the logic of collective action; one would be better off giving the money to a homeless person. Second, there remains a great deal of behavior that humanitarian motives cannot explain. Individuals do not join interest groups such as the National Organization for Women or the National Rifle Association out of altruism; they join out of self-interest. It is there that the paradox of collective action arises: An individual’s self-interest may prevent him or her from participating in collective action that would serve his or her self-interest if all individuals participated in it. Furthermore, all persons involved may realize that this situation exists and still be unable to do anything about it.

### CYCLICAL VOTING PATTERNS

The second paradox involves cyclical voting patterns. It shows how three individuals, ranking three alternative choices, may not be able to assemble a transitive ranking for the whole group. Consider three individuals, *A*, *B*, and *C*, and three policy choices, *X*, *Y*, and *Z*. Assume that the three individuals rank these choices in the following manner.

	A	B	C
First preference	x	y	z
Second preference	y	z	x
Third preference	z	x	y

Note that all individuals' preference orderings are transitive—that is, if  $X$  is preferred to  $Y$ , and  $Y$  is preferred to  $Z$ , then  $X$  is preferred to  $Z$ . How does the group rank these preferences, using majority rule? Since  $A$  and  $C$  prefer  $X$  to  $Y$ , the group prefers  $X$  to  $Y$  by majority rule. Since  $A$  and  $B$  prefer  $Y$  to  $Z$ , the group prefers  $Y$  to  $Z$  by majority rule. Since the group prefers  $X$  to  $Y$  and  $Y$  to  $Z$ , one would assume that the group prefers  $X$  to  $Z$ .  $B$  and  $C$  prefer  $Z$  to  $X$ , however, so by majority rule, the group prefers  $Z$  to  $X$ . One arrives at two results, one in which the group prefers  $X$  to  $Z$ , and another in which the group prefers  $Z$  to  $X$ .

### PROPOSED SOLUTIONS

Several solutions to this problem have been advanced, but none is entirely satisfactory. One answer states that all three choices are equally preferred by the group, but that is not true; in fact, any given choice may be beaten by another choice as the top preference. Another answer suggests changing the voting rules so that more than a majority is needed to reach a group preference. Kenneth Arrow has shown in a general proof, however, that *any* decision rule based upon individual choices may fall victim to this problem, if three or more choices and three or more individuals are involved. Another answer suggests that one should merely use the first result derived, but this solution leaves the result dependent upon the order in which alternatives are considered. For example, if the group considers  $X$  and  $Y$  first,  $X$  is preferred to  $Y$ ; if the group then considers  $Y$  and  $Z$ ,  $Y$  is preferred to  $Z$ , and hence, the group prefers  $X$  to  $Y$  and  $Y$  to  $Z$ . If the group considers  $Z$  and  $X$  first, however,  $Z$  is preferred to  $X$ ; if the group then considers  $X$  and  $Y$ ,  $X$  is preferred to  $Y$ , and hence, the group prefers  $Z$  to  $X$  and  $X$  to  $Y$ .

The ordering of these alternatives has been changed entirely simply by changing the sequence in which the alternatives were considered. For those who value majority rule as an ethical means of reaching decisions, this problem gives dictatorial power over voting results to the individuals who decide the sequence for voting on alternatives.

Finally, one may simply say that it is impossible to reach a decision. One may then, however, define this as alternative  $W$  and rank it as the least preferred alternative for all three members. Hence, all three persons would wind up with gridlock, their last choice. Majority rule thus may prevent individuals

from reaching a majority decision; indeed, if one goes back to the original three-person problem, any given ordering of  $X$ ,  $Y$ , and  $Z$  would mean that one of the three individuals ( $A$ ,  $B$ , or  $C$ ) will get his or her way despite the disapproval of a majority of the other group members.

### PROBLEMS AS “PARADOXES”

The paradox in both of these problems is evident. In the first case, self-interested action prevents the creation of collective goods that would serve all individuals' self-interests. In the second case, majority rule may result in decisions that violate the majority will or in gridlock, which is the alternative least preferred by all. By pursuing self-interest or majority rule, one arrives at conclusions in both cases that contradict one's original rules. The ethical problem here is evident: In both cases, individuals follow the rational pursuit of their own self-interests and discover that rationality alone is insufficient grounds for taking group action or reaching a group decision. These paradoxes illustrate that rationality alone cannot bear the burden of generating an ethical consensus about the correct forms of action or decisions in a society.

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SEE ALSO: Jesus Christ; Mysticism; Platonic ethics; Politics; Prisoner's dilemma; Reason and rationality; Socrates; Temptation; Tolerance; Truth.

## Parenting

**DEFINITION:** Legal and moral obligations that parents have with respect to their own children

**TYPE OF ETHICS:** Children's rights

**SIGNIFICANCE:** Several important ethical issues concern the moral dimensions of parent-child relationships, including the amount of control parents should exercise over their children, the amount of state and social intervention into the parent-child relationship that is permissible, and what special rights and obligations parents possess.

Explorations of the moral dimensions of parent-child relationships are motivated, in part, by the widespread physical and emotional abuse of children. Some philosophers, such as Jan Narveson, hold the view that children are the property of their parents. This sort of view has an affinity with the belief that parents should be able to do nearly anything to their children, free from the intervention of others.

Some of the modern philosophical interest in exploring the parent-child relationship is also motivated by the value of parenthood for those adults who are or who want to become parents. At the beginning of the twenty-first century, several debates were going on among philosophers and other professionals involved with children and family life concerning the justification of the paternalistic treatment of children, the level of permissible intrusions into parent-child relationships, and what it is that makes for good parents.

### PATERNALISM

The most prevalent view on parenting, voiced by philosophers such as John Locke and John Stuart

Mill, is that parents must treat their children in paternalistic ways. That is, parents must often make choices on behalf of their children that go against their children's wishes or limit their freedom, but which are intended to benefit them. Paternalistic treatment of children is said to be justified by the children's lack of knowledge, experience, and moral development.

In contrast, some authorities, such as Richard Farson, believe that children should be granted the same legal and moral status that adults possess. That is, children should have the same freedoms and responsibilities as adults.

### PRIVACY AND FAMILY LIFE

Family relationships are like other relationships, insofar as part of what makes them valuable is that they are intimate interpersonal relationships in which individuals share themselves with those who are close to them. Parents and children can greatly benefit from the goods that arise within family life. In order to secure these goods, some level of freedom from outside interference may be required. Some amount of privacy may be necessary so that families can enjoy the intimacy and meaning that family relationships are able to provide.

The state may have an interest in allowing for diverse parenting styles and creating a social system in which families can flourish. Difficulties arise, however, when respect for family privacy allows parents to engage in physical and emotional abuse or neglect, leaving many children at risk of being harmed, often in very serious ways. Much controversy surrounds the issue of how best to respect the privacy of families while also minimizing possible risks to children. Some, such as Narveson, argue that the state should generally refrain from intervening in the lives of families. In contrast to this view, William Irvine argues that parents should be required to obtain parenting licenses before being allowed to raise children. David Archard argues that closer monitoring of families by state and local agencies is desirable.

### THE RIGHTS AND OBLIGATIONS OF PARENTS

Most parents believe that they have obligations to protect and provide for their children by giving them basic care and providing for their basic needs. Parents who abuse or neglect their children arguably fail to fulfill their obligations as parents. Irvine is repre-

sentative of many philosophers in his belief that parents should see themselves as stewards of their children, and that parents who see themselves this way are altruistic with respect to their children, as they place their children's interests before their own. They thus tend to see themselves as having many parental duties but few parental rights.

According to Irvine, parents are morally obliged to help their children develop their talents, skills, and abilities; to prevent harm from coming to them; to educate them; to help them develop into autonomous beings; and to provide them with as much freedom as possible regarding their future lives.

Many psychologists say that parents who love their children should pursue intimate and honest relationships with them and seek to impart to them some vision of a good life. Children, at least at a young age, need this sort of care and guidance. It may include encouraging children to understand and adopt the political, moral, and religious beliefs of their parents. One limit that is often imposed on this aspect of the parent-child relationship is that parents must not indoctrinate their children. That is, it is wrong for parents to force their beliefs on their children. Instead, parents will ideally explain and perhaps even advocate their own political, moral, and religious views, while at the same time respecting the rights of their children to choose different paths. This is generally thought to be important because parents must respect the autonomy of their children, accepting the possibility that their children may adopt and pursue a different view of the good life. However, when this occurs, the general view of psychologists is that parents should continue to pursue loving relationships with their children, given the fact that most children need such a relationship with their parents.

*Michael W. Austin*

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SEE ALSO: Birth control; Child abuse; Child support; Children; Children's Bureau; Children's television; Divorce; Family; Godparents; Women's ethics.

## **Parole of convicted prisoners**

**DEFINITION:** Conditional release of prisoners who are serving indeterminate or unexpired sentences, usually based upon their good behavior during their incarceration

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The early release of convicted criminals back into society presents a variety of ethical problems relating to the rights of both members of society and the parolees themselves.

Convicts who are let out of prison before serving their full sentences may pose dangers to society, and they themselves may believe that they will not be held fully accountable for their actions because of their early release. Moreover, the victims of their crimes and their relatives may feel that justice is not being served when the convicts are released early and may also feel endangered by the convicts' freedom.

Public concerns about dangers posed by paroled convicts are not without foundation. Studies of former convicts indicate that parolees released from prison have a high probability of ending up in prison again. Recidivism rates toward the end of the twentieth century were close to 80 percent—in other words, four out of every five prisoners released from prison either violate the terms of their paroles or commit new crimes and are returned to prison.

At least three factors contribute to the high rates of recidivism. First, prisons are mislabeled as correc-

tional institutes, when in fact they are often breeding grounds for crime. New prisoners learn more about crime from veteran convicts inside prison walls. Secondly, parolees often cannot find satisfactory employment after they are released from prison. As a result, they tend to return to criminal activity, which in turn returns them to prison. Finally, some parolees simply cannot adapt to society, in which they are stigmatized and stereotyped.

### TOUGHENED LAWS

As a result of growing public weariness with increasing crime rates during the last decades of the twentieth century, a number of states took tougher stances against crime. Some states adopted “three-strikes” laws, which impose mandatory twenty-five-year-to-life sentences on persons convicted of their third felony offense. Other states have adopted “truth in sentencing” laws that require convicts to serve most of their full sentences, regardless of whether they are model prisoners or not.

These tougher laws have led to significant increases in U.S. prison populations, which totaled more than one million inmates in 2003. In the midst of the “get tough” climate, a number of federal courts have begun ordering early-release programs because of prison overcrowding. These court interventions have combined with economic downturns in state economies to lead to early-release programs.

The growing numbers of parolees have focused increasing attention on the question of whether it is ethical to release prisoners who have not served their full terms, especially when their victims and their relatives believe that justice is not being fully carried out. At the same time, equally valid questions may be asked as to whether it is ethical to keep convicts in prison indefinitely when they have been model prisoners and might become productive members of society outside prison.

*Mfanya D. Tryman*

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SEE ALSO: Capital punishment; Criminal punishment; Deterrence; Erroneous convictions; Forgiveness; Punishment; Reconciliation; Three-strikes laws.

## Pascal, Blaise

IDENTIFICATION: French philosopher

BORN: June 19, 1623, Clermont-Ferrand, France

DIED: August 19, 1662, Paris, France

TYPE OF ETHICS: Renaissance and Restoration history

SIGNIFICANCE: The author of *The Provincial Letters* (*Lettres provinciales*, 1656-1657) and *Pensées* (1670), Pascal developed persuasive arguments against compromising one's moral values in order to attain political or social influence.

Although Blaise Pascal was an important mathematician and physicist, he has remained famous above all for his eloquent writings on the moral obligations that accompany a commitment to Christianity. Pascal believed that an acceptance of divine authority enables people to develop an objective foundation for moral values. The problem of ethical subjectivity disappears once one accepts the revealed and liberating truths to be found in the Bible and in the exegetical works of respected church fathers such as Saint Jerome and Saint Augustine. Because of the clarity and the depth of his analysis of ethical questions, Pascal has remained one of the most influential and controversial French writers, even several centuries after his death in 1662.

### THE PROVINCIAL LETTERS

Beginning in 1646, Pascal and his sister Jacqueline Périer became very interested in the Catholic religious movement associated with the monastery, convent, and school at Port-Royal. The priests and nuns at Port-Royal were referred to as Jansenists because a major influence on their view of Christian spirituality had been a 1640 book on Saint Augustine by a Dutch theologian named Cornelius Jansen. The





*Blaise Pascal.* (Library of Congress)

Jansenists encouraged personal spiritual development and denounced all attempts to allow worldly values to interfere with the purity of a total commitment to Christian values.

Books by such important Jansenist theologians as Antoine Arnauld and Pierre Nicole provoked an intense controversy with French Jesuits, who were then very influential at the court of King Louis XIV and with French bishops and priests. The basic disagreements between the Jesuits and the Jansenists dealt with the theological concept of grace and the use of casuistry, which is the practice by which a priest applies general moral standards to individual cases in order to determine if a specific action was sinful or if a repentance was sincere.

Between January, 1656, and March, 1657, Pascal published eighteen anonymous letters that were addressed “to a Jesuit provincial by one of his friends.” Ever since its creation during the 1540’s by Saint Ignatius Loyola, the Jesuit order has been administratively divided into broad geographical areas called provinces whose spiritual leaders are called provincials. The eighteen *Provincial Letters* are masterpieces of polemic rhetoric. Pascal sought to diminish the growing influence of French Jesuits by attribut-

ing to the entire order rather extreme positions taken by certain Jesuit theologians such as Antonio Escobar y Mendoza and Luis de Molina, who had argued that specific actions that most Christians would consider to be patently wrong would not be considered sinful if the motivations of the people who did those things were taken into account.

Pascal believed that such an approach to ethics was very dangerous because it could lead people to justify actions that were clearly incompatible with God’s teachings. In his seventh Provincial Letter, for example, Pascal denounced efforts by Escobar y Mendoza and Molina to justify dueling. A duelist might well claim that his intention was not to kill his adversary but to defend his own honor, but Pascal ridiculed such convenient and insincere excuses designed to disregard God’s straightforward commandment: “Thou shalt not kill.” Although Pascal was clearly unfair in associating all Jesuits with the radical positions of such theologians, his *Provincial Letters* did denounce very effectively the danger of moral laxism and the pernicious belief that “the end justifies the means.”

### THOUGHTS

During the last few years of his life, Pascal was writing “an apology for the Christian religion,” but extremely poor health required him to rest frequently and this prevented him from writing for extended periods of time. He was, however, able to compose eight hundred fragments that were discovered and edited after his death by his nephew Étienne Périer, who called these fragments *Thoughts (Pensées)*. Despite the uncompleted nature of *Thoughts*, it contains profound insights into the myriad relationships between ethical and religious problems. Unlike his fellow mathematician and philosopher René Descartes, who had argued in his 1637 book *Discourse on Method* that logic alone sufficed to explore moral problems, Pascal was convinced that only an acceptance of the revealed truths of Christianity could enable him to recognize the moral foundation for a just society.

Pascal stated that there were basically two ways of dealing with moral problems. By means of “the spirit of geometry” (“*l’esprit de géométrie*”) one examines in a purely logical manner the many steps that are involved in resolving ethical questions. “The spirit of insight” (“*l’esprit de finesse*”) helps one to

recognize intuitively that certain actions are morally wrong whereas others are morally correct. Although he did not deny the importance of logical reasoning for discussions of ethical problems, Pascal sensed that most moral decisions are inspired by intuitive feelings that are formed by one's religious training and by the diversity of one's experiences. In *Thoughts*, Pascal appealed to the deep emotional and psychological reactions of his readers in order to persuade them that an acceptance of "the grandeur of man with God" and "the misery of man without God" will lead people to embrace those religious and ethical values that are presented in the Bible.

*Edmund J. Campion*

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SEE ALSO: Calvin, John; Casuistry; Christian ethics; God; Justice; Revelation; Ten Commandments.

## **Passions and emotions**

**DEFINITION:** Irrational, subjective, deeply felt, partly mental, and partly physical sentiments or sensations; feelings

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The passions and emotions are often contrasted with reason and rationality as the two

forces influencing moral decisions. Their ethical import is a matter of controversy: For some, the emotions are deceptive, and dispassionate reasoning is the only way to discern moral truth. For others, passion constitutes moral truth and the denial of emotion in the name of reason is a dehumanizing and immoral act.

Emotions add color to the world of experience. They motivate people to approach or avoid something, generally in an energetic way. They are made up of four components: conscious or subjective experience, bodily or physiological arousal, characteristics or overt behavior, and changes in thoughts or cognitions.

On the feeling or subjective level, emotions have elements of pleasure (or displeasure), intensity, and complexity. Pleasant or positive emotions tend to enhance an individual's sense of well-being and promote constructive relationships with others. Unpleasant or negative emotions, in contrast, tend to decrease an individual's sense of well-being and create disturbed relationships with others. Intensity is often reflected in the words used to describe emotions; for example, uneasy, fretful, tense, apprehensive, tremulous, agitated, panicky, and terrified. The complexity of emotions means that one person's sense of joy is different from another's. Thus, emotions have a private, personal, and unique component. They are complex subjective feelings.

On the physiological level, emotions are accompanied by bodily sensations or physiological arousal. The physiological arousal occurs mainly through the actions of the autonomic nervous system, which regulates the activity of glands, smooth muscles, and blood vessels. The autonomic responses that accompany emotions are ultimately controlled in the brain by the hypothalamus, the amygdala, and the adjacent structures in the limbic system.

#### **PHYSIOLOGICAL AND BEHAVIORAL CHANGES**

There are several different types of physiological changes that accompany emotions. One change is in galvanic skin response, the electrical conductivity of the skin that occurs when sweat glands increase their activity. A second change is in the pulse rate. When a person is very angry or afraid, for example, his or her heart may accelerate from about 72 beats per minute to as many as 180 beats per minute. A third change is

in the blood pressure, which may rise alarmingly when a person is angry or afraid. A fourth change is in the breathing rate, which typically becomes rapid and uneven when a person is experiencing strong emotion. A fifth change is in muscular tension, which is particularly prominent when the emotion is intense fear or anger.

Other changes that accompany emotions include inhibition of salivation, pupil dilation, and inhibition of digestive processes. The physiological changes that accompany love, joy, or other emotions may be smaller and more subtle than those accompanying anger and fear.

On the behavioral level, people reveal their emotions through characteristic overt expressions, such as smiles, frowns, furrowed brows, clenched fists, slumped shoulders, and changes in posture and tone of voice. When people are sad, for example, they tend to slouch and to speak in a lower, less variable pitch than the one they use when they are angry or afraid. People reveal their emotions in their body language, or nonverbal behavior. Some researchers argue that no body movement is accidental or meaningless. Rather, one communicates something in the slightest movement, even though one may be unaware of it.

On the cognitive level, emotions are accompanied by changes in thoughts, beliefs, and expectations. When happy, people become more optimistic; when sad, they are likely to see the negative sides of situations. In general, people's thoughts are guided by and consistent with their emotions.

### THE BASIC EMOTIONS

Like colors, emotions cover a wide spectrum. There are six basic emotions: love, joy, surprise, anger, sadness, and fear. Three dimensions on which these basic emotions vary are evaluation (positive or negative), potency (strong or weak), and activity (relatively high or low in arousal). Some theorists include disgust and contempt as primary emotions. Others add shame, contempt, interest, guilt, anticipation, acceptance, and distress as primary emotions. Still other theorists reject the concept of basic emotions altogether. People experience many different emotions. Some theorists propose that many emotions are produced by blends and variations in intensity of primary emotions, like colors on a color wheel.

What causes emotions? Several theories have been

developed to answer this question. One theory is that they result from specific physiological changes, with each emotion having a different physiological basis. Proposed independently during the late nineteenth century by William James and Carl Lange, this theory stood common sense on its head. Everyday logic suggests that when a person stumbles onto a rattlesnake in the woods, the conscious experience of fear leads to visceral arousal (the fight-or-flight response). This theory, in contrast, asserts the opposite: The perception of visceral arousal leads to the conscious experience of fear. Thus, this theory asserts that the person becomes afraid because the sight of the rattlesnake causes muscles, skin, and internal organs to undergo changes. Fear is simply the awareness of these changes. The James-Lange theory of emotions emphasizes the physiological determinants of emotion.

The James-Lange theory of emotions has two overall criticisms. First, anger, fear, and sadness seem to share similar physiological patterns of arousal, although recent research has detected some subtle differences in the patterns of visceral arousal that accompany basic emotions. Second, people with severe spinal cord injuries are deprived of most feedback from their autonomic nervous systems, yet they still experience emotions. Physiologists generally agree that physiological arousal influences the intensity of emotions, but not the emotions themselves.

A second theory of emotions asserts that when a person is emotional, two areas of the brain, the thalamus and the cerebral cortex, are stimulated simultaneously. Stimulation of the cortex produces the emotional component of the experience, whereas stimulation of the thalamus produces physiological changes in the sympathetic nervous system. Accordingly, emotional feelings accompany physiological changes; they do not produce them. This theory of emotions holds that they are physiologically similar to, and occur sooner than, changes in the internal organs.

Proposed by physiologists Walter Cannon and Philip Bard during the 1920's, this theory has two criticisms. First, physiological changes in the brain do not happen exactly simultaneously. Second, people often report that they have an experience and then later have physiological and emotional reactions to it. For example, they have a near-accident in a car, and only later become very frightened.

### **FACIAL FEEDBACK**

A third theory of emotions is that they are caused by facial feedback. The idea is that sensations from the movement of facial muscles and skin are interpreted by the brain and result in emotion. According to this somatic view, smiles, frowns, and furrowed brows help to create the subjective experience of various emotions. Consistent with this view, research shows that if people are induced to frown, they tend to report that they feel angry. Furthermore, people who have been blind since birth smile and frown much like everyone else, even though they have never seen a smile or frown. Also, infants only a few hours old show distinct expressions of emotions that closely match those of adults, and infants recognize facial expressions in others at a very young age. Thus, infant and cross-cultural similarities in emotional expression support the facial feedback or evolutionary theory of emotions.

Originally proposed by Charles Darwin, this theory asserts that emotions developed because they have adaptive value. They signal an intent to act and prepare the individual to act. Fear, for example, would help an organism avoid danger and thus would aid in survival. This view of emotions is that they are a product of the evolution of facial expressions, which were our ancestors' primary mode of communication before language developed.

This facial feedback theory of emotions suffers from the criticism that there is little evidence that specific facial feedback initiates specific emotions. Researchers generally agree that facial feedback and physiological arousal influence the intensity of emotions, but not the emotions themselves.

### **OTHER THEORIES**

A fourth theory of emotions is that interpreting or appraising a situation as having a positive or negative impact on one's life results in a subjective feeling that is called emotion. The idea is that a stimulus causes physiological arousal. The arousal creates a need for an explanation of some kind, which the person makes from the situational cues available and from his or her cognitive processes, such as thoughts, interpretations, and appraisals. This explanation results in emotion. This theory of emotion stresses that there are two components to emotions: a cognitive component and a situational component.

This theory of emotion, which can be traced to

psychologists Stanley Schachter and Jerome Singer during the early 1960's, was revised by Arnold Lazarus in 1991 to recognize the fact that emotions may initially occur without physiological arousal. Lazarus also believed that each emotion has its own specific relational theme, or person-environment relation, which involves benefit in the case of positive emotions and harm in the case of negative ones.

To test this theory of emotion, Schachter and Singer conducted an experiment in which they told volunteers that they were testing the effects of a vitamin supplement. Instead, these volunteers were injected with epinephrine, a powerful stimulant that increases physiological arousal. The volunteer students were unaware of the typical bodily effects of the adrenaline. To see if the setting in which the volunteers experienced their arousal influenced how they interpreted their emotions, Schachter and Singer hired undergraduates and paid them to act either happy and relaxed or sad, depressed, and angry. These hired students, called stooges, pretended that they were volunteers in the same drug study. Instead, they were given injections of saltwater, not epinephrine. Their emotional behavior was strictly an act.

The happy stooges shot wads of paper into a wastepaper basket and flew airplanes around the room. The unhappy stooges complained about the questionnaire they had to fill out and voiced their dissatisfaction with the experiment. All the volunteers showed increased physiological arousal. Those with happy stooges reported that the drug made them feel good; those with the sad, angry stooges reported that the drug made them feel anger. Schachter and Singer concluded that the physiological feelings that accompanied both joy and anger were the same, but the label attached to the emotion depended on the person's situation.

These theories of emotions may all be partly right, but no one theory fits all the data. Physiological and cognitive influences interact in complex ways to produce emotional experiences.

### **FUNCTIONS OF EMOTIONS**

Emotions have three main functions. One function of emotions is that they help people adapt and survive. For example, crying alerts others that one is in pain or discomfort, and being in love fosters social interactions. A second function of emotions is that they signal that something important is happening

and rouse one to action. In an evolutionary sense, some emotions are part of an emergency arousal system that increases the chances of survival by energizing, directing, and sustaining adaptive behaviors. For example, being afraid may motivate one to run away from a dangerous bear that is running toward one, and being angry may cause one to work harder to reach one's goals. Other emotions, such as sadness, relief, and contentment, may involve an integrated pattern that includes a decrease in arousal and behavioral intensity.

Although rousing people to action may be positive, it may also be negative, so that emotions may disrupt behavior. The relationship between physiological arousal that accompanies an emotion and task performance is known as the Yerkes-Dodson law, which states that performance on a task depends on the amount of physiological arousal and the difficulty of the task. In general, for many tasks, moderate arousal helps performance. For new or difficult tasks, low arousal facilitates performance; for easy or well-learned tasks, high arousal facilitates performance. For example, high arousal would interfere with performance on a difficult test, but it facilitates signing one's own name legibly. In contrast, low to medium arousal would result in better performance on a difficult test, but it might lead one to sign one's name illegibly.

Emotions rouse people to action in another sense as well: The expectation of pleasant emotions serves as an incentive. Many purposeful, motivated behaviors are designed to induce feelings of happiness, joy, excitement, or pride.

A third function of emotions is to help people communicate by sending social signals. They inform others about one's internal state and intentions. Many facial expressions, such as happiness, anger, sadness, fear, disgust, and surprise, are recognized as emotional expressions by people in widely varying cultures. In fact, emotional facial expressions are strikingly similar in different cultures. Yet different cultures encourage or discourage the expression of some emotions more than others. Adults in all societies learn to suppress some of their emotional responses or to mask them with voluntary control of facial muscles. This masking is never perfect, and other facial muscles can give away true feelings.

## INFLUENCES ON EMOTIONS

Different factors influence emotion. Personality and motivational factors affect emotion by influencing what situations people expose themselves to and how they think about those situations, as well as physiological and behavioral responses. Therefore, personality variables can predispose people to experience certain kinds of emotions. For example, extroverted people are likely to experience strong positive emotions in response to positive events but less-intense reactions to negative events. In contrast, people who are high in neuroticism experience weak positive emotional responses to positive events but strong negative responses to negative events.

Learning also influences emotion. Cultures have different standards for defining the good, the bad, and the ugly. For example, physical features that provoke sexual arousal and feelings of infatuation in one culture (such as scars) may elicit feelings of disgust in another culture.

Biological factors also influence emotion. The concept of preparedness suggests that people may be biologically primed to experience fear in response to certain stimuli, such as heights or snakes.

Intrapsychic factors may also predispose people to certain emotions. For example, anger that has been stored up since childhood may be released if a situation reminds one of that internal conflict. Also, psychological defenses sometimes predispose people to transform one emotional response into another, more acceptable one. Thus, anger may be transformed into sadness, or sexual feelings into fear.

Emotions do not occur in a vacuum. Rather, they always have objects. People are not simply angry, afraid, proud, or in love. They are angry at something or someone, afraid of something or someone, and so forth. Furthermore, the stimuli that trigger emotional responses are not always external. Sometimes they are internal, occurring in the form of images and memories. Usually, people can identify the eliciting stimuli, but not always.

Emotions are shaped by one's biological and psychological predispositions, by what one learns in one's environment, and by one's personality and motivations. One experiences them in response to internal or external objects. They give life color.

*Lillian M. Range*



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SEE ALSO: Anger; Compassion; Desire; Intuitionist ethics; James, William; Love; Moral-sense theories; Psychology; Reason and rationality; Self-control.

## Paternalism

**DEFINITION:** Use of coercion or deception to interfere with or frustrate the choices and actions of underlings for their own good

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Although aimed at protecting or promoting someone else’s own good, acting paternalistically may compromise the individual’s moral autonomy.

The word “paternalism” connotes attitudes that are fatherly or parental, combining the element of looking out for the interests of a child with the further

element of doing so over the wishes of the child. Paternalism is the extension of such paternal concern toward children to other relationships, usually involving those in some position of authority. Paternalism may appear in the relation of government officials to citizens but can also extend to employer-employee and doctor-patient relationships.

John Stuart Mill provided the classic discussion of the issue of paternalism between society and the individual in *On Liberty* (1859). Mill argued that the only sound reason for society to coerce an adult to do or refrain from some action is to prevent harm to others. The person's own good is not a good reason to justify societal interference with a person's liberty of action. Mill stated that individuals should be "sovereign" over their own bodies and minds.

Mill was ready to accept the implications of his antipaternalist position. He thought that adults should be free to engage in conduct that endangered themselves, such as drunkenness or using addictive drugs such as opium. Society may warn individuals of the harm and even seek to persuade them to refrain from such dangerous activities, but should never resort to force. By extension, a strict opponent of paternalism would oppose such safety measures as laws requiring people to wear seat belts while riding in automobiles or safety helmets while riding motorcycles.

Opponents of paternalism use a variety of arguments. Mill thought that a free society that left individuals to decide matters relating to their own good would lead to greater social progress and individual well-being. Some have argued that human freedom and autonomy are importantly valuable in themselves, and that undue interference involves a kind of disrespect to human dignity, similar to treating adults as children. Most defenders of paternalism counter that at least limited forms of paternalistic interference are both reasonable and beneficial. It is difficult to confine the costs of dangerous and self-harmful behavior to the individuals involved. Also, even adults can use guidance and pressure from society in order to avoid the sometimes serious and irreversible harms that may follow lapses in judgment and the taking of foolish risks.

Although most discussion of paternalism takes place within the context of interference with liberty, it can be an important issue in other contexts as well. In medical practice, for example, a dominant model for the physician-patient relationship was histori-

cally paternalistic, with the implication that doctors might withhold information or even deceive patients for their own good. The paternalistic model in medicine, in the workplace, and in colleges and universities has waned due to increased autonomy concerns on the part of patients, employees, and students.

*Mario Morelli*

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SEE ALSO: Elitism; Libertarianism; Mill, John Stuart; Parenting; Physician-patient relationship.

## Patriotism

DEFINITION: Love of, or loyalty to, one's own country

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Patriotism's moral status is a matter of controversy on two levels. First, its traditional theoretical status as a virtue has been questioned by modern philosophers. Second, there is significant debate over what genuine or authentic patriotism actually entails in practice.

The moral significance of patriotism may be approached in the first instance by asking this question: Is patriotism the positive form of an emotion or ideology whose negative form is nationalism? Or is patriotism simply a euphemism for nationalism? If patriotism is merely a polite term for nationalism, then it is difficult to defend as anything other than an unreasoning prejudice. If, on the other hand, nationalism is actually the corrupted form of the properly noble emotion of genuine patriotism, then it may be appropriate to think of patriotism not only as a virtue, but as a socially vital value.

What, then, would constitute a noble and virtuous form of nationalism? Patriotism is most often defined as love of country. Such a definition is deceptively simple, however. Indeed, it is quite ambiguous. What

kind of love should one feel for a nation? Is it the same sort of love that one feels for a sports team one supports, or a food one likes to eat? Is it the sort of love that one feels for a friend? A family member? Whatever explicit answer one may give to this question upon considered reflection, it is too often the case that the implicit and unconsidered answer evident in the behavior of professed patriots is that a country is like a sports team. Sports fans know the faults of their teams better than anyone, and they are perfectly happy to list them in private, among like-minded fans. If confronted by external criticism, however, everything changes. Suddenly, the team can do no wrong, and even minor criticisms, however accurate, become unjustified attacks upon the honor and dignity of the team and all its true supporters. Loyalty to a team is measured by the loudness of one's cheering and the staunchness with which one refutes the team's critics, whatever the merits of their criticism.

Now consider the sort of love one feels for a friend. It is intimate, based on a genuine interaction between both participants in the relationship, and because of that, it comes over time to be quite nuanced. Interpersonal love and loyalty are difficult values to negotiate. They do not admit of the simple formulas of fandom. One might say of an errant friend, as a patriot would of a nation, "He's my friend, right or wrong." That statement, however, would be the beginning of a conversation, not the end of one. It would be an expression of reassurance to prepare the way for the hard work of friendship, for the rigors of determining and then fulfilling the specific and complex obligations imposed by one's loyalty.

It is unclear whether patriotism can ever be accounted a virtue. It certainly seems necessarily to entail treating one's fellow citizens as superior to other people. It seems, moreover, almost always to involve the foreclosure of at least some avenues of national reform and improvement, such as just distribution of resources in a capitalist nation, or separation of church and state in a theocracy. If there is moral value in patriotism, however, it is to be found in the analogy to friendship. If one could take one's patriotism as an impetus to explore one's relationship to one's nation, rather than as itself constituting a given and immutable relationship, patriotism could provide a basis for moral practice, thereby acquiring moral worth.

Andy Perry

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SEE ALSO: Citizenship; Fascism; Loyalty; Loyalty oaths; Moral principles, rules, and imperatives; National security and sovereignty.

## Peace Corps

**IDENTIFICATION:** Independent federal agency that promotes international friendship by supplying trained personnel to other countries

**DATE:** Founded in 1961

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** While the theory behind the Peace Corps seems morally unobjectionable, and even laudatory, the organization's practical actions in the service of its goals have at times been controversial.

The Peace Corps of the United States is an independent agency of the federal government that sends volunteers to countries throughout the world to help staff schools and hospitals, and to share agricultural and technical knowledge. The Peace Corps was founded in 1961 while John F. Kennedy was president. He asked young people to volunteer for two-year terms, and many recent college graduates seeking adventure and a chance to serve accepted the offer. At first, anyone who was willing to volunteer was accepted and given something to do.



*President John F. Kennedy (right) greets some of the first Peace Corps volunteers at a White House reception. (Library of Congress)*

By the 1980's, Peace Corps volunteers tended to be older and more highly trained in technical areas. In the wake of the Vietnam War and Watergate, a growing cynicism about the government caused fewer volunteers to join. In 1983, the Ronald Reagan administration revived the program, hoping to use the volunteers to spread conservative ideas worldwide. By the 1990's, opinion about the Peace Corps was divided. Many people believed that the Peace Corps was primarily a means for a wealthy nation to share its prosperity, and to promote world harmony. Others saw an insidious form of interventionism in the program.

Nevertheless, in 2004, more than seventy nations were hosting more than 7,500 Peace Corps volunteers. These nations included nine former Soviet republics and four other Eastern European nations. Between 1993 and 2004, even the People's Republic of China hosted more than 230 Peace Corps volunteers.

*Cynthia A. Bily*

SEE ALSO: Altruism; Developing world; Idealist ethics; Intervention; Poverty and wealth; Service to others.

## Peace studies

**DEFINITION:** Interdisciplinary course of academic study that explores alternatives to war while promoting a progressive agenda including national and international social justice, human rights, conflict resolution, and activism

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Frankly and unapologetically political in orientation, peace studies attempt to educate future thinkers, activists, and leaders to create a more just and less violent world.

Peace studies is an emerging discipline that affirms that peace is more than the absence of war; peace is harmony among people and countries based on respect for oneself and others. The study of peace weaves together three major threads. Peace studies as an academic discipline examines war, relations among nations, conflicts and their resolution, and proposals for peace; peace education identifies effective methods used to teach peace in a family, a classroom, or a community setting in order to develop civic and global citizenship and world peace; and peacemaking focuses on the values by which one lives one's life and cares for others in the family, for the community, and for the planet. Unless these three threads are woven together in theory and practice, the goal and meaning of peace studies are lost.

Desire for peace and the elimination of war can be traced to the ancient oral and written histories and literature of diverse peoples from all continents. A modern study of peace can be traced to the establishment of the World Peace Foundation in 1910. The advent of atomic warfare in World War II increased the demand for the study of foreign policy, development, international conflict, and alternatives to war. Early in U.S. history, George Washington called for the establishment of a United States Academy for Peace, a proposal that was reconsidered by every Congress until 1986, when the United States Institute for Peace was established.

### **ACADEMIC PROGRAMS**

Peace studies emerged slowly as an academic discipline. During the 1960's, there were few courses in higher education that addressed peace issues, although peace studies formed the basis of education in several colleges run by the historic Peace Churches, notably the Brethren, Quaker, and Mennonite churches. Peace studies received an impetus during the Vietnam War, when growing numbers of war protesters raised issues of war and alternatives to war in classrooms and institutions of higher learning around the world.

The Institute for World Order (now the World Policy Institute) was among the first organizations (1966) to link and address issues of war, development, gender and racial inequality, human rights, and ecological balance with issues of world peace. As terrorist activities and the nuclear threat escalated during the late 1970's, the leaders of most of the

world's religions added their voices to the call for the study of peace and justice issues. By 1983, at the peak of the International Nuclear Freeze Campaign, public and private campuses worldwide began including one or more courses related to the study of war, the nuclear threat, conflict management, global cooperation, and world peace in their curriculums. Ten years later, hundreds of campuses worldwide offered peace studies programs. Students can now receive a minor or major at the undergraduate level, a master's degree, and, at several universities, a doctoral degree in peace studies.

Academic programs in higher education, which often focus on the historical or theoretical, hold an important place in peace studies, for it is in the academy that the various disciplines provide for the examination of diverse topics that are related to war and peace. Two acknowledged dangers in the academy include the failure to study issues of peace from a cross-cultural or interdisciplinary perspective and the failure to link the theoretical and historical perspectives of peace with personal, family, and community lifestyle choices. A growing number of scholars have suggested that peace studies must move beyond theory; it must be values based, address domestic and global issues, be relevant to all age groups, and lead to education for responsible global citizenship.

Peace education programs at the elementary and secondary levels, developed during the Vietnam era, do promote values, as well as attitudes and skills related to affirmation, communication, cooperation, respect for diversity, nonviolent resolution of conflict, and skills for critical thinking and decision making. Three of the most notable in the United States are the Children and Non-Violence, Children's Creative Response to Conflict, and Peacemaking for Children: Alternatives to Violence programs. The Nuclear Freeze Campaign of 1982 expanded international awareness of the nuclear threat and generated new calls for peace education. Milwaukee's public schools became the first major school system in the United States to respond to this call, implementing a K-12 peace education curriculum in 1985.

### **PEACEMAKING**

Peacemaking for Families educational programs, developed in 1976 by Jacqueline Haessly, evolved from a belief that the values, attitudes, and skills of peacemaking are first shaped in the home. Five years



later, the National Parenting for Peace and Justice Education Network was established by James and Kathleen McGinnis. Family Life Education for Peace, initiated by Nona and Carroll Cannon, is an emerging field in the academy. All three programs link peace with values education.

Peacemaking as a way of life occurs when individuals and societies make the link between the personal and the political. Julia Sweig and Sharon Boggs are among those who remind peace educators that issues of domestic and community violence must be addressed and skills for community building must be taught if peace is to be achieved in a community and the world.

Organizations that promote peace studies in the United States include Children's Creative Responses to Conflict; Council for Peace and Conflict Studies; Consortium for Peace Education, Research, and Development; Educators for Social Responsibility; Fellowship of Reconciliation; Global Education Associates; Jane Addams Peace Association; the Milwaukee Peace Education Resource Center; Parenting for Peace and Justice Network; the United Nations University for Peace—San Diego; the United States Institute for Peace; and the World Policy Institute (formerly the Institute for World Order). Many of these organizations also have international affiliations.

*Jacqueline Haessly*

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SEE ALSO: Conflict resolution; International justice; International law; Moral education; Multiculturalism; Nobel Peace Prizes; Pacifism.

## Peacekeeping missions

DEFINITION: International military interventions, usually authorized by the United Nations

DATE: First mission launched in 1956

TYPE OF ETHICS: Military ethics

SIGNIFICANCE: Increasingly utilized tools of preventive diplomacy aimed at managing conflict and preventing wars from starting or spreading, peacekeeping missions are typically justified on humanitarian grounds, even when they are at odds with the deeply entrenched principle of state sovereignty.

Although individual countries have historically intervened in the affairs of others, unilateral military intervention became a highly dangerous means of addressing conflicts in the bipolar world that emerged after World War II. With each alliance headed by a superpower armed with a growing nuclear capability, the avoidance of both war and superpower confrontation became ever more important. Alternative means of managing international hot spots were needed.

United Nations (U.N.) peacekeeping missions became one of the more effective alternatives developed to prevent conflicts from escalating during the Cold War years (1947-1992). Simultaneously a code of conduct developed to ensure the neutrality of these operations and improve their effectiveness. After the

collapse of communism in the Soviet Union and Eastern Europe, peacekeeping missions became a more common means of managing communal violence, defusing civil wars, and containing other forms of conflict in an increasingly turbulent world.

The first United Nations peacekeeping mission was launched in 1956 to defuse an awkward military and diplomatic situation. Without consulting Washington, France and Great Britain had joined Israel in a military operation that left them in control of Egypt's Suez Canal but on the receiving end of criticism from the United States and the Soviet Union for their invasion of Egypt. Although it initially pitted both superpowers against two of the closest allies of the United States, it also threatened to expand into a broader Arab-Israeli conflict that would have placed the United States and the Soviet Union on opposite sides.

Into this morass stepped U.N. secretary-general Dag Hammarskjöld with a proposal designed to let every faction down gently. In return for Egypt's agreeing to guarantee international access to the Suez Canal, its occupiers agreed to withdraw. To prevent a recurrence of hostilities, Egypt also agreed to allow the deployment of a U.N. peacekeeping contingent in the Sinai Peninsula, between Israel and Egypt's army. The force soon became the model for the deployment of peacekeeping missions elsewhere during the Cold War years—a human shield placed between potential combatants to prevent conflicts from occurring, expanding, or rekindling where cease-fires have been achieved.

### **ENSURING NEUTRALITY**

For peacekeeping missions to succeed, it is imperative that the peacekeepers be perceived as neutral by the parties involved in the conflicts. During the Cold War, it was also important to keep the superpowers out of the conflicts as far as possible. The rules of deployment that evolved out of U.N. peacekeeping missions prior to the end of the Cold War were intended to do both. They emphasized the multilateral nature of peacekeeping, the inclusion of forces from Third World states, and the exclusion of troops from either superpower or their military allies. Also, peacekeeping troops themselves were to engage in combat only to defend themselves when fired upon. Finally, mindful of the admonition in the U.N. Charter against interfering in the domestic

affairs of any member state, U.N. troops were to be deployed only with the consent of the host governments.

### **POST-COLD WAR CONFLICTS**

Within this framework U.N. peacekeeping missions were highly successful during the Cold War years. Out of the approximately twenty missions launched between 1956 and 1990, the United Nations failed only once to maintain order—during the civil war that erupted in the Congo in 1960-1961. That failure was due largely to superpower involvement and the fact that there was no peace to keep when the mission began.

Beginning in the 1990's, however, internal civil wars became a greater source of instability in the international system than international conflicts, such as the Arab-Israeli conflict. Clan warfare in Somalia, genocide in Rwanda, and wars in the former Yugoslavia, with their atrocities, high casualty figures, and discharges of numerous of refugees into adjacent states, far more resembled the challenges faced by U.N. peacekeepers in the Congo than in those arenas where the U.N. peacekeepers successfully deployed during the Cold War. The existing U.N. peacekeeping model had to be modified in two important ways to adapt to this changing world setting.

First, because in the more recent conflicts it was often necessary to establish a peace for the peacekeepers to keep, peacekeeping missions came to depend on the exercise of substantial military assets. In the post-Cold War world, that has meant assigning a major role to the United States or the North Atlantic Treaty Organization (NATO) in the peace-making and peacekeeping process, and using military forces to end ongoing conflicts. These departures from the original model have frequently made it difficult for peacekeeping missions to retain the image of neutrality.

Second, in many conflicts there has been either no government in sufficient control of a country to request peacekeeping assistance or no government willing to do so. Politicians opposed to peacekeeping missions have normally cited the concept of state sovereignty and the internal nature of their civil wars as placing them beyond U.N. jurisdiction. Hence, the legal basis for peacekeeping operations has had to be found elsewhere.

**PEACEKEEPING MISSIONS AND “JUST WARS”**

That justification has been found in the concept of the just war, largely as articulated by Michael Walzer in his *Just and Unjust Wars* (1977). According to his thesis, in order to maintain a secure environment in which human rights can be guarded and people protected, it may become necessary to intervene in a state's affairs, especially when the action of the state's leaders violates prevailing international law or when the conflict sends so many refugees into neighboring states that it loses its domestic nature. In such instances, intervention becomes an ethical imperative, so long as it conforms to the rules designed to ensure its neutrality in establishing and keeping the peace and focuses on the humanitarian goals of the mission rather than on having an impact on the distribution of power in the area to which the forces are dispatched.

*Joseph R. Rudolph, Jr.*

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SEE ALSO: Bosnia; Cold War; Dallaire, Roméo; Intervention; Just war theory; Kosovo; Limited war; Military ethics; North Atlantic Treaty Organization; Rwanda genocide; United Nations.

**Peirce, Charles Sanders**

IDENTIFICATION: American philosopher

BORN: September 10, 1839, Cambridge, Massachusetts

DIED: April 19, 1914, near Milford, Pennsylvania

TYPE OF ETHICS: Modern history

SIGNIFICANCE: One of the founders of pragmatism and one of the most original philosophers of the nineteenth century, Peirce attacked traditional conceptions of truth and knowledge and made significant contributions to the fields of logic, semiotics, and epistemology.

From 1864 to 1907, Peirce served as an occasional lecturer at Harvard and Johns Hopkins University on the topics of logic and pragmatism. His genius and potential on pragmatic theory were never fully realized or publicly appreciated, however, because of his personal difficulties, eccentricity, and opposition to traditional philosophical thought. Peirce believed that it was a mistake to accept a priori reasoning, or absolute truth, without first examining its results.

In an article published in *Popular Science Monthly* in 1878, Peirce attempted to answer the question “How to Make Our Ideas Clear” by stating that an idea's utility and results or effects give it meaning, not some inherent absolute truth or a priori reasoning. One's conception of these effects becomes one's conception of the object. Peirce interpreted every subject, including philosophy, almost entirely from a logical (pragmatic) perspective. Peirce emphasized that pragmatism is a principle of method—not of metaphysics. Using this principle, he claimed that scientific laws were statements of probabilities only and subject to evolutionary change. Unlike his disciple and benefactor William James, however, Peirce never discarded his beliefs in an Absolute or in universals. Scholars consider Peirce's work an important intellectual foundation for twentieth century progressivism.

*Stephen D. Livesay*

SEE ALSO: Dewey, John; Intersubjectivity; James, William; Pragmatism; Progressivism.

## Peltier conviction

**THE EVENT:** Criminal conviction of Leonard Peltier (1944- ) during the 1975 shooting deaths of two Federal Bureau of Investigation (FBI) agents

**DATE:** Convicted April 18, 1977; sentenced June 1, 1977

**TYPE OF ETHICS:** Race and ethnicity; legal and judicial ethics

**SIGNIFICANCE:** Peltier's conviction is a source of bitter disagreement between law enforcement advocates and agents—who see Peltier as nothing more than a common murderer—and Peltier's followers and sympathizers—who see him as nothing less than a political prisoner punished for his beliefs by a tyrannical and unjust government.

On June 26, 1975, two FBI agents were killed in a shoot-out on the Lakota Indian Reservation in Pine

Ridge, South Dakota. Leonard Peltier, a member of the American Indian Movement (AIM), was found guilty of the killings. Peltier declared himself innocent and appealed his conviction many times. During the appeals, the court found that the government had acted improperly in arresting and trying him. Federal authorities admitted to falsifying affidavits used to extradite Peltier from Canada. Witnesses in the original trial had been coerced, and evidence supporting Peltier's claims was suppressed.

In spite of the irregularities, the courts refused to overturn Peltier's conviction. Peltier's case became known throughout the world. Many people believed that, even if he were guilty, he had not been granted a fair trial. Amnesty International declared him a political prisoner, and important religious leaders spoke out on his behalf. A book and three films were made about the case.

In 1992, a "Mr. X" confessed to the killings.

Image not available

*Marchers use the occasion of Thanksgiving Day in 2001 to proclaim a "National Day of Mourning" and call for the release of Leonard Peltier in a demonstration in Plymouth, Massachusetts—a place of special symbolic significance as the site of the first Thanksgiving celebrated by settlers and Native Americans. (AP/Wide World Photos)*

Peltier's supporters continued to hope that they could win him a new trial, or at the very least a parole hearing. The United States Parole Commission, however, repeatedly refused to grant Peltier such a hearing until December, 2008, at the earliest. Peltier's supporters claimed that he was being required to wait twice as long as the average convict in his situation before being considered for parole.

*Cynthia A. Bily*  
*Updated by the editors*

SEE ALSO: Amnesty International; Arrest records; Due process; Erroneous convictions; Native American ethics.

## Pentagon Papers

**IDENTIFICATION:** Classified documents at issue in *United States v. New York Times Company*, which the U.S. Supreme Court held the federal government could not restrain *The New York Times* from publishing

**DATE:** Court ruling made on June 30, 1971

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** The Pentagon Papers case dealt with the issue of prior restraint, that is, censorship before the fact which prevents the censored material from ever seeing the light of day. Prior restraint is the most extreme form of censorship, and the Supreme Court ruled that the government must meet a heavy burden of justification before it can prevent the press from publishing even top secret information.

Popular sentiment against the Vietnam War was on the rise in the spring of 1971, when Daniel Ellsberg, a former U.S. Department of Defense employee, and his friend, Anthony Russo, Jr., stole copies of two massive volumes that have come to be known as the Pentagon Papers. These volumes, "History of U.S. Decision-Making Process on Vietnam Policy" and "Command and Control Study of the Gulf of Tonkin Incident"—which were classified "Top Secret-Sensitive" and "Top Secret," respectively—together constituted a history of American involvement in Vietnam since World War II.

Ellsberg and Russo passed the filched documents on to *The New York Times* and *The Washington Post*. In its June 13, 1971, edition, the *Times* began publishing a series of excerpts from the government studies.

### GOVERNMENT ATTEMPTS PRIOR RESTRAINT

After the *Times* had published two more excerpts on June 14 and 15, 1971, the federal government filed a motion in the U.S. District Court for the Southern District of New York requesting that the court restrain the *Times* from publishing more passages from the Pentagon Papers. Although the court refused to issue an injunction against the paper, it did grant the government a temporary restraining order, which prevented the *Times* from publishing portions of the Pentagon Papers while the government prepared its case. On June 18, *The Washington Post* also began publishing excerpts from the Pentagon Papers, and the government moved to restrain it, too, in federal court in the District of Columbia. The legal action in the case, however, remained focused on New York City.

On June 18, the district court in New York heard the case, in which the government claimed that the publication of the documents in question would compromise the nation's war effort. Nevertheless, the government's request for an injunction was denied, although the temporary restraining order was extended until the government's appeal to a higher court could be heard. This appeal also was rejected, and on June 24, the government filed a petition with the Supreme Court.

### SUPREME COURT REJECTS GOVERNMENT CASE

The parties appeared before the Court on June 26, 1971, and the Court delivered its opinion on June 30: The entire litigation had lasted slightly longer than two weeks. Like the lower courts, the Supreme Court rejected the government's attempts to rationalize prior restraint of the press by appealing to national security, dismissing the cases against both the *Times* and the *Post*. The Court was not unanimous in its decision, voting six to three, but writing for the majority, Justice Hugo L. Black delivered a stinging rebuke to the administration of President Richard M. Nixon: "the Solicitor General argues . . . that the general powers of the Government adopted in the original Constitution should be interpreted to limit and restrict the specific and emphatic guarantees of the Bill



of Rights. . . . I can imagine no greater perversion of history.”

Although the dissenters, Chief Justice Warren E. Burger, Justice Harry A. Blackmun, and Justice John M. Harlan II, argued that the Court should defer to the executive branch’s concerns, Justice Black’s opinion reaffirmed the Court’s role as interpreter of the Constitution and guardian of individual rights: “Madison and the other Framers of the First Amendment . . . wrote in language they earnestly believed could never be misunderstood: ‘Congress shall make no law . . . abridging the freedom . . . of the press. . . .’”

### CONTINUED PROSECUTION

The government continued, nevertheless, to prosecute Ellsberg and Russo, gaining indictments against them for theft of federal property and violations of the federal Espionage Act. The two defendants were tried in the U.S. District Court for the Central District of California, where the Pentagon Papers were allegedly stolen. Unlike the original Pentagon Papers litigation, the Ellsberg and Russo prosecution dragged on for many months. Although the government had first obtained a preliminary indictment against Ellsberg in June, 1971, the trial of the two defendants did not commence until more than a year later.

The trial was halted almost immediately after it began, however, when it was revealed that the government had been secretly taping the defendants’ confidential communications. After the parties had gone through the process of selecting a new jury, the trial recommenced in January, 1973. Shortly thereafter, however, the entire Pentagon Papers case was colored by news of the Watergate imbroglio, which began with the September, 1971, government-sponsored burglary of the offices of Lewis Fielding, Ellsberg’s psychoanalyst, committed in an effort to uncover other Ellsberg accomplices. When further revelations of the government’s continuing illegal wiretaps of Ellsberg’s conversations reached the court, the entire criminal prosecution of Ellsberg and Russo was dismissed. The Nixon administration had not only undermined its reputation and its case against the defendants but had also ensured that future administrative attempts to restrain the press from exercising its First Amendment rights would be more difficult.

*Lisa Paddock*

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SEE ALSO: Censorship; First Amendment; Invasion of privacy; Journalistic ethics; Public’s right to know; Supreme Court, U.S.; Watergate scandal.

## People for the Ethical Treatment of Animals

IDENTIFICATION: Animal rights organization

DATE: Founded in 1980

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: Known for using controversial tactics to draw attention to the view that animals do not exist to serve humans, People for the Ethical Treatment of Animals (PETA) is an aggressive organization that follows the principle that animals are not for humans to eat, wear, experiment on, or use for entertainment.

PETA was founded in 1980 by Ingrid Newkirk, an animal-control officer in the District of Columbia, and Alex Pacheco, a student at George Washington University. Both men were influenced by Peter Singer’s book *Animal Liberation* (1975), which argued that animals should have the same basic rights as humans. In 1981, Pacheco recorded an incident of

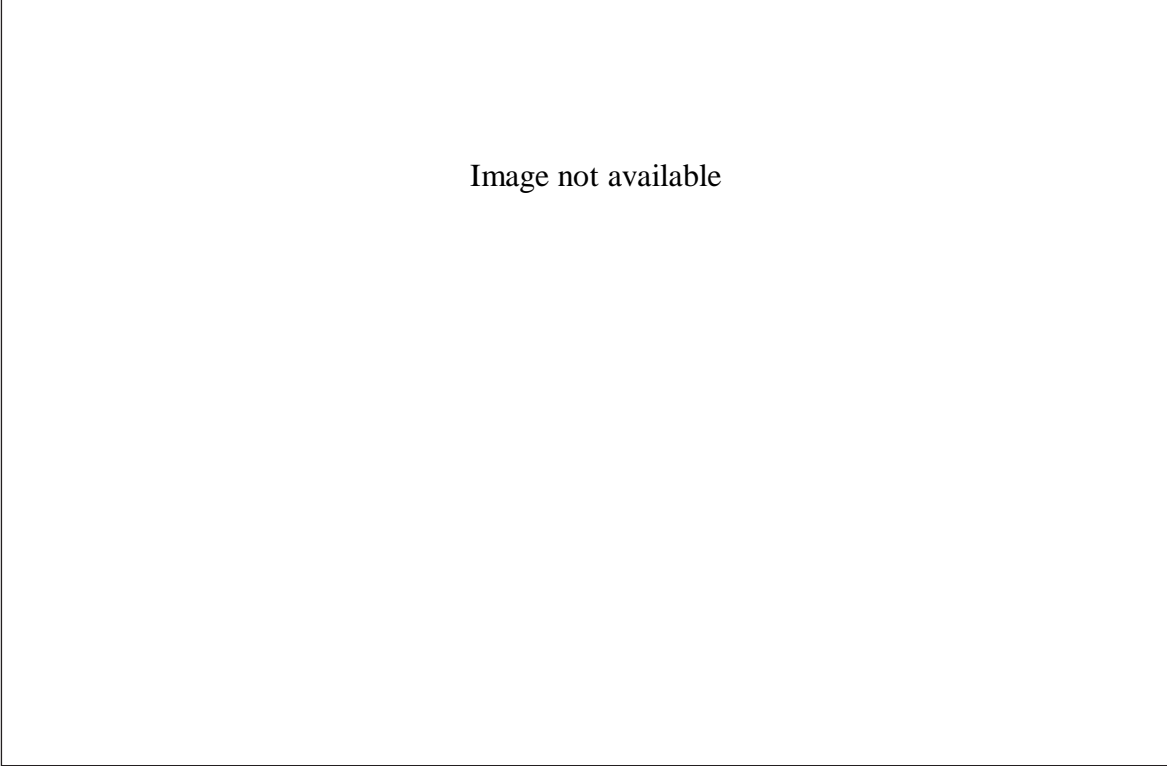


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*PETA members demonstrating against leather goods near the White House in Washington, D.C., in late 2001. (AP/Wide World Photos)*

cruelty to animals in a Silver Springs, Maryland, research laboratory. PETA's investigation led to the first police raid, the first arrest, and the first conviction of a researcher for animal cruelty. The incident afterward became known as the Silver Springs Monkeys case. PETA also documented cases of animal cruelty in university laboratories and publicized the harsh living conditions of ducks that were being raised to make liver pâté and chinchillas that were being electrocuted to harvest their fur.

In addition to documenting and publicizing cases of animal cruelty, PETA is well known for publicity campaigns involving celebrities who have posed for advertisements in its "I'd Rather Go Naked than Wear Fur" campaign. In 1994, three PETA members dressed in rabbit suits and chained themselves to a flagpole in front of the Gillette headquarters in Boston, Massachusetts, to protest the company's use of testing of animals.

Many PETA actions have been designed to win publicity by attracting controversy. For example, the

organization targeted college students in "Got Beer?" advertisements in college newspapers that were modeled on the milk industry's "Got Milk?" advertising slogan. PETA took the position that beer was healthier for humans to drink than milk and that cows should not be imprisoned in order to benefit human beings. Critics of PETA have charged that the organization has ties with more violent animal rights groups, such as the Animal Liberation Front. That charge has gained apparent credence when self-described PETA members have poured red paint, symbolizing blood, on women wearing animal furs.

*John David Rausch, Jr.*

SEE ALSO: Advertising; Animal research; Animal rights; Cruelty to animals; Endangered species; Humane Society of the United States; Moral status of animals; National Anti-Vivisection Society; Singer, Peter; Society for the Prevention of Cruelty to Animals; Vegetarianism; Vivisection.

## Perfectionism

**DEFINITION:** Tendency to set unrealistically high standards for oneself or others

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Perfectionism may affect the way in which one views and responds to one's own moral transgressions, as well as the transgressions of others. To the extent that it can cause emotional pain, or result in the achievement of excellence, perfectionism may itself become the object of ethical judgments.

Although originally believed to be a unidimensional concept involving only the self, perfectionism is now thought to be a multidimensional construct that has three components: self-oriented perfectionism, other-oriented perfectionism, and socially prescribed perfectionism. Self-oriented perfectionism is intrapersonal (within the self) and involves being strongly motivated to be perfect, setting and holding unrealistically high goals for oneself, striving compulsively, thinking in an all-or-nothing manner in which only total success or total failure exist as outcomes, focusing on flaws and past failures, and generalizing unrealistic self-standards across behavioral domains. For example, self-oriented perfectionism is expecting oneself to be Atlas and hold up the world without dropping anything, and thinking of oneself as a failure if one errs in any way.

Other-oriented perfectionism is interpersonal and involves beliefs and expectations about significant others. It entails setting unrealistically high standards for others, placing great importance on whether they attain these standards, and rewarding them only if they meet these standards. For example, other-oriented perfectionism is expecting a significant other to be Atlas and hold up the world and giving no positive reinforcement if anything at all is dropped.

Socially prescribed perfectionism is also interpersonal and involves the need to meet the standards and expectations that are perceived by significant others. Its essence is the belief that significant others have unrealistic standards and perfectionistic motives for their behaviors, and that they will be satisfied only when these standards are met. For example, socially prescribed perfectionism is thinking that significant others expect one to be Atlas and hold up the world and believing that they will be utterly

disappointed if one fails in any way. Self-oriented, other-oriented, and socially prescribed perfectionism are three separate but related aspects of perfectionism.

### POSITIVE AND NEGATIVE ASPECTS

Perfectionism may be positive or negative. On the positive side, most employers would rather have employees who take pride in their work, who consistently work to the best of their ability, and who try to make their results as perfect as possible. Likewise, most teachers would rather have students who are exact and precise in their work, who do all their assignments as instructed, and who consistently operate at their maximum capacity. In other life situations as well, perfectionism can be a very positive quality. On the negative side, there are intrapersonal and interpersonal costs associated with perfectionism.

Intrapersonally, perfectionists are never satisfied with their efforts, no matter how hard they try. They consistently fail to meet their goals, so their lives can be quite frustrating and their self-esteem quite low. They can fail to produce a whole picture of the forest because they are so thoroughly examining the trees. They fail to understand that there are times when an adequate job is all that is required. Interpersonally, perfectionists can be difficult persons with whom to live, work, and interact. Their exacting standards can lead to rigidity and make interpersonal relationships fraught with disappointments and recriminations. Therefore, perfectionism may be a positive or negative personal characteristic.

### THE PERFECTIONISM SCALE

During the late 1980's and early 1990's, Paul Hewitt and Gordon Flett and colleagues in Winnipeg, Canada, developed the Multidimensional Perfectionism Scale (MPS), a forty-five-item measure of self-oriented, other-oriented, and socially prescribed perfectionism. Respondents rate such statements as "When I am working on something, I cannot relax until it is perfect" (self-oriented perfectionism), "I have high expectations for the people who are important to me" (other-oriented perfectionism), and "People expect nothing less than perfection from me" (socially prescribed perfectionism) on a seven-point Likert scale from 1 = Strongly Disagree to 7 = Strongly Agree. Respondents receive scores for all three dimensions of perfectionism.

The MPS is a strong instrument. In terms of reliability, the MPS is internally consistent as well as consistent over time. In terms of validity, the MPS is correlated with related concepts such as high self-standards, self-criticism, fear of negative evaluation, and social importance goals. In terms of multidimensionality, factor analysis has produced results that are consistent with the three dimensions of the MPS. Furthermore, it is not substantially influenced by response biases. Thus, the MPS is an experimentally sound instrument.

Using the MPS, researchers have shown that perfectionism is correlated with anxiety, suicide, alcoholism, eating disorders, and personality disorders. It is also correlated with feelings of failure, guilt, indecisiveness, procrastination, shame, and low self-esteem. Thus, perfectionism is associated with psychopathology. General research on perfectionism has adopted a diathesis-stress approach that highlights the role of mediators between perfectionism and adjustment. According to this approach, problems of adjustment are elevated considerably when self-oriented perfectionism is combined with such mediating variables as negative life stressors, an internal attributional style, emotion-focused coping, and ego-involving conditions.

Lillian M. Range

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SEE ALSO: Maximal vs. minimal ethics; Psychology; Self-control; Self-respect; Suicide.

## Perjury

DEFINITION: Crime of testifying falsely while under oath

TYPE OF ETHICS: Legal and judicial ethics

SIGNIFICANCE: Perjury interferes with the ability of judicial systems to ascertain the truth and mete out justice. It is therefore commonly thought to be a violation of the general interests of a given society. Perjury, rather than lying in general, is a violation of the Ninth Commandment.

The essence of the crime of perjury is giving false testimony under oath regarding a matter that is being considered by a court or other tribunal. "False" does not mean mistaken, however great the error; it means that the witness believes his or her own testimony to be false and makes false statements willfully in spite of taking an oath to tell the truth.

Perjury is a serious crime. It was punishable by death in England in ancient times; later, the punishment became banishment or mutilation of the tongue. Penalties are still severe; in the United States during the 1990's, perjury was still punishable by life imprisonment in a few states and by a long term of years in all the others. However, there are few perjury prosecutions. It is a difficult crime to prove, because the prosecution has to show that the witness knew the testimony to be false. In the United States a person who has been acquitted of a criminal offense is now protected by the double-jeopardy clause from being charged with perjury for testimony given in his or her own defense.

Robert Jacobs

SEE ALSO: Accused, rights of; Adversary system; Clinton, Bill; Jury system; Lying; Morality; Professional ethics.

## Permissible acts

**DEFINITION:** Actions whose performance does not constitute a moral transgression

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** One way to conceive of the goal of ethics is as dividing all human actions into permissible and impermissible acts. Such a conception leads to the portrayal of duty as a negative rather than a positive concept.

The concept of a permissible act is one that is typically learned very early in life. One learns that there are certain requirements that are binding upon one's behavior, and permissible acts are recognized as those acts that do not violate any of these requirements. Because most of these requirements are actually requirements to refrain from certain types of acts, one quickly identifies certain courses of action as being impermissible. Permissible acts, then, are acts one knows one can perform without violating these requirements.

More precisely, the relation between permissibility and duty is the following: If one has a moral duty to perform a particular act, then it is permissible for one to perform the act but not permissible for one to refrain from performing the act. If one has a moral duty to refrain from a particular act, then it is permissible for one to refrain from the act but not permissible for one to perform the act. If one does not have a moral duty either to perform or refrain from a particular act, then it is permissible for one to perform the act and permissible for one to refrain from the act.

Ethicists have distinguished four different categories of morally permissible acts. First, some morally permissible acts are neither morally praiseworthy nor morally blameworthy. These acts tend to be somewhat inconsequential as far as morality is concerned. For example, raising one's hand in the air or clearing one's throat is a morally neutral act (under most circumstances). It is neither praiseworthy nor blameworthy, and hence it cannot be the violation of duty.

Second, there are morally permissible acts that one has a moral duty to perform. Indeed, all instances of carrying out one's moral duty are permissible; it can never be impermissible to carry out one's duty.

Third, some morally permissible acts are morally praiseworthy but not the fulfillment of duty. That is, it is sometimes possible to act in a way that goes be-

yond moral duty, and it is always permissible to perform such acts. This category includes so-called acts of supererogation, acts whose performance is praiseworthy but not obligatory and whose omission is not blameworthy.

Fourth, some morally permissible acts are morally blameworthy. These acts, known as acts of offense, are blameworthy without constituting a violation of duty. They are bad enough to warrant blame but not bad enough to be classified as forbidden. Of all the acts that are permissible, these are the only ones whose performance has a negative ethical status. A significant number of moralists are skeptical as to whether acts of this type are possible.

### ABSOLUTISM VS. RELATIVISM

There is considerable disagreement in ethics between those who defend an absolutist approach and those who defend a relativist approach. The concept of permissibility is thought of quite differently by the defenders of these two approaches.

Defenders of an absolutist approach follow Plato in thinking that there are standards of morality that are eternal, absolute, and unchanging. They are the same for everyone and are discovered, not made. From this it follows that what is morally permissible is also the same for everyone in relevantly similar circumstances. What is permissible does not depend upon one's culture or the period of history in which one lives.

Defenders of a relativist approach believe that people draw up standards of morality to govern their lives; before there were any people, there were no standards of morality. Different cultures have different conceptions of what is permissible, and that is exactly what one should expect. Someone from one culture might become quite alarmed at discovering that adultery, for example, is considered permissible in a different culture. That is not to say, however, that one culture is right and another is wrong, for in this view there are no moral absolutes. All that one can say is that different things are permissible in different cultures, and there is no question of one culture's being better or more correct than another.

Some ethical traditions place such emphasis upon duty as to virtually eliminate the possibility of permissible acts other than those that consist in doing one's duty. For example, in certain theological traditions, the demands of God or of other deities are so



all-encompassing as to leave few occasions in which, with respect to the same act, it is both permissible to perform it and permissible to omit it. One is virtually always in a position of having a duty either to perform an act or to refrain from performing it, depending upon the will of God.

Another example is act utilitarianism. Roughly speaking, act utilitarianism is the view that one ought always act in such a way as to bring about the greatest benefits for the greatest number of persons. Thus, at any given time, one has a duty to choose the act that maximizes benefits and a corresponding duty not to choose any act that does not. In this view, it is hard to see how there can ever be an act that is both permissible to perform and permissible to omit.

Other ethical traditions place a high premium on the possibility of permissible acts and of the importance of learning how to choose between two or more permissible acts. Learning to make such choices is not possible within the confines of act utilitarianism. There is good reason to believe, however, that people attain moral maturity in situations in which decision making is more than following the stark demands of duty. Sooner or later, people must learn how to make wise decisions regarding courses of action that are permissible but not uniformly prudent from a moral point of view. This is especially true with respect to acts that are blameworthy but permissible; moral maturity will teach one to avoid these when possible, even though they violate no moral duties.

*Gregory F. Mellema*

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SEE ALSO: Absolutism; Cannibalism; Consistency; Drug abuse; Duty; Professional ethics; Relativism; War.

## Perry, R. B.

IDENTIFICATION: American philosopher  
 BORN: July 3, 1876, Poultney, Vermont  
 DIED: January 22, 1957, Cambridge, Massachusetts  
 TYPE OF ETHICS: Modern history  
 SIGNIFICANCE: The author of *General Theory of Value* (1926) and *Realms of Value* (1954), Perry developed a general, systematic theory of value.

Ralph Barton Perry enjoyed a distinguished career as a professor of philosophy at Harvard from 1902 to 1946. He was the leading authority of his time on psychologist-philosopher William James, and his book *The Thought and Character of William James* (1935) earned him the 1936 Pulitzer Prize. Perry is best known, however, for his value theory, which he saw as an extension of modern science to human life.

Perry's definition of value was "any object of any interest." The word "interest" captured that aspect of human psychology of being for some things and against others and included desire, feeling, and will. Thus, objects acquire value when someone seeks or favors them. Perry notes his affinity with the Dutch philosopher Baruch Spinoza, who had said in his book *Ethics* (1677) that human beings never strive for anything because they deem it to be good but deem something to be good because they strive for it. This view contrasts with that of the Greek philosopher Aristotle, that because something is good it is an object of rational desire.

For Perry, the central aim of morality is the harmonizing and integration of interests. A morally good object is one the interest of which meets the requirement of harmony, by aiming at another person's interest or at harmony itself. Perry's theory about right action is consequentialist; namely, an action is right if it is conducive to moral good.

Perry's theory is a type of ethical naturalism and cognitivism. He analyzes value and moral terms into naturalistic ones, employing the psychological concept of interest. He thereby rejects the nonnaturalism of English philosopher G. E. Moore. For Perry, moral judgments are empirical and cognitive, contrasting with the emotivism of English philosopher A. J. Ayer and the American philosopher Charles L. Stevenson.

*Mario Morelli*

SEE ALSO: Ayer, A. J.; Emotivist ethics; Is/ought distinction; Journalistic ethics; Moore, G. E.; Spinoza, Baruch; Value; Values clarification.

## Personal injury attorneys

**DEFINITION:** Lawyers who specialize in representing persons who have been injured against those responsible for the injuries

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Considered outlaws within the legal profession, personal injury attorneys contribute to negative public perceptions of the ethics of attorneys generally.

Among the least flattering images of unscrupulous lawyers is that of the ambulance chaser, the lawyer who arrives shortly after an accident to find among the injured and bleeding a new client. In fact, ambulance chasers are outlaws among attorneys, subject to disbarment for their unethical solicitation of clients. However, people who have been injured in some way nevertheless frequently need legal representation, and personal injury attorneys specialize in such cases. Personal injury lawyers may handle cases as varied as those involving relatively minor traffic accidents and those involving the injuries and deaths produced by an airliner crash.

Personal injury lawyers usually rely on a particular kind of fee arrangement, called a contingency fee agreement. This agreement provides that the personal injury attorney will not recover a fee in a case unless the attorney obtains some recovery for the client. In addition, personal injury attorneys generally pay the expenses needed to prepare a case for trial and deduct these from any ultimate recovery. These expenses, which include the fees of expert witnesses and the cost of pretrial discovery of facts about the case, can be very substantial and would be beyond the means of most individuals. However, by setting aside money from prior successful cases, personal injury attorneys are able to keep a reserve of cash for use on the expenses of subsequent cases. Consequently, by using the contingency fee agreement and by paying litigation expenses up front, personal injury attorneys are able to provide representation to individuals regardless of their financial standing.

But these financial aspects of personal injury practice are also controversial. The first and perhaps most important element of a successful personal injury practice is obtaining cases involving personal injury plaintiffs. This need to find clients causes some personal injury lawyers to engage in television or radio advertising, which is viewed as demeaning to the profession by more conservative lawyers. Furthermore, the need to find clients also tempts some personal injury lawyers to violate established rules against soliciting clients: in short, to engage in ambulance chasing.

Even after personal injury attorneys find their clients, they may be tempted to provide funds to these clients to cover medical and living expenses prior to trial or settlement. Personal injury clients are sometimes lured into accepting artificially low settlements for their injuries because they lack the financial resources to survive the lengthy period of time it normally takes to win a verdict at trial and sustain it on appeal. However, the law has long disfavored allowing persons to encourage litigation by offering support or other encouragements to litigating parties. The legal doctrines of champerty and maintenance, for example, make it a crime in many jurisdictions for persons to offer such support. Furthermore, rules of legal ethics prohibit attorneys from providing medical or living expenses to their clients.

*Timothy L. Hall*

SEE ALSO: Advertising; Attorney-client privilege; Exploitation; Law; Legal ethics; Medical insurance; Professional ethics.

## Personal relationships

**DEFINITION:** Intimate associations or bonds among two or more persons

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Philosophers since antiquity have posited that humans are fundamentally social beings and that without interpersonal relationships they cannot be considered fully human. Close personal relationships, moreover, are often considered to create ethical obligations between people, but they may also enable one person to coerce another into committing immoral acts.

The Old Testament tale of Adam and Eve's expulsion from the Garden of Eden opens the theme of a personal relationship that leads to disaster for both parties. Philosophy, religion, law, and social institutions have sought to structure personal relationships in marriage and the family to bring the conduct of individuals in line with the good of others and social stability. Monogamous marriage and a nuclear family are believed to have conferred an evolutionary advantage on the human race by increasing the probability of survival for children born and reared in such unions.

The family is not only a biological survival unit, a haven, and a refuge. It is also a school for moral sentiments: Parents experience moral growth and socialize children according to community norms, and natural affection among family members generates altruistic emotions. The traditional duties of a husband and father were to furnish security and economic support and to exercise moral authority within the family. The wife and mother managed the household, nurtured children, and owed her husband fidelity. Children were to obey and respect parents and elders, and to help and be loyal to one another.

#### ANCIENT GREECE AND CHRISTIANITY

Plato questioned the ethical value of marriage and the family and championed other forms of personal relationships. Athenian women were often uneducated and did not move in society, even in the company of their husbands. Wealthy aristocrats enjoyed the company of cultivated women prostitutes, and some courted male adolescents as protégés. In the *Symposium*, Plato maintains that an erotic relationship between a mature and a younger man, when inspired by philosophy, enables each to progress to the highest levels of human moral and intellectual development and creativity. Since the first step in moral progress is to admire another for qualities of mind and character, rather than physical attractiveness, "Platonic love" has come to mean nonsexual friendship between any two persons with shared ideals of beauty, truth, and goodness. This nonsexual Platonic ideal enriches many teacher-student relationships and associations between those who dedicate themselves to science, art, and philanthropic activities.

In *Republic*, Plato's ideal state abolishes marriage and the family because they constitute "exclusive centers of private joys and sorrows" that distract citi-

zens from the common good and prevent women from developing their talents and serving the whole community. Plato proposes eugenic matches between men and women of reproductive age and the communal rearing of children, so that neither parents nor children know their biological relationships. By law, all children call one another brother or sister and all adults father or mother; adults call each child son or daughter. In this way, Plato theorized, each person would develop for others in the community the bonds of affection and loyalty ordinarily limited to a few.

Aristotle (fourth century B.C.E.) claimed that *Republic's* personal ties would be "watery" and morally ineffectual. He insisted that the friendly relationships of private life should promote both individual happiness and communal harmony. There is friendship when two persons mutually desire the good of the other for the other's own sake and each does some kind of good for the other. He distinguishes more transient "imperfect" friendships, in which the good achieved is pleasure or utility, from permanent "perfect" friendships based on appreciation of each other's character, in which the two join in pursuing noble goals, as in Platonic love. By maintaining that perfect friendship may exist between husband and wife, Aristotle defended the moral potential of marriage, whose family life combines daily virtuous activities, pleasure, and utility.

Christianity introduced new moral elements into personal relationships: It demanded love for those without attractive or useful qualities and love for those who do wrong or offend one. Being modeled on divine love, Christian love is generous, compassionate, and forgiving; it chastises but does not abandon a wrongdoer, seeking instead the person's moral regeneration.

Viewing sexual appetite as a source of evil, Christian ethics required fidelity of both husband and wife and prohibited both premarital and extramarital sex. The relationship of Dante Alighieri to Beatrice in Dante's *Divine Comedy* reflects the medieval ideal of noble love, a model for the Christian relationship of man and woman. Dante's vision of the beautiful young Beatrice draws him heavenward: She personifies divine, loving concern for his weakness and inspires him to transcend carnal desires in order to achieve a loving union with her.

### ROMANTIC LOVE AND THE SEXUAL REVOLUTION

The plays of William Shakespeare portray the popular modern ideal of romantic love. In them, a man and a woman feel erotic passion for each other and believe that they are perfectly suited for life together. Shakespeare is realistic in depicting the ambivalent potential of romantic love for happiness or misery: In the comedies, the lovers' ingenuity and constancy enable them to overcome obstacles, including the objections of kin, and they end in socially approved marriages. Impulsiveness, jealousy, or imprudence, however, lead to tragedy for the naïve adolescent lovers of *Romeo and Juliet* (pr. c. 1595-1596), the military hero of *Othello* (pr. 1604) and his bride Desdemona, and the sophisticated older lovers of *Anthony and Cleopatra* (pr. c. 1606-1607).

The romantic ideal of marriage based on mutual attraction prevails in American society. When romance fails or attends a third party, divorce is a resort. In the case of a couple with young children, remarriage and custody arrangements alter the tenor of family life and complicate parent-child and sibling relationships. The sexual revolution of the 1960's and 1970's liberalized sexual morality and legitimated various consensual forms of personal relationships.

Premarital and extramarital sex, children born out of wedlock, homosexuality, lesbianism, and abortion no longer have the social stigma that once was attached to them. In common speech, a "relationship" connotes two unmarried persons who engage in consensual sex and are constant companions. The social norms of "recreational sex" are mutual consent and avoidance of pregnancy and sexually transmitted diseases. These limited norms do not address romantic feelings, which may exist on one side but not the other, and the consequent dangers of misunderstanding, deception, and exploitation of one by the other.

### MALE BONDING

Films such as *The Deer Hunter* (1978) celebrate the phenomenon of "male bonding." Men who come together in often arduous activities of war, sports, work, leisure, or even crime develop comradeship that leads them to undertake dangerous tasks for the sake of one or more of their number. Male bonding is a source of strength and mutual support; it is ennobling and useful to society when it inspires men to behave courageously and selflessly. In the absence of

moralizing influences such as the family, however, male bonding in urban gangs incites violent behavior and often is destructive to the individuals themselves. Gang members rely on money, power, and intimidation in relationships with outsiders and sometimes with intimates as well.

Some feminists consider male bonding, marriage, the family, and romantic love stratagems as elements of a patriarchal social organization that is designed to keep men in positions of power and women in subordination. Feminism has profoundly affected all forms of personal relationships by attacking the ideal of feminine submissiveness: Instead, feminism promotes self-assertion and independence for women both within and outside marriage and the family; it has opposed male domination in sexual harassment and employment practices. Some feminists condemn pornography on the grounds that it leads men to view and treat women as sex objects.

### MODERN ETHICS

Modern "justice" ethics, represented by John Rawls's *Justice and Fairness* (1971), confers on consensual personal relationships equal legitimacy with marriage and family ties. Rawls does not accord marriage and family their traditional status of objective values to be endorsed by the moral principles of a just society; he categorizes them as subjective preferences, optional elements in an individual's life plan. Family partiality for the economic security of its members impedes a more egalitarian distribution of wealth. The assignment of special moral weight to the needs and well-being of family members is improper, for the moral attitude in justice ethics is one of rational impartiality toward individuals.

The morality of personal relationships in justice ethics is rights-based and contractual: Since autonomy, the power of the individual to act in accordance with his or her life plan without interference from others, is an objective value, intimates may not intrude upon it. One is obliged to respect the autonomy of all others and not to violate their basic human rights; other ideals or duties are matters of mutual agreement or subjective preference. Impartiality requires one to translate legal bans against racial, ethnic, and sexist discrimination into personal conduct by not showing bias in personal relationships with others.

Psychologist Carol Gilligan, in *In a Different*

*Voice* (1977), theorizes that justice ethics embodies a masculine ethical perspective: Men value autonomy for the freedom it affords them to pursue power and prestige in the social organization without the burden of personal relationships. Women articulate a different ethical voice that reflects the nurturing functions that they fulfill in human life and that values “relatedness.” In ethical dilemmas, men apply universal moral principles impartially in order to secure justice in society; women seek a detailed narrative of the situation in order to resolve it without impairing valued relationships.

### CRITICS OF JUSTICE ETHICS

Other philosophical critics of justice ethics say that it overlooks the moral power of friendship and family ties. They formulate a “care” ethic in which the well-being of particular persons has independent moral weight. Their ethical attitude is one of attentive solicitude to particular persons. A person’s moral responsibility is to be sensitive to the needs of intimates and anticipate threats to their well-being, to be receptive to their interpretation of a situation, and through dialogue to seek resolutions that respect each person’s integrity. Some feminists hear the feminine ethical voice as calling them to lives of self-abnegation and devotion to others, threatening the gains of women’s liberation.

Existentialist philosophers Martin Heidegger and Jean-Paul Sartre see personal relationships as being inextricably connected with personal identity and social structure. One’s personal identity depends on what one is to others and what they are to one; these interpretations of self and other in turn are determined by how each plays his or her social role, which is defined by the social organization.

According to Heidegger’s *Being and Time* (1927), one’s everyday mentality is so task-oriented that one tends to lose sight of the particular human beings for whose sake one does the work. Individuals relate to others in three different ways: The prevalent way is to distance oneself from others, hiding oneself or putting on a disguise in order to get along smoothly with them and get on with one’s work. When another’s affairs demand attention, one steps into the other’s life, managing matters for the other so as to “remove” the other’s own care. This way makes one dominant and the other dependent; both lose their freedom. In authentic solicitude, one stands by the other, looks to

what the future has in store for both, and helps the other to understand the shared situation and to be resolute in making his or her own place in the world. In this way, each gains authentic selfhood without losing freedom.

According to Sartre’s *Being and Nothingness* (1943), sexual relationships model all personal relationships in a capitalist society, which values power and promotes competition among individuals. The “battle of the sexes” reflects the battle of egos in all forms of personal relationships. One seeks to inveigle or force the other to surrender freedom and acknowledge one’s own superiority. This incessant struggle for domination is self-defeating and turns into masochism and sadism. Personal relationships cannot be self-affirming, Sartre suggests, until a restructuring of society enables each to will the freedom of all others.

Heidegger’s and Sartre’s theories point out undesirable ways of caring for others, which render personal relationships mutually self-destructive. Personal sexual relationships involve power, not only pleasure. Evils in personal relationships are the short-sighted, callous, or cruel exercise of power and authority, and the manipulation and exploitation of another for personal advantage. Modern ethics stresses the evils of sexual harassment and the violation of another’s rights, autonomy, and dignity.

It is agreed that each person in a relationship should be honest, sincere, and compassionate toward the other, respecting the other’s individuality and integrity. Although a relationship should foster moral development, there is debate regarding whether one should be “the conscience of others,” in Heidegger’s phrase, or withhold forgiveness from an intimate on moral grounds. Most controversial is the primacy of autonomy, especially in close personal relationships. Joint decision making by spouses, for example, on matters of common interest is desirable yet may compromise autonomy; on occasion, one’s own good, the good of another, or the preservation of the relationship itself may involve some yielding of autonomy. Because autonomy honors commitments based on rational choice and can change according to circumstances, it does not support biological family ties, and every personal loyalty, including marriage, is revocable. Yet constancy amid changing circumstances is the ethical and emotional heart of enduring personal relationships.



### UNFINISHED BUSINESS

Anglo-American ethics, with its emphasis on individual rights and autonomy, has largely neglected the philosophy of personal relationships. Social changes since World War I—such as the entry of women of childbearing age into the work force, the liberalization of sexual relationships, divorce and remarriage of those with young children, increase in life span, and government social programs—have altered traditional forms of personal relationships and created new ones. The dynamics of intimacy and personal moral character for traditional relationships in these changed social conditions and for newer forms of relationships require further study.

A major issue is the reevaluation of the social importance of the family. The disintegration of the family contributes to, or makes intractable, social problems of drug addiction, child abuse and neglect, learning and educational deficiencies, juvenile crime, and homelessness. It is estimated that 40 percent of violent crimes take place between persons who know each other—often, between family members or persons with consensual relationships. Training and support in family life help an individual to deal with anger and frustration toward intimates and to develop the self-discipline needed to succeed in education and employment.

A second issue is the reexamination of ideals and standards of conduct in marriage, the family, and consensual relationships. Family life needs not only to embody justice but also to be fulfilling to adults and attentive to the well-being and moral development of children. Although fear of AIDS has led to more circumspection in sexual relationships and negative features of the “single-parent” family prompt measures to prevent pregnancy among teenagers, attention should go beyond health to the impact of consensual personal relationships on the characters and overall well-being of the individuals concerned and others caught in their relationships.

Gender differences in personal relationships make a difference. Whether women and men have divergent ethical perspectives is still being debated, but there is agreement that the goals and expectations of men and women differ in heterosexual relationships: Women usually look for trust, security, and companionship, while men more often seek immediate pleasure and are content with less emotional involvement. Gender differences also operate in problems

of sexual harassment in and out of the workplace.

Finally, there are ethical differences between parity and nonparity personal relationships. In relationships between friends, spouses, coworkers, and siblings, there is rough parity between two persons in terms of power, knowledge, talents, and moral authority. In contrast, parent-child, employer-employee, doctor-patient, and teacher-student relationships involve an imbalance so that the obligations, ideals, and goals of one are in some respects not the same or commensurate with those of the other. Achieving the ideals of the relationship and the avoidance of manipulation and destructive dependency may take different forms in parity and nonparity relationships.

The physician-patient relationship provides a model of how modern ethics has changed ideals in interpersonal relationships. In traditional medical paternalism, a doctor made decisions about how to treat and what to tell a patient and often withheld from a patient knowledge of the seriousness of his or her medical condition. Biomedical ethics has modified this nonparity relationship: A physician is now required by law to obtain informed consent for treatment from a competent patient; a patient has the moral obligation to participate in decision making and to take into account interests of his or her intimates. A patient needs to know the truth about his or her future prospects, in part because they affect the lives of his or her intimates. By extending and applying the insights and ideals of justice and care ethics, the philosophy of personal relationships may analyze and reform more intimate one-on-one intercourse.

*Evelyn M. Barker*

### FURTHER READING

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SEE ALSO: *Being and Nothingness*; Family; Family values; Friendship; Heidegger, Martin; *I and Thou*; Internet chat rooms; Marriage.

## Pessimism and optimism

**DEFINITION:** Pessimism: tendency to expect the worst or to favor the grimmest possible interpretation of events; optimism: tendency to expect the best or to favor the most positive possible interpretation of events

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** To outside observers, both pessimism and optimism may seem to pervert a person's ability to see the world clearly. To the pessimist or optimist, failure to see the world as they do may constitute a failure to see the world clearly. In either case, pessimism and optimism may have significant ethical consequences, since they either

represent or interfere with the ability to understand the true ethical significance of a given state of affairs.

Pessimism and optimism are cognitive explanatory styles (stable tendencies to make particular kinds of attributions concerning positive and negative events). A pessimistic explanatory style looks at uncontrollable events as internal ("It is my fault"), stable ("I will always be this way"), and global ("This is an overall characteristic of mine"). An optimistic explanatory style looks at uncontrollable events as external ("It is someone else's fault"), unstable ("It will be different in the future"), and specific ("Other aspects of myself are different"). When confronted with stressful situations, pessimists believe that they can never gain control, whereas optimists believe that they can maintain control.

Pessimism and optimism are typically measured by means of either self-report scales or content analysis of written or verbal materials. Scales that measure pessimism and optimism are the Life Orientation Test and the Coping Orientations to Problems Experienced (COPE). The COPE has thirteen subscales in three general categories: problem-focused (active coping, planning, suppressing competing activities, restraint, and seeking instrumental social support), emotion-focused (seeking emotional social support, positive reinterpretation and growth, acceptance, turning to religion, and denial), and maladaptive (focusing and venting emotions, behavioral disengagement, and mental disengagement).

### HUMAN NATURE

Pessimism and optimism carry differing views of basic human nature. Pessimists view humans as basically selfish, aggressive, and cruel. They believe that people are governed by aggressive, even death-seeking instincts. Optimists view humans as basically good, helpful, and cooperative. They believe that people are basically decent and life-affirming. Pessimists assume that nothing will work out, because people cannot be trusted; optimists assume that everything will work out, because people will ultimately behave well.

Pessimism and optimism are related to psychopathology. Pessimism is associated with depression, suicidal ideas and actions, hopelessness about the future, helplessness about the present, feelings of alien-

ation, anxiety, neuroticism, irrational beliefs, and hostility. In contrast, optimism is related to high self-esteem, achievement, and internal locus of control. Thus, pessimism is linked to psychological illness and optimism is linked to psychological health.

Pessimism and optimism are associated with different coping strategies. Pessimists are more likely to cope with stress by focusing on and venting emotion, giving up, disengaging, or denying the stress. Furthermore, pessimists are at relatively greater risk for helplessness and depression when they confront stressful events.

Optimists are more likely to cope with stress by acting, focusing on problems, and seeking social support. Furthermore, optimists are more likely to emphasize the positive in their appraisals of stressful events. For example, when faced with a problem such as a risky operation or a serious continuing struggle with a competitor, they focus on what they can do rather than on how they feel. They have a relatively higher expectation of being successful, so they do not give up at the first sign of setback. They keep their sense of humor, plan for the future, and reinterpret the situation in a positive light. They acknowledge their problems and illnesses but have confidence that they will overcome them.

### PRACTICAL IMPLICATIONS

These coping differences have practical implications. For example, optimistic beginning insurance agents sold 37 percent more insurance than did pessimistic agents in their first two years on the job and were more likely to persist through the difficulties of the job and stay with the company.

Pessimists are at increased risk for illness, suicide attempts and completions, and other types of death. For example, in one 1987 study by Christopher Peterson and Martin Seligman, pessimists had twice as many illnesses and made about twice as many visits to doctors as did optimists. In another study of recent heart bypass surgery patients, optimists employed more adaptive coping strategies, recovered faster, returned to normal activities sooner, and attained a higher quality of life than pessimists did. Longitudinal studies suggest that pessimists may suffer more illnesses over their lifetimes and die younger than optimists.

Optimists are relatively more likely to be physically healthy and to live longer. For example, in one

study by Sandra Levy and colleagues, women who came to the National Cancer Institute for treatment of breast cancer were followed for five years. On the average, optimists died later than pessimists did, even when the physical severity of the disease was the same at the beginning of the five-year period. In another study, baseball Hall-of-Famers who had played between 1900 and 1950 were rated on their cognitive explanatory style. Optimists were significantly more likely to have lived well into old age than were pessimists. Perhaps pessimists are more likely to become ill because they stir up negative emotions rather than acting constructively, they have passive rather than active coping efforts, and they have relatively poor health habits.

Optimism and pessimism are learned or developed early in life. In one study it was found that third-graders had already developed a habitual explanatory style. Furthermore, third-graders with a more pessimistic explanatory style were more prone to depression and performed more poorly on achievement tests compared with those with a more optimistic style.

Pessimistic explanatory styles may be altered—at least optimists think so. Cognitive therapy has been successful in teaching depressed, pessimistic people new explanatory styles. This therapeutic approach involves teaching people to replace pessimistic thoughts with more realistic ones. Following this kind of therapy, Aaron Beck and colleagues found that changes in explanatory style were still evident after one year. Thus, a pessimistic explanatory style may be learned at an early age but can be changed with long-lasting results.

*Lillian M. Range*

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SEE ALSO: Psychology; Santayana, George; Schopenhauer, Arthur; Self-love; Self-respect.

## *Phenomenology of Spirit*

IDENTIFICATION: Book by Georg Wilhelm Friedrich Hegel (1770-1831)

DATE: *Die Phänomenologie des Geistes*, 1807 (*The Phenomenology of Spirit*, 1868; also known as *The Phenomenology of Mind*, 1910)

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Hegel's *Phenomenology* represented his attempt to complete what he saw as Immanuel Kant's incomplete philosophical system. It portrayed the teleological development of consciousness into self-consciousness, self-consciousness into social consciousness, social consciousness's incarnation in a social and ethical community, the historical evolution of different forms of community, and finally, the perfection of consciousness, society, and reality and the realization of the ideal ethical community at the end of history. The structure of Hegel's argument and his philosophy of history were crucial influences upon Karl Marx and the development of Marxism.

*Phenomenology of Spirit* occupies a crucial place in the development of Hegel's thought. It marks his maturation as a philosopher of the highest rank and anticipates within its own unique format every aspect of his later work. Hence, it is important to understand

the overarching themes of the book before turning to its examination of ethics.

A major aim of Hegel in *Phenomenology* is to renew classical Platonic and Aristotelian philosophy from within the modern philosophical tradition. It was only through examination and critique of everything that had been thought since the Greeks that a worldview modeled on theirs could become a practical framework from within which modern people could think and act. In striving to fulfill that aim, Hegel developed a view of the subject who experiences, knows, and acts, which was in conscious opposition to any and all views of subjectivity that were empirical (for example, John Locke), naturalistic (for example, much of the thought of the Enlightenment), or transcendental (for example, Immanuel Kant). His view was that the acting and experiencing subject is both self-transforming over time (hence, historical) and fundamentally social (in opposition to any and all individualist models).

Thus, in the book's first major section, "Consciousness," Hegel demonstrates that consideration of even the apparently most basic forms of knowing, such as sense perception, produces in the knowing subject an awareness of both itself as knowing and of other knowing subjects. Out of these experiences arises self-consciousness. In Hegel's famous examination of the master-servant relationship in the section "Self-Consciousness," he graphically describes the social yet divided character of human experience.

In the remainder of *Phenomenology*, Hegel depicts the experiences of this divided human self. In doing so, he examines what are for him the key movements in the development of consciousness in Western culture from the Greeks to Hegel's own time. Stoicism, skepticism, the unhappy consciousness of religion, the development of modern philosophy from René Descartes to Kant, the opportunities and perils of freedom in the era of the French Revolution, the phases of religious development in human history—all these are subsumed into Hegel's story of the development of *Geist*, or "spirit." *Geist* is the larger rational plan of which all phases of the development of human consciousness are instances. Each phase is therefore a partial revelation of *Geist*.

### RELEVANCE TO ETHICS

Chapter 6 of *Phenomenology*, in which Hegel examines the development of *Geist* from the Greeks

down to his own time, is the section of the book that is germane to ethics. It is structured around a distinction crucial to Hegel's thought, that between morality (*Moralität*) and ethical community (*Sittlichkeit*). Morality is that arena of human life in which the individual is thought of as a subject who is responsible for his or her actions. For Hegel, however, moral life attains its highest realization only within the larger life of a society; this is the realm of ethical community. To be truly morally free therefore requires a society within which that freedom can be expressed.

Here, Hegel's historical reconstruction of Western consciousness becomes crucial. Once there *was* a historically existing ethical community—that of the ancient Greeks—in which the city-state provided for its citizens the essential meaning of their lives. This primal *Sittlichkeit* was lost forever in its original form, however, because of developments within Greek culture itself. Hegel's profound discussion of the tensions between divine law and human law in Sophocles' play *Antigone* (c. 441 B.C.E.) exemplifies his view that the Greek ethical world had within it the seeds of its own destruction.

Such a natural ethical system, arising spontaneously out of the early developments of Greek cultural life, was inevitably going to be destroyed, Hegel thought, because the ongoing development of *Geist* toward greater self-consciousness would show such a system to be restricted. Socrates' inquiries initiate the transformation of this first natural *Sittlichkeit*: its original unity was shattered by developments within it as Greek thinkers restlessly searched for universal standards of reason and morality—that is, standards greater than the framework of polis life.

Hegel then went on to describe the standpoint of morality as characteristic of the modern spirit. It is crucial to emphasize that the moral standpoint is, for Hegel, an individualist model of human action. Even when this modern individualist morality is developed to its highest point, at which the individual moral self is seen as identical with the universal law of reason, as in the philosophy of Kant, it is still partial or one-sided in Hegel's view.

Thus, *Phenomenology* contains a tension in Hegel's ethical thought as it had developed to this point: From a historical point of view, modern morality was superior to Greek ethical community because it was a later, higher stage of *Geist*'s ongoing self-revelation; if modern morality is an advance, how-

ever, it is nevertheless a one-sided and partial one, doing scant justice to the social aspects of human communal life. What Hegel would later attempt in *Philosophy of Right* (*Grundlinien der Philosophie des Rechts*, 1821) was the construction of a modern notion of ethical community that would be historically as well as philosophically superior to both Greek ethical life and modern individualist moralities. The reader of *Phenomenology of Spirit* thus catches the development of Hegel's ethical thought in process and will be led to turn to *Philosophy of Right* to encounter his resolution of the tension that so provocatively animates the discussion of ethics in *Phenomenology*.

Michael W. Messmer

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SEE ALSO: Ethics/morality distinction; Hegel, Georg Wilhelm Friedrich; Idealist ethics; Intersubjectivity; Kant, Immanuel; Kantian ethics; Marx, Karl; Teleological ethics; Transcendentalism.



## Philo of Alexandria

**IDENTIFICATION:** Early Egyptian philosopher  
**BORN:** c. 20 B.C.E., Alexandria (now in Egypt)  
**DIED:** c. 45 C.E., Alexandria (now in Egypt)  
**TYPE OF ETHICS:** Religious ethics  
**SIGNIFICANCE:** The author of *The Creation of the World, That God Is Immutable*, and *On the Ten Commandments* (all early first century C.E.), Philo combined Old Testament theology with Greek philosophy, especially that of Plato and the Stoics.

Philo of Alexandria, also known as Philo Judaeus, is best remembered as an allegorist who attempted to bridge the gap between Greek philosophy and Hebrew Scripture. For example, he harmonized Plato's *Timaeus* with the scriptural account of creation by articulating a view that the Logos, or the world of intelligible ideas, existed first as God's thoughts and then as the way in which God leads creatures to know him. Philo wished to reconcile natural knowledge and prophetic knowledge, laws of nature and miracles, and causality and free will.

Philo's attempt to blend Greek and Jewish ideas affected his moral philosophy. On one hand, his writings are filled with expressions of Jewish piety. In his personal life, he practiced renunciation of the self and sought immediate communion with God through the Logos. On the other hand, much of Philo's teaching shows clear signs of Stoic origins; for example, in the attention that he gives to virtue.

Philo differed from the Stoics in that he did not believe that emotions needed to be rooted out. Again harmonizing Greek philosophy with Hebrew Scripture, Philo held that most people were neither completely virtuous nor completely wicked. God's grace led people to improve. Also, based upon his reading of Scripture, Philo included faith; *philanthropia*, or giving help to those in need; and repentance in his list of virtues. Moreover, he held that God would reward virtuous acts in the spiritual hereafter.

*James M. Dawsey*

SEE ALSO: Jewish ethics; Plato; Platonic ethics; Stoic ethics; Torah.

## Photojournalism

**DEFINITION:** Profession of news photographers  
**TYPE OF ETHICS:** Media ethics  
**SIGNIFICANCE:** As the tellers of visual stories in the news, photojournalists have special ethical and legal responsibilities to create pictures that are honest reflections of reality.

Photojournalism is the journalistic side of photography that visually captures and documents moments in time. Photographers create still-life documentaries that tell stories about politics, sports, disasters, wars, crime, and other situations that involve human emotions, and supplement the written stories of the news. The profession dates back to the mid-1800's, when photographs began being used as the bases for engraved illustrations in news publications. By the end of the century, the halftone process, a technique that enabled printing something closer to true photographs, alongside text, was used worldwide. During the 1930's, candid photography was brought to the masses and photojournalism, as it later became known, was born. During that decade, many picture magazines flourished, most notably *Life*, which then set the world standard for photojournalism. As the profession grew, so did the need for ethical standards.

### THE RIGHT OF PRIVACY

During the mid-nineteenth century, the journalism profession underwent a major change after two lawyers, Samuel D. Warren and Louis D. Brandeis, argued for the right for privacy in an article published in the *Harvard Law Review*. Their article stemmed from the insensitive coverage by Boston newspapers of a woman's private social life. As a result of the law review article, privacy doctrines were established in journalism that set standards for both writers and photojournalists.

The first principle, called appropriation, forbade the unauthorized commercial use of private individuals' names or identities. This principle protected the property interests people have in their own names and images. Examples of forbidden behavior included photographing formally staged creative performances without permission, photographing images for editorial purposes and then using them for advertising without obtaining written permission, and manipulating and deliberately distorting photo-

graphic images without labeling them as “photo illustrations.”

The second principle, intrusion and trespass, pertains to the offensive physical, electronic, or mechanical invasion of other people’s solitude or seclusion. Historically, this principle has been frequently violated by aggressive photojournalists, who trespass on private property to get their pictures, and photographers of celebrities known as “paparazzi,” who are notorious for their intrusiveness and disrespect for the privacy of their subjects.

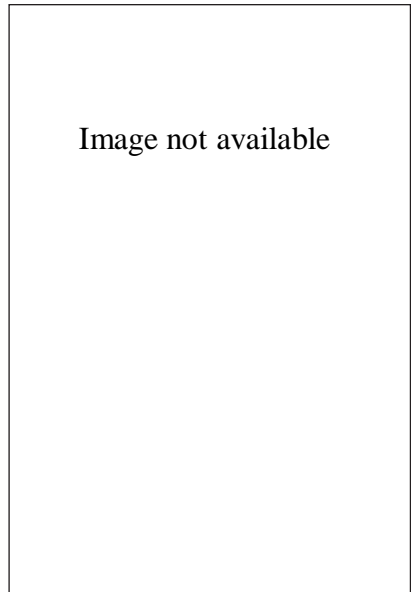
The second principle is closely related to the third, the prohibition against public disclosure of private information that is offensive or that is of not legitimate concern to the public. Examples include photographing undressed celebrities sunbathing on their private yachts, eavesdropping with telephoto lenses, and shooting pictures with hidden cameras. Another prohibition is falsely portraying, distorting, or fictionalizing a subject’s characteristics, conduct, or beliefs, in reckless disregard of the subject’s privacy and reputation.

Although all persons are protected under these principles, violations by photojournalists have been common. The subjects of photojournalists who receive the least respect for their privacy are criminals, followed by public officials (both elected and appointed), other public figures, celebrities, short-term heroes in news stories, innocent victims of tragedies, and relatives of prominent people. Photojournalists who adhere to their profession’s ethical standards respect the principles of privacy and try to get signed releases from subjects not considered public figures before publishing their pictures.

### PROFESSIONAL CODE OF ETHICS

The National Press Photographers Association, a professional society of photojournalists, has created a code of ethics for its members. The foundation of the ethical code is built on truthfulness, honesty, and objectivity. The code also calls for photojournalists to maintain sympathy for humanity and to remember their duty to society. The code advises photojournalists to use common sense and good judgment in situations not covered in the code.

A policy on handling electronic images issued by the Associated Press in 1990 states that photographs should not be manipulated or changed in any way, so that journalistic pictures always tell the truth. The



*O. J. Simpson’s unretouched police mug shot. (AP/Wide World Photos)*

### Doctored Photos

In 1994, *Time* magazine used a manipulated police mug shot of murder suspect O. J. Simpson on its cover. The fact that the photograph had been altered was immediately evident to anyone who compared it to the cover of *Newsweek* magazine, which used an unaltered version of the same shot. *Time* had altered its cover photograph to such a degree that it made Simpson’s face look darker, blurry, and unshaven, thus making him appear to be more sinister. The person who altered the photograph justified his manipulation, saying that he had wanted to make the picture “more artful, more compelling.”

photojournalists’ code of ethics does not answer all the questions faced by photojournalists. For example, some of the most frequently occurring issues, including publication of graphic images of nudity, obscene behavior, severe injuries, dead people, and other forms of human suffering, are the focus of many newsroom debates. Even ostensibly innocent photographs of children playing under sprinklers on hot summer days might result in ethical and legal problems.

*Betty Attaway-Fink*

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SEE ALSO: Accuracy in Media; American Society of Newspaper Editors; Electronic surveillance; Fairness and Accuracy in Reporting; Invasion of privacy; Journalistic entrapment; Journalistic ethics; Media ownership; News sources; Professional ethics; Tabloid journalism.

## Physician-patient relationship

DEFINITION: Association between a doctor and client

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Ethical aspects of the physician-patient relationship are governed both by codes of professional conduct and by statutory law. The relationship raises issues involving paternalism, autonomy, confidentiality, and informed consent.

The two parties to any physician-patient relationship are polarized in numerous respects, which normally include (but are not limited to) educational status, economic status, social status, and health status. The presence of any combination of these differences in status, and the extent to which they prevail, in any particular physician-patient relationship has a decided effect on the relationship itself. This is so be-

cause it is precisely these kinds of differences in status that translate into differences in the interests, goals, values, and expectations of the patient and of the physician. Ultimately, these latter differences all too often serve to undermine the success of the physician-patient relationship.

While physician-patient relationships can involve anything from preventive medical examinations of patients whose health status is not noticeably diminished to the treatment of terminally ill patients who are suffering from a significantly diminished health status, Western medical orthodoxy has evolved in such a way as to treat disease and illness after the fact rather than to promote measures and practices that might prevent the onset of disease or illness. Consequently, the vast majority of people in Western cultures who find themselves in a physician-patient relationship as the patient do so only after recognition of their own diminished health status. This, too, has a decided effect on the relationship in question. This is true because the severity of the symptoms of the patient's disease, illness, or injury determines the extent to which the patient has also fallen victim to physiological and/or emotional pain, impairment of the cognitive and reasoning abilities, fear of the unknown, and a perceived loss of control over oneself, one's body, and one's world as one knows it.

For all these reasons, it is not atypical for the physician-patient relationship to engender a very one-sided imbalance of power, and it is precisely this imbalance of power that raises the following fundamental ethical issues that are inherent in the physician-patient relationship: paternalism, autonomy, and informed consent.

### PATIENT'S RIGHT TO CHOOSE

Whenever a physician restricts or otherwise impedes a patient's freedom to determine what is done by way of therapeutic measures to herself or himself and attempts to justify such an intrusion by reasons exclusively related to the welfare or needs of the patient, the physician can be construed to have acted paternalistically. To the extent that a physician engages in such paternalistic practices with respect to a patient, the physician is failing to respect that patient's autonomy; that is, the patient's moral right to self-determination.

In spite of the fact that the primary goal of both the physician and the patient should be the restoration of

the patient's optimal health status, any differences between the interests, other goals, values, and expectations of the patient as compared to those of the physician within the context of the very same therapeutic relationship set the stage for paternalistic practices on the part of the physician at the expense of the patient's autonomy. Furthermore, the very presence of any or all of the aforementioned by-products of the symptoms of disease, illness, or injury serve only to exacerbate the problem.

For example, an old patient with several major medical problems, the combined effects of which indicate that she has only a couple of weeks to live, decides that she wants her kidney dialysis (which is her lifeline because of chronic renal failure) discontinued. Any additional week or so of her life that may be gained by continuing the dialysis is, in her mind, far outweighed both by her own poor quality of life and by the emotional trauma being caused to her loved ones. The attending physician, however, who is committed to a profession that is dedicated to healing and to the sustaining of life, believes firmly that any means of prolonging the life of this patient is justified and should be pursued.

In this case, there would appear to be a conflict of values, if not of expectations and interests, between the physician and the patient, the result of which is paternalistic practices on the part of the physician at the expense of the patient's autonomy. When asked to justify his position, the physician might argue that the patient's cognitive and reasoning abilities have been impaired by the combined symptoms of her many and varied medical problems to the extent that her capacity for effective deliberation concerning her own medical treatment is significantly compromised and that, consequently, the patient is no longer capable of autonomous decision making.

The central question in such a case is whether the patient's decision is consistent with the types of values, interests, and goals that she has expressed throughout her life, or, failing that, whether the patient's decision is the reasonable outcome of a prudent reassessment of her own values, interests, and goals in the light of her present circumstances. The answer to this question should determine whether the patient is any longer capable of autonomous decision making, and consequently, whether questions concerning the transgression of the patient's autonomy should even arise.

### When Physicians May Breach Patient Confidentiality

Whether physicians or genetic counselors should breach patient confidentiality in order to inform at-risk relatives of their risks of developing genetic diseases is an area of great controversy. The American Society of Human Genetics has argued that professional disclosure of familial genetic information to at-risk relatives, against a patient's expressed wishes, is permitted when all these criteria are met:

- the physicians cannot persuade the patients to disclose the information
- the harm of not disclosing the information is serious and foreseeable
- the patients' at-risk relatives are known
- the diseases are preventable or treatable, or early monitoring will reduce genetic risks
- the harm of not disclosing the genetic information is greater than the harm of disclosure

Informed consent is intended to be both a moral and a legal safeguard to respect the patient's autonomy and to promote the welfare of the patient. In the medical context, "informed consent" refers to a patient's agreement to and approval of, upon obtaining an understanding of all relevant information, a recommended treatment or procedure that is intended to be of therapeutic value to the patient. The very concept of informed consent raises the following ethical questions.

Given the previously mentioned by-products of the symptoms of disease, illness, or injury (up to and including the impairment of cognitive and reasoning abilities), what percentage of patients, either in the physician's office or in the medical institution, are truly competent to provide their *informed* consent? Given the various respects, already mentioned, in which physicians and their patients are polarized, what constitutes the proper quantity and quality of information necessary for a patient's consent to be truly informed? Given the imbalance of power that normally exists in the physician-patient relationship and

the extreme authority status typically afforded physicians, which together pose a serious threat of manipulation of the patient, when, if ever, is a patient's informed consent truly voluntary?

In response to these and other ethical questions that arise within the context of the physician-patient relationship, various models of the relationship have been proposed; however, each of these models has been shown to be flawed (some more than others). Suffice it to say that any model that is proposed for any personal relationship, including that of physician and patient, will fail to the extent that it does not adequately appreciate the singular importance of the individual character of both parties to the relationship. In the final analysis, any attempt to legislate morality is doomed to fail.

*Stephen C. Taylor*

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SEE ALSO: Confidentiality; Consent; Death and dying; Diagnosis; Hippocrates; Illness; Institutionalization of patients; Medical bills of rights; Medical ethics; "Playing god" in medical decision making; *Principles of Medical Ethics*; Therapist-patient relationship.

## Plagiarism

**DEFINITION:** Unauthorized and unacknowledged appropriation of other persons' work in work that one presents as one's own; usually takes the form of writing but may also occur in such other forms as music, art, computer programming, and even data collection

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** Plagiarism can call into question the unspoken contract between writer and reader, rob original producers of the credit they deserve, and fundamentally disrupt academic integrity and the learning processes. Nonetheless, because definitions of, and reactions to, plagiarism vary across time and cultures and even among academics themselves, its ethical ramifications are often disputed.

The word "plagiarism" derives from *plagiarius*, a Latin word for kidnapper. Despite plagiarism's violent etymology and the fact that plagiarism itself is often regarded as theft, plagiarism is a practice that robs its victims of nothing material. It is related to copyright violation and fraud but should not be confused with those practices, which differ from plagiarism in being offenses that are punishable under legal statutes. For professional writers, journalists, and scholars found guilty of plagiarism, however, the practice can be grounds for dismissal and public disgrace. Most universities have policies warning students that if they plagiarize in their course work, they will fail their courses. Repeat plagiarism violations usually result in expulsion from universities.

Around the turn of the twenty-first century, plagiarism was receiving considerable attention, both in the mainstream media and among educators. Famous—and sometimes controversial—cases included accusations of plagiarism against Martin Luther King, Jr., historian and scholar Doris Kearns Goodwin, and *New York Times* reporter Jayson Blair.

Plagiarism was becoming increasingly recognized as a widespread and growing problem, made easier by such new information technologies as the Internet, that allow for both easy research and source retrieval and easy ways to cut and paste without attribution.



### PROBLEMS WITH DEFINING PLAGIARISM

Statistics about the pervasiveness of plagiarism have revealed certain contradictions. For example, some reports have suggested that anywhere from 45 percent to 80 percent of high school students have admitted to “cheating,” while some 15 percent to 54 percent say that have plagiarized from sites on the Internet’s World Wide Web. These wide variations in statistics, and the evident discrepancies between cheating and plagiarism rates, may suggest that some students do not consider plagiarism to be “cheating” or that they do not consider what they do to be plagiarism. Indeed, in a 2003 survey conducted by Rutgers University professor Donald L. McCabe, approximately half the students surveyed declared that they did not think it was cheating to copy up to an entire paragraph of text from the Web.

Most of those students’ teachers would disagree, although they, too, vary in how they define this problem. Any sort of blatant fraud—such as downloading or purchasing entire term papers or articles and presenting them as one’s own work—is generally reviled as an extreme form of dishonesty. It is also usually considered plagiarism to include in one’s paper literal word-for-word copies of substantial portions of others’ work when the original sources are not acknowledged.

Plagiaristic practices can also include the failure to credit sources when presenting other writers’ ideas, even when they are merely paraphrased or summarized. However, this view is complicated by the fact that what people consider to be “common knowledge”—which usually does not need to be cited—varies from discipline to discipline and among student levels within a discipline. Sometimes, using quotation marks but not citations, or listing sources only at the end of a paper, without providing appropriate footnotes within the text, may be considered plagiarism, though this might more accurately be called improper citation.

### IMPORTANCE OF CITATION

Because plagiarism involves a failure to provide acknowledgment, it is useful to understand why academics consider citation important. As with the definition of plagiarism, there

are multiple rationales. Many people focus on the moral issues, believing that citing is the fair or ethical thing to do because it gives recognition to others whose ideas are important to one’s own work. They believe that to deny credit is tantamount to stealing another person’s ideas.

Other people focus on the social ethics involved, explaining that citations work to build a community of scholars. They believe that all knowledge is ulti-

Image not available

*After it was revealed that the New York Times’ rising star reporter Jayson Blair had filled his news stories with plagiarized material and pure fiction, he was fired, and there was a shakeup in the newspaper’s top editorial staff. Afterward, Blair published a memoir, *Burning Down My Master’s House: My Life at “The New York Times”* (2004), that was filled with revelations about shoddy practices at the newspaper but which failed to justify his own actions. (AP/Wide World Photos)*

mately collaborative and want all persons involved in its creation to be recognized as contributors to the process. Such a rationale, like the first, relies on notions of fairness to earlier producers.

Citations also serve an intellectual purpose, showing the history of ideas and how they have developed over time. At the same time, they also help ensure the accuracy of one's work, as the listed sources can be tracked, traced, and corroborated. Of little ethical significance, though important rhetorically, citations help bolster a writer's authority. Through citation, writers exhibit knowledge of the field on which they are writing and show the supporting evidence for their ideas, thus giving their work as a whole more credibility and legitimacy in the eyes of their readers.

Finally, there is what may be called the amoral rationale, which considers citations one of many social and genre-specific conventions that writers must emulate in order to demonstrate proficiency in their particular realm of writing. For example, while academic essays demand extensive attribution, a magazine article may rely on paraphrasing or summarizing with few or no references listed. Some workplace writing, especially anonymous or bureaucratic forms, use no citations at all, and even the direct transcription of sources may be acceptable.

Even among educators, however, the understanding of the ethical issues surrounding plagiarism may vary according to one's academic, theoretical, or methodological framework.

### APPROACHES TO PLAGIARISM

The traditional approach calls on universal moral standards in casting all sorts of plagiarism as cheating. It decries plagiarism as fundamentally immoral, equivalent to theft or lying, because it violates tenets of authorial originality. It may place the blame for plagiarism on permissive social values or moral relativism. There are concerns that this sort of cheating is becoming an acceptable part of the student culture of high schools and colleges. Illustrated in most university policies, this approach fails to distinguish between types of plagiarism or the differing conventions governing writing tasks. It also may not factor in intentionality—whether or not writers purposely set out to deceive their teachers—or deficiencies in understanding the norms of citation use.

In the historical approach, those studying the his-

tory of plagiarism view the concept—and its ethical ramifications—as developing in specific and disparate cultural contexts. They assert that plagiarism is not a universally despised example of “theft” or “dishonesty.” Instead, they see it as a set of practices that carries diverse moral inflections and receives various ethical treatments. Unacknowledged copying, in other words, may be normative in one era and decried in another. For example, Renaissance writers esteemed imitation, seeing it as a way of exhibiting one's learning and expressing one's debt to earlier writers. Knowledge was believed to be shared, and inspiration was seen as a gift from God.

With the rise of the print marketplace in the eighteenth century, however, the financial stakes were raised. The first copyright law was passed in 1709 at the urging of booksellers; the notion of individual artistic originality developed over the next half century. With a vested interest in seeing their writing as property, a new class of professional writers began representing plagiarism as a pressing moral and artistic concern.

Literary historians are thus careful, when discussing plagiarism, not to present it as a concept that is “naturally” or “normally” understood as a timeless social ill, but one that bears the imprint of the cultural expectations of specific times and places. Practitioners of this approach have been charged with conveying a dangerous moral relativism, though most do not condone cheating, copying, or fraudulent authorship in an academic environment.

### IMPACT OF TECHNOLOGY

As the World Wide Web has increasingly become many students' primary research tool, new technology-based forms of plagiarism have proliferated. Not only can students easily download or cut and paste from a variety of legitimate information sites, but digital “paper mills”—online businesses that sell completed student papers—make the most egregious forms of plagiarism easier than ever. Some observers believe that the only way to combat the increased opportunities for “cyber-plagiarism” provided by these new opportunities is to turn to technology itself. Web-based search engines such as Google can often track down, in seconds, the Web sources copied into student papers.

Furthermore, services have been created that provide online plagiarism-detection software; Turnitin

.com is one of the most widely used. Many universities or their individual departments subscribe to such services, knowing that their doing so deters student cheating, even when individual teachers do not use these services themselves. Nonetheless, ethical questions have been raised about possible violations of student privacy—every paper submitted becomes part of the business’s database—and the propriety of responding to all student work with suspicion.

Another way of understanding Internet-specific plagiarism, however, suggests that these may be futile—or even reactionary—responses. They see the ease with which students can copy from the Internet not as a temptation, but a new way of thinking about creating texts. Much information on the Web, after all, is collective or anonymous. Web pages often contain chunks of other pages, and graphics freely circulate—mostly without attribution. The Web’s ephemeral nature is thought to be fundamentally incompatible with the fixity of text required for “real” plagiarism. Supporters of these ideas draw on historical studies to highlight the different practices of writing supported by modern communication technologies in contrast to those based in market- and property-driven print forms. They believe that new media bring with them a new ethos, and that popular notions of the morality of plagiarism are outdated. Others, however, decry what has been termed the “Napsterization of knowledge” and urge a continuation of print-based ways of understanding and regulating the copying of texts.

### PEDAGOGICAL APPROACH

Many of those concerned about student plagiarism—whether they draw on conservative, historical, or technological approaches to understand it—assert that a large part of the ethical responsibility for the problem lies with educators themselves. Many composition instructors, for example, believe that while academic dishonesty should be condemned, proper research methodology, source use, and citation practices should be more rigorously taught to students. Indeed, many believe that “patchwriting,” as Rebecca Howard terms the linking together of several paraphrases from unacknowledged sources, is an important stage in the evolution of student knowledge and rhetorical skill.

Such critics may also view plagiarism as a problem in the development of “voice,” a reflection of a

student’s lack of confidence in his or her own opinions and authority, or a misunderstanding of the very purposes of academic writing. Because they see plagiarism as a complex learning issue, these educators question the morality of “prosecuting” students for their ignorance or lack of ability, and they resent the negative effects that the “policing” of plagiarism has on teacher-student relations. Many policy statements written by this camp thus classify plagiarism into two tiers, distinguishing purposeful fraud from accidental source misuse.

The pedagogical approach goes beyond the teaching of writing skills, however. It also focuses on ways instructors can structure classrooms actively to prevent plagiarism. Some insist that academic integrity itself not be taken for granted, but should be routinely explained to, and discussed with, students. Others suggest that teachers should develop more assignments that are difficult to plagiarize because of their specificity, their reliance on course materials, or their relevance to student lives and individual opinions.

### ETHICAL IMPLICATIONS

Clearly, plagiarism is a complex issue with a rich history. There are a variety of ways to define and respond to it. Perhaps the most urgent ethical responsibility of students and educators alike, then, is that they continue to explore together the complicated questions engendered by these multiple approaches.

*Lisa Maruca*

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SEE ALSO: Art; Computer crime; Computer misuse; Copyright; Intellectual property; Internet piracy; Science.

## Plato

IDENTIFICATION: Ancient Greek philosopher  
 BORN: Aristocles; c. 427 B.C.E., Athens, Greece  
 DIED: 347 B.C.E., Athens, Greece  
 TYPE OF ETHICS: Classical history  
 SIGNIFICANCE: One of the most significant figures in the history of philosophy, Plato wrote numerous dialogues which either preserved the words of Socrates or employed Socrates as a fictional char-

acter. In *Republic (Politeia, 388-368 B.C.E.)* and other writings, Plato developed a theory of justice based upon a division of the soul in which each part performs a distinctive function.

Plato’s writings are in a dialogue format. He discusses philosophical topics through question-and-answer sessions conducted by Socrates. The Socrates of the Platonic dialogues is very closely modeled after the historical Socrates, whose life and death had a tremendous influence upon Plato. The Socrates of the dialogues is, however, at least in part, a fictional character used to impart Platonic themes.

Plato’s dialogues are divided into three groups: the early, or Socratic, dialogues; the dialogues of middle age; and the dialogues of old age. The early dialogues employ a particularly rigorous dialectic form. These dialogues frequently deal with ethical topics. In *Protagoras (399-390 B.C.E.)* and *Meno (388-368 B.C.E.)*, Plato asks whether virtue can be taught. In *Protagoras* and *Euthydemus (388-368 B.C.E.)*, he argues both for and against the supposed Socratic doctrine that virtue and knowledge are identical. In *Gorgias (399-390 B.C.E.)*, Plato considers whether it is better to do a wrong than to suffer one. In *Protagoras*, he accepts the hedonistic position that one ought to seek pleasure, but in *Gorgias*, he argues against it. Plato also considers definitions of major ethical terms. He questions the nature of courage, justice, temperance, and piety.

### THEORY OF FORMS AND IMPORTANCE OF KNOWLEDGE FOR ETHICS

Plato is perhaps best known for the theory that true reality belongs to eternal, immutable forms. All other things are poor copies of these realities. According to Plato, there are two “worlds”: the world of being and that of becoming. Physical objects and copies of these objects (for example, a horse and the shadow of a horse) belong to the two levels of the world of becoming. These things change, come into being, and perish. Forms (such as beauty and justice) and mathematical concepts belong to the world of being. These entities are eternal and possess more reality than do mutable objects. Everything is made possible by the form of the good.

The theory that more knowledge can be had at higher levels is central to Plato’s epistemology and ethics. One important aspect of Platonic ethical the-

ory is that the moral individual strives to obtain more knowledge and thus to come closer to the good.

Two important points are illuminated through this discussion of the moral individual's movement toward the good. The first of these is the Platonic/Socratic doctrine that "to know the good is to do the good." Plato argues that a failure to do good is simply a lack of knowledge. Ignorance causes one to behave wrongly.

Plato also argues that reason is more important for ethics than is pleasure. Reason is primary because one must determine which things bring more or less pleasure. Again, the moral individual is the knowledgeable individual.

### DEFINITION OF JUSTICE

In *Republic*, Plato puts forward his conception of the ideal state. In book 1, Socrates is concerned with the definition of justice. He believes that justice is preferable to injustice but needs support for this conviction. He moves the discussion to a different level. If one can discern justice in the larger context of a state, then one should be able to understand the meaning of justice at the level of the individual. Plato thus develops a political model for his theory of justice.

In the same way that the just state is the state in which each individual is doing what he or she does best, so the just soul is the soul in which each "part" is performing its unique function. The soul, according to Plato, has three parts: reason, spirit, and appetites. It is, as he explains in *Phaedrus* (388-368 B.C.E.), like a charioteer (reason) trying to control two horses, a wayward one (the appetites) and one that can take orders (the spirited one). The charioteer can reach his goal only when the horses are in control. Likewise, the soul is in harmony only when reason controls and sets the goals, the spirited element moves toward the goals, and the appetites are in control.

Plato explains that there is a virtue that corresponds to each division of the soul. Properly functioning reason has wisdom. The spirit that moves in accordance with reason has courage. The appetites, which are under the control of reason, have temperance. All three parts of the soul working in harmony exhibit the virtue of justice. These four cardinal virtues are an important part of Plato's ethical theory. His concern is more with what kind of person one

should be than with what kinds of things one should do. Again, to *be* wise is to *do* good.

### PLACE IN HISTORY

Plato develops an absolutist ethical theory. There is a "right" and a "good" toward which to aspire. He develops this theory to respond to the skepticism and the relativism of the Sophists. One person may be more or less just than another, but each is just in that he or she copies or participates in the form of justice. This form is eternal and unchanging—an absolute.

Alfred North Whitehead claimed that all philosophy after Plato is a series of footnotes to Plato. This is especially true with regard to ethics. Aristotle (384-322 B.C.E.) developed a virtue-based theory of ethics similar to that described above and yet with its own peculiarly Aristotelian slant. Other ethical theories are patterned after that of Aristotle and, thus, that of Plato. Furthermore, any ethical theory insisting upon absolutes is Platonic.

Rita C. Hinton

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SEE ALSO: Absolutism; *Apology*; Aristotle; Idealist ethics; Intuitionist ethics; Platonic ethics; *Republic*; Social justice and responsibility; Socrates; Sophists; Virtue ethics.



## Platonic ethics

**DEFINITION:** Moral system put forward by, or modeled on that of, Plato, primarily concerned with ideal ethical forms and with the most ethically beneficial form of government

**TYPE OF ETHICS:** Classical history; theory of ethics

**SIGNIFICANCE:** Plato's ethics have influenced moral philosophy for millennia by framing the questions that have occupied ethicists and by securing the place of reason in the resolution of ethical issues.

The key ethical topics of Plato's dialogues may be listed as follows: the definition of the virtues, most prominently justice, moderation, courage, wisdom, and piety; the so-called Socratic paradoxes (first, that no one sins knowingly, and second, that virtue is knowledge); the inseparability of virtue and happiness (*eudaimonia*); the relation of the virtues to political life; the virtues as subspecies of the idea of the good; and the denunciation of hedonism—that is, the rejection of the popular notion that pleasure is that which produces happiness.

Beyond these topics, which are explicitly identified by Plato, the dialogues address numerous areas of ethical import. These include the existence of the soul, immortality, and life after death (in the dialogue *Phaedo*); rewards and punishments; education; the value of the fine arts; men's duties to the gods, to other men, to their cities, to their families, and to themselves; the rights and duties of women; and in the story of Gyges and his invisibility ring (*Republic*), the question of whether the moral status of one's conduct should depend on the consequences of that conduct.

### HISTORY

The event that more than any other turned Plato from politics to philosophy was the trial and condemnation of his teacher, Socrates, in the year 399 B.C.E. In his *Phaedo*, written while he was still in his twenties and poignantly close to the memory of Socrates, Plato described Socrates as the best, most intelligent, and most moral man of his time. After that, Plato determined to take no active part in the radically democratic Athenian judicial or governmental system, which he came to define as the government of those least qualified by temperament and intelligence to rule.

Plato's antidote to what he felt to be the rule of the mob was his concept of government by philosopher-kings, people prepared by lifelong education to be good rulers. In his most famous dialogue, *Republic*, he stated that "Unless philosophers become kings of states or else those who are now kings and rulers become real and adequate philosophers . . . there can be no respite from evil for states or, I believe, for the human race."

This idea antedated by many years the appearance of *Republic*. According to Plato's "Seventh Letter," the search for a king whom he might train in philosophy led him in about 389 B.C.E. to Syracuse, Sicily. Having failed in this attempt to turn the Syracusan tyrant Dionysius I into a philosopher-king, Plato returned to Athens in 387 and in the latter 380's founded his Academy, which J. E. Raven called "a training ground for future statesmen." *Republic* was most likely produced soon afterward, during the early 370's.

Any study of Plato's ethical thought must begin with Socrates' attempts to refute the moral relativism of the sophists. Plato's ethics seems to have evolved beyond his master's, for Plato continued to explore the field in his mature and in his latest dialogues, including *Republic*, *Philebos*, and *Laws*.

The sophists had said that the only ethical standards that were morally binding on an individual's behavior were those that all people agreed to or that followed the laws of nature (*physis*). Most of the rules people live by are, they said, really only local norms or customs (*nomos*) that hold little or no moral force. In most cases, therefore, each person is the judge of what is good for himself or herself, and ethics (the ethical measure of *physis*) does not really come into play. Where it is simply a matter of *nomos*, the operative rule was "man is the measure"; that is, what seemed to each individual to be good was, for him, good.

A prime example of a natural law (*physis*) prevalent universally in the world and thus binding on humanity was that of the sophist Thrasymachus, who in *Republic* argued that "might makes right." In the *Gorgias*, Plato makes Callicles of Acharnae articulate the corollary sophist view that local laws were artificial and conventional (mere *nomos*) and framed by the many weak men as a means of keeping the strong under their control.

### DEFINITION OF THE VIRTUES

Socrates responded (as is known from Plato's earlier, or Socratic, dialogues) that individual virtues such as courage (discussed in *Laches*), moderation (*Charmides*), piety (*Euthyphro*), and justice (*Republic*) could be defined for all to understand, so as to place most or all ethical activity under the umbrella of universally accepted standards. The realm in which each person was to be judge of the ethical quality of his own actions was much reduced; sophist ethics was defeated.

The Socratic contribution to ethical thought—essential in Plato's system—was identified by Aristotle, who credited Socrates with laying down the principles of “universal definition and inductive reasoning”; that is, arriving at the universal definition of each virtue by means of a discussion and analysis of particular actions (inductive reasoning).

### THE SOCRATIC PARADOXES

In developing his own ethical program, Plato took his point of departure from the so-called Socratic paradoxes. The first paradox argues that all men naturally seek to do good but often act wrongly because they mistake evil for good. Men thus commit sin involuntarily and out of ignorance (*Protagoras*). This paradox allows Plato, with Socrates, to define all sin or evil as ignorance and, conversely, to assert that all virtue is knowledge or wisdom: the second paradox.

This knowledge is available to men in general, but ordinary men occasionally err. It thus behooves the best men to acquire knowledge about the virtues, understand their nature, and act on a foundation of knowledge. This is no easy matter and requires a lifelong pursuit of wisdom (*Republic*). Thus, philosophers (seekers of wisdom) will be the wisest and, seeking the good (as all men do), will be less likely to err.

John Gould, in *The Development of Plato's Ethics* (1955), strongly asserts that the goal of Plato's ethical system (virtue, or *areté*) was always to lead to virtuous activity or behavior—for example, justice in the soul will express itself in just action—not merely to arrive at a valid ethical theory. This too was inspired by Socrates, as Plato dramatically demonstrated in the *Crito*, in which his teacher put his ethics into action by accepting the sentence of death as legally binding, refusing to escape from

prison when he had the opportunity to do so, and refusing to disobey the state's command that he take poison.

### THE TEACHABILITY OF VIRTUE

Since virtue is knowledge and all men possess an innate capacity for knowledge, then virtue can be taught, and teaching and guidance may direct an individual toward good. On this point Plato seems initially to have wavered, for in the *Meno* Plato has Socrates say that virtue comes rather by chance, while in the *Protagoras* he suggests its teachability. Thus, the moral and political education of youths depends on the identity of virtue with knowledge and therefore on the teachability of virtue.

### PLATO'S THEORY OF IDEAS OR FORMS AS RELATED TO ETHICS

When one comes really to know the virtues, it is the immutable, stable, and abiding idea, form, or universal definition of the virtue that one comes to know. In the *Gorgias*, Plato has Socrates make the point that belief or opinion (which Gorgias, as a sophist, teaches) is not a sufficient standard for guiding moral and political life. The idea (or definition) of a virtue is learned by induction from particular case studies of the virtue in action.

In *Republic*, Plato lays out the course of lifelong study whose goal is the attainment of knowledge of the ideas and of the highest of the ideas, which Plato variously calls the idea of beauty, truth, or the good. Intimate knowledge of the ideas of the different virtues allows the guardians of the state to recognize the virtues and their opposites in every action in which they are present.

After a primary education (to age eighteen), the citizens, especially those who will emerge as guardians of the republic, are made to dwell in beautiful surroundings so as to attain a love of the idea of the beautiful-in-itself. They next serve two years of military service. This is followed by the citizens' higher education, which consists of ten years in “propaedeutic” (preparatory) studies for those who will become the guardians or philosopher-kings of the state. The subjects studied in this phase are arithmetic, geometry, astronomy, and harmonics (music). The purpose of this scientific quadrivium is to lead the mind away from material and changing objects of the realm of opinion (for example, two apples,

two cubes) to immaterial and immutable realities (for example, the concept of “two” and “cubeness”).

Plato had derived from Pythagoras a respect for abstract numbers as unchanging realities. Numbers are akin to the unchanging ideas of the virtues, and this training in correct thinking about numbers, Plato thought, prepared the mind to recognize virtue and vice in action. Many aspiring guardians would be left behind during this phase of education.

The final level of higher education consisted of five years of training in dialectic, also known as the Socratic *elenchos*. Dialectic is the process of repeatedly proposing hypotheses and drawing out consequences, used by Socrates in his conversations with his pupils. By this means of interlocution, the pupils were drawn ever closer to the irrefutable and true hypothesis that it had always been the purpose of the session to achieve. Thus, the pupils, future guardians, were trained to brainstorm, together or privately, in the quest for the form or idea that defined and produced knowledge about the virtue in question. This knowledge enabled the guardians to know which human actions claiming to share in the virtue in question were virtuous and which were not. No doubt, other citizens would, at this final plateau, fail to qualify for the ranks of the guardians. Completion of training in dialectic brought the guardians to age thirty-five.

### THE OVERRIDING IDEA OF THE GOOD

Some Plato scholars are troubled that in the minor dialogues (*Laches*, among others), the definitions of the virtues sometimes break down when Socrates tests them for their production of happiness in an individual or city. That Plato may have done this deliberately in these early dialogues is indicated by the hints of dramatic purpose as opposed to an air of tentative inquiry in their structure and logic.

In *Republic*, Plato himself warns that these early definitions of virtues are not final. The utility of virtue must be related to an ultimate standard or ideal of the good. He devotes much of *Republic* and *Symposium* to achieving this.

For Plato, the forms of the virtues are themselves subcategories of the idea of the good. In reality, moderation, justice, and all the other virtues, including knowledge, are virtues because they participate in goodness. Plato is clear about this in *Republic*, where he calls the good the ultimate aim of life, the final ob-

ject of desire, and the sustaining cause of everything else. The virtues, whether severally or united under the paradox that all virtue is knowledge, themselves aim at the good.

It is the guardians' vision of the good that enables them to inculcate right opinion, teach virtue, and mold character and institutions in the light of a reasoned concept of goodness in private and public life.

The *Symposium* and other dialogues provide parallels to the idea of the good as final cause by looking, for example, at a hierarchy of friendship, passion, and love culminating in the apprehension of the idea of beauty, which is depicted by Plato as practically identical to the good.

### THE RELATIONSHIP OF UTILITY AND PLEASURE TO ETHICS

Plato is clear in rejecting Protagoras's dictum that pleasure is to be identified with the good. He denies as well the notion that utility is the source and goal of morality. In *Lysis* and *Symposium*, Plato rejects the theory that the good is desired as a remedy against evil because that would make the good merely a means to an end. For the same reason, he explicitly rejects the hope of immortality as the origin of and reasons for people's morality. In *Republic*, he strenuously opposes the view of Thrasymachus and Callicles that justice is an artificial convention devised by the weak in their conspiracy to neutralize the strong.

In his article “Plato's Ethics,” Paul Shorey believes Plato's whole ethical thrust to be a polemic against hedonism: “This doctrine of the negativity of what men call pleasure is the fundamental basis of Plato's ethics.” On this basis, Shorey continues, rests Plato's demonstration that virtue and happiness are one. Moreover, pleasures are never pure but always mixed with desire or pain. Finally, Shorey adds, “Pleasure and pain, like confidence and fear, are foolish counselors.”

The dialogues devote much space to analyzing the concept of pleasure, which arises in some form in more dialogues than does any other issue. The *Gorgias* and *Philebos* directly oppose the sophist doctrine that defines the good as pleasure and that asserts that true happiness comes from gratifying the sensual appetites. This repudiation of hedonism also appears in *Phaedo* and *Republic*. In *Republic*, where Plato presents the idea of man's tripartite soul, plea-

asures are ranked as intellectual, energetic, and sensual. Plato allowed the thesis of the *Protagoras* that a surplus of pleasure is good, but only when the pleasure is kept in perspective and is free from all evil consequences. Only in the sense that it suited his ethical system to argue that the virtuous life is the most pleasurable did Plato make Socrates identify pleasure and the good at the end of *Protagoras*. Rather, it is wisdom (*sophia*) that delivers happiness, for wisdom always achieves its object, wisdom never acts in error, and absence of error entails happiness.

### FINAL DEVELOPMENTS IN PLATO'S ETHICS

In Plato's last years, his ethical approach underwent a change little noticed in discussions of mainstream Platonism. John Gould remarks that in his last work, *Laws*, "Plato the aristocrat, Plato the constructor of systems, Plato the lover of the aesthetic are all represented in their final and most convincing forms, while the ghost of Socrates . . . is no longer present even in the *dramatis personae*."

In *Laws*, the thrust is still the perfection of the individual, but now no longer through the personal acquisition of virtue. Instead, the individual is to be improved by means of ideal legislation whose explicit goal is the control and obliteration of nonvirtuous behavior in the interest of the perfection of society. In this last dialogue of Plato's corpus, the primary virtues are given their own separate existence as *sōphrosynē* (moderation or temperance), *dikaiosyne* (justice), *phronesis* (wisdom), and *andreia* (courage), and possession of only one of them is not sufficient.

Plato's thinking has, in fact, undergone a change from that of his Socratic period. In his new ideal state, the legislator will guide his people to virtue by manipulating the distribution of honor and dishonor and by using the pleasures, desires, and passions that motivate people: a kind of nascent behaviorist theory. By using a system of repetitive propaganda to work on popular emotions, he will steer them to virtue (*areté*). Plato's goal was ever the same. What changed in his latter years was his attitude toward human nature, which became more pessimistic. The mistakes of Athenian democracy, rule by the masses, had convinced him that a more thoroughgoing system of controls had to prevail, and this he intended to provide in his new "second-best" state, governed not by philosophers but by law.

Daniel C. Scavone

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SEE ALSO: *Apology*; Aristotelian ethics; Aristotle; Boethius; Cynicism; *Nicomachean Ethics*; Plato; *Republic*; Socrates; Sophists; Stoic ethics; *Utopia*.

## “Playing god” in medical decision making

**DEFINITION:** Concept based on the idea that in making decisions—particularly those relating to matters of life and death—medical practitioners and researchers exercise godlike powers

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** The idea of “playing god” may arouse opposition from some individuals and groups who do not believe that human beings should intervene in what they see as a divine plan—either to save life, to allow death, or to engage in research that violates what is perceived as the natural order of things, thus making such activities unethical.

In 1982, theological representatives of three major religions advised the President’s Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research. They concluded that the abilities to carry out treatment and research and to make related decisions raise issues of responsibility, rather than simple prohibition based on purely moral grounds. In fact, they asserted that human beings may actually have a responsibility to pursue that which can improve and benefit human life, and to refuse to do so may be unethical in itself.

Theologically, human beings, having God-given powers, can be seen as co-creators with the Supreme Creator. Many religions therefore respect and support the acquisition of knowledge about nature that has great potential both for improving human life or endangering it and thus stresses responsibility for its use. The ability to “play God” may then reflect not an

objection to action, but an expression of awe and concern not only from religious institutions, but from secular institutions as well.

*Martha O. Loustaunau*

SEE ALSO: Brain death; Experimentation; Infanticide; Life and death; Medical ethics; Medical research; Nazi science; Physician-patient relationship; “Slippery-slope” arguments; Stem cell research; Triage.

## *Plessy v. Ferguson*

**THE EVENT:** U.S. Supreme Court decision that gave legal sanction to racial segregation in the United States by affirming that separate-but-equal accommodations for blacks and whites were constitutional

**DATE:** Ruling made on May 18, 1896

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** The Court’s decision in *Plessy* rendered racial segregation legal in the United States for almost sixty years, until it was overturned by a much more progressive Court.

*Plessy v. Ferguson* was provoked by an African American challenge that argued that an act of Louisiana’s legislature was unconstitutional because it violated the Thirteenth and Fourteenth Amendments to the U.S. Constitution. The act in question required all railroads to provide “equal but separate” accommodations for blacks and whites and also forbade intermingling between the two groups.

The Supreme Court’s majority opinion concentrated on the Fourteenth Amendment. The Court acknowledged that “the object of the amendment was undoubtedly to enforce the absolute equality of the two races before the law,” but the majority opinion also underscored that “in the nature of things, it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality.” The effect of this decision was to give legal sanction to segregation in the United States.

Significantly, the Court’s decision was not unanimous. There was a lone dissenter, Justice John M. Harlan, whose minority opinion argued that the U.S.



Constitution is “color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law.” Justice Harlan’s opinion later became the unanimous opinion of the Court in *Brown v. Board of Education*, which overturned the separate-but-equal principle.

SEE ALSO: *Brown v. Board of Education*; Civil Rights movement; Racial prejudice; Racism; Segregation; Supreme Court, U.S.

## Pluralism

**DEFINITION:** Theory that there is not only one valid set of values and principles, but rather a plurality of such sets

**TYPE OF ETHICS:** Theory of ethics; beliefs and practices

**SIGNIFICANCE:** Pluralism takes a middle path between moral relativism on one hand and moral absolutism on the other. Absolutism holds that there is a single, universal moral law that applies to everyone in all situations, and all other moral values are invalid. Relativism holds that all moral systems are equally valid and no set of values is better than any other set of values. Pluralism, or perspectivism, holds that some value systems are indeed superior to other value systems, but there will always be at least two different, mutually exclusive systems which are equally valid.

Pluralism as it is associated with ethics has had a long history. One can find a precedent in Aristotle for the view that there is no master principle, no moral principle that applies unequivocally to all concrete situations and circumstances. A rule that might apply in one situation might not apply in another. For example, although it may ordinarily be wrong to lie, it could be right to lie if doing so will save someone’s life. The moral principle that determines the right thing to do, therefore, is dependent upon the circumstances, and since there are many concrete situations and circumstances, there is a plurality of ways of doing the right thing. As Aristotle would put this, there is a plurality of ways to achieve the good life, and each of these ways entails the actualization of different values and moral principles.

Pluralism is to be distinguished from both monism and relativism. A monist argues that there is an overarching moral principle that unambiguously prescribes what to do in any and every circumstance. An example of such a principle is the utilitarian greatest-happiness principle, which holds that, in every action, one ought to act so as to create the greatest amount of happiness for the greatest number of people. The relativist, however, although agreeing with the pluralist that values depend upon circumstances, claims that there is no objective reason for what is right or wrong other than simply what the people in a given culture or circumstance do.

The pluralist believes that there is such an objective reason; thus, even though there is a plurality of ways to achieve the good life, Aristotle nevertheless argues that each way is objectively right precisely because it does achieve the good life. The pluralist, therefore, agrees with the monist that there is to be an objective criterion whereby moral values are to be judged but disagrees with the monist in that the pluralist argues that there is no unique set or system of values that is the only one that satisfies the criteria. Likewise, the pluralist agrees with the relativist that there is a plurality of values but disagrees with the relativist’s claim that such values are not legitimated by an objective criterion.

Amélie Rorty, in her essay “The Advantages of Moral Diversity” (1992), argues for a version of Aristotelian pluralism. Like Aristotle, she claims that there is no unique and single conception of what everyone ought to do to achieve the good life. Furthermore, Rorty argues that learning to live and cooperate with others who have different values from our own is beneficial to achieving the good life. A deontologist, who argues that the consequences of an action are not to be considered when determining the moral worth of an action, and a utilitarian, who claims that the consequences are to be considered, will, Rorty believes, when living and cooperating together, keep each other in line; and this keeping each other in line is precisely what Rorty believes to be beneficial for the attainment of the good life.

John Kekes, in his book *The Morality of Pluralism* (1993), holds a position similar to those of Rorty and Aristotle. He also argues that there is a plurality of ways to achieve the good life and that each way requires the realization of often radically different types of values. He also claims that having radically

different values present in a society is, as Rorty argued, beneficial both to society and to individuals.

### VARIATIONS

Pluralism is not, however, without its variations. Peter Wenz, for example, in “Minimal, Moderate, and Extreme Moral Pluralism” (1993), accuses the pluralist who argues for the advantages of having radically different, if not contradictory, values coexisting together of promoting incoherence and inconsistency in ethics. This brand of pluralism he labels “extreme pluralism.” Rorty and Kekes, however, although calling for the coexistence of radically different values in society, do not call for an individual to hold contradictory values. An individual, they maintain, should sustain a consistent and coherent system of values, whereas society ought to maintain a plurality of values. For this reason, Rorty and Kekes are not to be seen as pluralists of the type that Wenz criticizes.

Christopher Stone, an environmental ethicist who argues for moral pluralism, does hold that an individual ought to maintain radically different values. A father, for example, could be a utilitarian at work but a Kantian deontologist at home with his family. It is this view that, referring explicitly to Stone, Wenz criticizes in his article. Stone’s pluralism does promote inconsistency and incoherence and is, by Wenz’s definition, “extreme pluralism.”

A less-extreme pluralism, or moderate pluralism, as Wenz defines it, is roughly the view that Aristotle, Rorty, and Kekes hold; that is, there is a plurality of ways of achieving the good life, yet each way is in itself consistent and coherent. Minimal pluralism, Wenz believes, is true of every ethical theory. In other words, there is no true monistic theory, for monistic theories (such as utilitarianism) do not give a uniquely correct and unambiguous answer in every situation to the question of what one ought to do. There is always a plurality of possible answers, and hence these theories are minimally pluralistic. All ethical theories, Wenz concludes, are to some degree pluralistic.

There are other important philosophers with whom pluralism is associated—most notably, the pragmatists. William James, in *A Pluralistic Universe* (1909), and Richard Rorty, in *Philosophy and the Mirror of Nature* (1979), argue, for example, that what is considered true is simply what is necessary to survive. Truth does not express a relationship of correspondence to reality; instead, truth is determined

by the particular goals and needs associated with survival, and because there is a plurality of ways to satisfy these needs, there is a plurality of truths. Truth, like morality, is not one; it is plural.

Jeff Bell

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SEE ALSO: Absolutism; Aristotle; James, William; *Nicomachean Ethics*; Nietzsche, Friedrich; Pragmatism; Relativism; Situational ethics; Teleological ethics.

## Pogroms

**DEFINITION:** Organized massacres of Jews and destruction of their property by Russian mobs, acting with the tacit approval of political authorities

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** The Russian pogroms represented an example of racial violence bordering on ethnic cleansing. While elimination of Jews from Russian soil was not their primary purpose, they did result in the emigration of many thousands of Russian Jews around the turn of the twentieth century.

In modern Russian history, pogrom-like attacks were initially leveled against the Armenians, Tatars, and the Russian intelligentsia. As it is employed in many languages specifically to describe the pillage, murder, and rape of Russian Jews, however, the term “pogrom” denotes three large-scale waves of devastation between 1881 and 1921. Each of these pogroms surpassed the preceding one in scope and savagery and occurred during periods of severe social and political upheaval in Russia. For example, the first pogroms of the 1880’s followed the assassination of Czar Alexander II as a result of false rumors about widespread Jewish involvement in the assassination plot. Mobs from more than two hundred towns, inspired by local leaders acting with official support, took part.

Pogroms greatly influenced Russian Jewry and history. In their wake, the Russian government adopted systematic policies of discrimination, harassment, and persecution of the Jews. The murder of innocent individuals and whole families was commonplace. This led numerous European anti-Semites to conclude that violence was legitimate and thus helped to pave the way for pogroms to be carried out later in Poland and Germany.

*Andrew C. Skinner*

SEE ALSO: Anti-Semitism; Genocide and democide; Hitler, Adolf; Nazism; Oppression; Racism; Rape and political domination; Religion and violence.

## Police brutality

**DEFINITION:** Police misconduct involving the unnecessary use of force or the excessive use of force, up to and including fatal force

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** Consistent patterns of police brutality tend to cause fear and distrust of the police among the very segments of the population most in need of police protection. Thus, beyond representing individual instances of injustice, they can lead to the spread of injustice in society as crimes go unreported and potential victims go unprotected.

From the beginning, Americans have never fully trusted their government or its officials, even though they must rely upon both. The Fifty-first Federalist Paper argued, “If men were angels no government

would be necessary.” Human beings are definitely not angels, and they succumb to both good and bad activities. Although checks and balances were written into the U.S. Constitution to limit the “abuse of power” by distributing it between competing branches of government and among federal, state, and local authorities, no comparable safeguards exist to protect citizens against police misconduct. Perhaps this is because the first official U.S. police force was formed in New York in 1844, long after the government was established.

A national police force that would prevent local police misconduct has never been established, because of the fear that a U.S. president could use it as a private army or to spy on citizens. Almost all of the twelve thousand police forces in the United States are local. Their power is virtually absolute and often goes unchallenged. This situation creates a police culture that believes that it is above the law, an attitude that fosters abuse. Therefore, although citizens rely upon the police, they also mistrust them in the belief that informed criticism is the best way to correct misconduct, incompetence, and arbitrariness as well as to encourage a healthy police culture to do its job fairly.

## NIETZSCHE, THE WILL TO POWER, AND THE POLICE

Friedrich Nietzsche argued that the human “will to power” makes people seek power and control over others. Those who succeed in this struggle become the master class. They value courage, strength, pride, risk-taking, directness, and sports. Morality, or what is correct in their opinion, becomes associated with the traits possessed by the ruling elite. Morality, for the master class, is not a set of abstract principles.

There is also a slave morality that is based upon values such as humility, justice, self-denial, prudence, and altruism. The slave’s morality is reactive; that is, whatever the master class values as good the slave defines as bad. Slaves reject the morality of the master class because they associate it with oppression, evil, and injustice, and they resent the power of the master class. From the slave morality comes not only the concept of justice but also those of guilt and conscience.

## POLICE CULTURE AND BRUTALITY

Police have a unique culture that has its own internal values. When young officers go through training

at a police academy, they typically have every intention of becoming exemplary officers. Seasoned officers consider such young officers naïve. They are ritually introduced to “real police work” by their field training officer. By custom, the training officer’s first words to the rookie must be, “Forget everything they taught you at the Academy. This is the real world.”

Police culture glorifies the visible symbol of police power: the gun. Target practice becomes a fetish for many officers. Citizens are dehumanized and may become viewed as targets or potential targets rather than human beings. Peer pressure encourages police to socialize together. This isolates them from average civilians and creates an insulated mentality. Most officers ride in patrol cars and ride from one distress call to another over a large area. This gives them a jaundiced view of citizens, because for eight hours a day many of the citizens with whom they interact are either criminals or suspected criminals. In time, some officers begin to view most citizens as either criminals or suspects. They see themselves as besieged, beleaguered, and misunderstood.

Out of this view develops the idea that it is “us” against “them.” Some sadistic officers use this atti-

tude to divert attention away from their misconduct and to increase group morale. A sense of common identity forms that is based on the degrading of outsiders. Police especially devalue outsiders whom they consider hostile. These people are considered more “them” than others. When stress develops between insiders and outsiders, violence is more likely to occur.

The police believe, understandably, that they are abused and called names often yet receive little money or status from society, despite the danger of their job. This resentment can lead to feelings of anger and powerlessness. One way to regain a sense of power is by exercising elemental power over other human beings. When making arrests, the desire for power may lead police to force suspects to restrict their movement or to stand where they are told to stand. Failure to obey may be swiftly met with violence in an effort to gain power and control. Once such violence starts, it can easily escalate out of control.

Some police view themselves as a tight-knit, elite “thin blue line” that protects society from criminal chaos and lawlessness. Such police fear that they are losing the battle against crime and that a nationwide breakdown of ethical standards and morals forces them to close ranks with fellow officers by developing a cult of secrecy that they call the “code of silence.” Confrontational attitudes develop, they claim, in self-defense. Whistle-blowers are rare in this culture. Virtually everyone tries to be a “stand-up cop.” In addition, in some departments, if an officer reports witnessing brutality carried out by a fellow officer, both officers are suspended without pay. This practice discourages officers from informing the department of misconduct and strengthens the code of silence.

Police chiefs who make it clear that they respect the code of silence and ignore charges of brutality leveled against police, so long as there is peace and order on the street, reinforce this culture and invite brutality. Officers

Image not available

*During the trial of four New York City police officers charged with brutality, demonstrators outside the Albany courtroom dramatized their protest by carrying a door on which they had painted a human body and numerous bullet holes to symbolize what they regarded as the officers’ use of excessive force. (AP/Wide World Photos)*

are reluctant to arrest or even fine fellow police. For many police officers, “good” is whatever makes their jobs less dangerous and easier, even if it involves the unjust violation of others’ rights.

### THE RODNEY KING CASE

Thousands of cases of police brutality are filed annually, but the King case is unique because some of the events were captured on videotape. On March 3, 1991, the Los Angeles police stopped a twenty-four-year-old black male motorist named Rodney Glen King after a difficult and dangerous high speed (115 m.p.h.) car chase. Police ordered King to get out of his car, then several officers brutally assaulted King. Four officers in particular took turns clubbing, kicking, and shocking the unarmed King with Taser stun guns, while other officers watched. The officers clubbed King at least fifty-six times, breaking his skull in nine places, breaking his leg, and inflicting many other injuries. Any one of the officers who stood by and watched this beating could have stepped in and stopped it, but none did. Each conformed to group norms and police culture by observing the code of silence.

In such a situation, normal judgment, reasoning, and critical thinking are abandoned. This is made possible by the anonymity of the individual in the crowd. The notion of individual responsibility that normally restrains behavior is gone. Members of the group act rapidly on impulse. In a crowd, behavior gravitates to the lowest common level. Members focus upon what is different—“them.” Nothing else matters, and the members attack the outsider. Bystanders who observe such violence and do nothing are in pain but often deny it and cover it up by justifying the violent behavior.

Each act such as the King beating changes all who participate in it or witness it. Those who do the beating tend to grow more aggressive. The officers appear to have become prisoners of the master mentality.

In most cases, an officer’s word carries more weight than does a civilian’s, as is indicated by the fact that in 1990 the Los Angeles Police Department received more than 2,500 complaints of police brutality, but fewer than fifty cases—less than one-half of one percent—went before a grand jury. In 1987, more than eight thousand complaints of police brutality were filed, yet not one officer broke the code of silence by offering incriminating evidence about an-

other officer. In almost all cases, the victims of police brutality have previously violated some law that has brought them to the attention of the police. Therefore, their credibility is not easy to establish. King was a convicted felon, even though that should not have mattered in the beating case. In reality, police who engage in misconduct have little to fear under the current system. Police can cover up misconduct by alleging that a suspect was “resisting arrest.” King did not plan to press charges, for fear that it would be difficult to prove his case.

Little did either side know that George Holliday had captured more than seven minutes of the savage beating on videotape from his balcony. He sold the tape to television stations, and the beating was seen in millions of homes worldwide. There was definite evidence of police misconduct in this case. Because the arresting officers were white and King was African American, the case became very volatile, and attorney Warren Christopher was asked to head a commission that was established to investigate this case.

The Christopher Commission listened to computerized tapes of police transmissions on the night that King was beaten and discovered that the officers were so confident that police culture would protect them that they recorded messages saying, “Capture him, beat him, and treat him like dirt,” and “What, did you beat another guy?” Christopher was troubled by the officers’ flagrant confidence that “nothing would be done” and that such brutality would be tolerated.

Other messages recorded by the commission betrayed open contempt for racial and ethnic minorities and homosexuals. One message recorded during the King incident made reference to “gorillas in the mist,” an obvious racial slur. Hospital nurses who treated King stated that the officers who beat him followed him to the hospital to threaten and tease him.

In the face of irrefutable evidence of police misconduct and brutality, the Christopher Commission sided with the slave morality and called for justice. It noted that, although the problem of police brutality is widespread, a handful of “problem officers” create most incidents. To settle police brutality claims against the city of Los Angeles between 1970 and 1980, the city paid more than \$65 million in damages, and the tension created within communities by these cases caused even greater damage. Riots erupted following the trials of the officers who beat Rodney King. These riots destroyed billions of dol-



lars worth of property and cost dozens of people their lives.

Immanuel Kant would have appreciated this appeal to principle, even though Nietzsche would have been appalled. Unless or until the values cherished by police culture and those embraced by civilian culture are more closely aligned by establishing civilian review boards for police departments and rewarding police for preventing crimes through community service programs, then these two value systems will clash, and the result may too often be police brutality.

*Dallas L. Browne*

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SEE ALSO: Abuse; Arrest records; *Beyond Good and Evil*; Bystanders; Criminal punishment; Justice; *Miranda v. Arizona*; Professional ethics; Stonewall Inn riots; Violence.

## Political correctness

**DEFINITION:** Attitude that language and ideas that offend political sensibilities should be avoided

**DATE:** Term coined during the late 1980's

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Initially a self-deprecating term used by the Left to poke fun at its own orthodoxies, political correctness became a label employed by the Right to vilify an informal set of attitudes about what sorts of language and ideas are appropriate—particularly in an academic setting.

During the early 1990's, colleges and universities became politically polarized places. Multiculturalism, identity politics, feminism, and other progressive movements seeking academic reform brought about significant changes in curricula and in academic life generally. These changes were met with dismay and anger by conservatives, and many institutions of higher learning became intellectual battlegrounds. Discussions of race, class, gender, sexuality, and other categories of identity took place frequently, and the divergent values of participants in those discussions formed barriers to effective communication.

Often, both progressives and conservatives demonstrated utter contempt for those whose viewpoints differed from their own. As a result, each side developed key words that it would use to dismiss speakers from opposing camps as wrongheaded and unworthy of attention, thus bringing discussions to abrupt conclusions. For example, a progressive wishing to silence a conservative might call the conservative a "racist," and a conservative wishing to silence a progressive might call that person "politically correct." Each term indicated that the person in question was hopelessly blind to his or her own prejudices and was simply beyond the reach of rational argument.

#### THE LEFT VS. THE RIGHT

The term "political correctness" first developed as a result of intolerant attitudes on the part of the Left toward perceived insensitivity on the part of the Right. Members of the Right often spoke of political correctness, or "PC," as though it were a formal code of conduct. However, with rare exceptions, no such codes existed on any college campuses. Rather, it was often the case that people whose speech was per-

ceived to be racially insensitive or homophobic, for example, would be harshly criticized by their interlocutors. Because the values dominant on college campuses were often radically different from the values dominant in public life as a whole, such strong negative reactions greatly surprised those who expressed traditional, mainstream ideas. Conservative students who were criticized by progressive students would often respond by censoring themselves in the future to avoid further criticism. They would then claim that they had been censored by others. Thus the myth of political correctness as a formal orthodoxy rather than the de facto result of informal attitudes began to emerge. Peer pressure was thus interpreted as policy.

The ethical import of a value system as controversial as political correctness is obviously very much in dispute. Those who support political correctness tend to favor self-determination, arguing, for example, that members of minorities should have the right to choose their own labels, rather than having names imposed upon them by others. They also argue that speech is a form of power that should be respected

and perhaps even regulated, just as are physical forms of power.

Those who oppose political correctness argue that names and other forms of speech are, in themselves, harmless, do not admit of ethical evaluation, and therefore should not be regulated. They advocate free speech and claim the right to say whatever they want, free from any negative consequences that would inhibit the open exchange of ideas. Orthodoxies of judgment, they say, whether formal, or informal, amount to nothing less than censorship.

Their opponents respond that anti-PC people *are* allowed to say whatever they want but must accept the fact that their utterances will be judged morally by those who hear them. Speech should be free, progressives argue, but that does not mean that it should be free from consequences. It is unrealistic to demand, in effect, the right to express controversial ideas and yet to remain free from controversy. Indeed, no matter what one believes, it will always be dangerous to speak one's mind, because *anything* worth saying is going to be controversial to someone—a fact about which people on both sides of the PC issue can agree.

Andy Perry

### Examples of Politically Incorrect Terms

<i>Politically Incorrect</i>	<i>Politically Correct</i>
Negro, black	African American
Indian	Native American, American Indian
Oriental	Asian American
Mexican American	Chicano/Chicana, Latino/Latina
colored people	people of color
homosexual	gay or lesbian
disabled	differently abled
handicapped	physically challenged
reverse racism	ethnocentric revitalization
reverse discrimination	affirmative action

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SEE ALSO: Academic freedom; Affirmative action; Censorship; Communitarianism; Conservatism; Diversity; Hate crime and hate speech; Multiculturalism; Progressivism.

## Political liberty

**DEFINITION:** Freedom from coercion or constraint by government or its agents

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** In liberal democracies, political liberty is generally understood to include civil rights and liberties such as freedom of expression, as well as the right to vote and otherwise participate in representative government.

As defined above, “political liberty” is to be conceived of as a negative freedom—that is, a freedom *from* external coercion or constraint. It is this conception of political liberty that has been fundamental to the tradition of such Western ideas as individualism and liberalism in both political philosophy and political theory. The classic expression of this conception of political liberty is John Stuart Mill’s *On Liberty* (1859).

In practice, however, political liberty almost always refers to a positive freedom—that is, a freedom *of* some specific kind of good or some specific type of activity. Examples of the latter include some of the basic democratic liberties: freedom of thought, freedom of expression, freedom of assembly, freedom of religious pursuits, freedom of political participation, and so forth; freedom of property acquisition and disposal is an example of the former. Although this second conception of political liberty is dependent on the initial one, every particular freedom that can be associated with this positive conception involves some form of individual or social activity with respect to which the right to *choose on one’s own* is acknowledged as both socially and morally significant.

It is important not to confuse the two very different ideas of human abilities and political liberties. To conflate what one *can* do with what one is *at liberty*

to do makes little or no sense. The fact that a member of a particular society is unable to vote on election day because of, for example, major medical surgery is irrelevant to whether that same individual, as a member of that society who satisfies all voting eligibility requirements, is at liberty to vote. In other words, just because this individual was unable to vote and, in fact, did not vote does not in any way mean that this individual was not free to vote.

This same irrelevancy between what one can do and what one is at liberty to do also holds true for a member of a particular society who is, in fact, able to vote, but who is not allowed to vote merely because this individual happens to be a member of a particular segment of the society each of the members of which is systematically prohibited from voting. That is, just because this individual was not at liberty to vote—that is, not allowed to vote—does not in any way mean that this individual was not able to vote. In neither of these cases does one’s ability (or lack thereof) to vote have anything to do with one’s freedom (or lack thereof) to vote.

### LIBERTY VS. AUTHORITY

Fundamentally, political liberty must be construed as a balance between the exercise of authority of the society over its members, on one hand, and the liberty of choice and of effectual action that individual members of the society are allowed to exercise, on the other. That is, individual liberty and governmental authority are the two sides of the same political coin; the more there is of either one, the less there must be of the other. Within this framework, questions of conflict concerning the political liberties of the individual, justice, and the well-being of the society as a whole naturally arise.

In political theory, both the kinds of particular political liberties and the degree to which each ought to be acknowledged by the government to be granted to individuals depend upon a whole host of factors, such as one’s conception of both human nature and human rationality, one’s conception of the relationship between an individual’s right to autonomy and a sense of the appropriate degree of latitude to be granted to governmental authority, and one’s conception of what ought to be the purpose of both the government itself and its social and political institutions (for example, whether the fundamental reason for the very existence of government and its social and political

institutions is to promote human happiness or satisfaction; to provide for the peace, security, and any or all associated rights of each member of the society; or to provide for the development in each member of the society of some particular conception of human excellence).

In practice, too, both the kinds of particular political liberties and the degree of which each ought to be acknowledged by the government to be granted to individuals depend upon a vast array of circumstances, not the least of which is the form of government that has been established. For example, the differences between both the number and the extent of political liberties granted to individuals under a totalitarian regime as compared to a democracy are usually obvious.

### POLITICAL LIBERTY IN THE REAL WORLD

Even in representative democracies according to which individual members of the society are allowed a wide latitude of autonomy, however, it is possible for political leaders to engage in a more insidious type of political coercion than that typically found in totalitarian societies. In order for a democracy to be effective, its individuals need access to more, rather than less, and accurate, rather than inaccurate, information relevant to political decision making.

To the extent that those in positions of political power, presumably for reasons of self-interest, deny to members of the society the quantity and quality of information necessary to well-informed political decision making (for example, through manipulation of the media of communication and distortion or denial of relevant information), however, to precisely that extent is that democracy being undermined and to precisely that extent are the members of such a society being denied their political liberties. In the final analysis, political liberty means liberty of choice and of effectual action; consequently, to the extent that this insidious type of political coercion is perpetrated against the members of such a society, the menu of practical options available to them is artificially diminished, which, in turn, diminishes their freedom both of choice and of effectual action, and ultimately denies them at least some of their political liberties.

*Stephen C. Taylor*

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SEE ALSO: Choice; Constitution, U.S.; Democracy; Freedom and liberty; Liberalism; Libertarianism; Mill, John Stuart; *On Liberty*; Politics; Power.

## Political realism

**DEFINITION:** View that leaders of nations should disregard considerations of morality and should instead act in their own best interests in order to gain and maintain power

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Political realism rests upon the assumption that there is a contradiction between reality and ethics. In other words, it implies that it is unrealistic to expect those in positions of power to behave morally, that reality and morality are in some sense mutually exclusive. It therefore portrays ethical conduct as a luxury which political leaders simply cannot afford.

Critics of political realism say that a leader who is a political realist is likely to be a tyrant who is uninterested in the welfare of the citizens of her or his own

nation and other nations. Such a leader is also likely to gain support by using political rhetoric to trick others into believing that her or his actions do serve their interests. Such a leader abdicates the responsibilities of considering the interests of others and telling them the truth. Defenders of political realism say that a realistic reading of history shows that practicality rather than ethics is the principle guiding the behavior of governments and leaders. For example, leaders have always used cruelty in order to make people fear and obey them. Some defenders of political realism say that ethics are simply not relevant to government and that behaving ethically would hamper a leader's ability to get things done. Other defenders say that political realists follow a competitive ethic, wherein those who are best at the games of power are the most successful leaders.

*Laura Duhan Kaplan*

SEE ALSO: Machiavelli, Niccolò; Politics; Power; Realpolitik.

## Politics

DEFINITION: Art of governing

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Politics is the practical attainment and exercise of power over other people. As such, it may be seen theoretically as the realm of human behavior most in need of ethical regulation, and it appears to many people empirically to be the realm least subject to actual moral constraint.

The standard view of politics' relation to ethics is captured in H. B. Acton's famous aphorism: "Power tends to corrupt, and absolute power corrupts absolutely." The first part of Lord Acton's aphorism identifies a danger inherent in the political process. Since political ends can be achieved only by the exercise of power, power is concentrated in the hands of politicians. Unfortunately, as much of history illustrates, politicians have often diverted power away from its proper use, despite the institution of checks and balances to prevent abuses.

The second part of Acton's aphorism makes the more cynical claim that the political process is inherently immoral. Since power is the ability to do work,

however, it follows from that claim that the ability to do work is immoral. From this conclusion follows the odd conclusion that only the completely impotent are moral. The conclusion is odd because it creates a paradox: While most people think that governments do perform valuable functions, Acton's aphorism would lead one to believe that governments are immoral to the extent they are able to perform those functions.

This paradox indicates that the relationship between ethics and the political process involves more than simply the existence or nonexistence of power. Power is central to government, but the questions of exactly how much and what types of power governments should have and to what ends that power should be put have generated a number of political theories. Many of those theories have been put into practice, and although the political arena contains many instances of hypocrisy, lying, disloyalty, and thievery, there is evidence that in both theory and practice politics has been and continues to be influenced greatly by ethics.

### THE INFLUENCE OF ETHICS

Aside from the amount of corruption that exists in governments, part of the difficulty in seeing the influence of ethics is the diversity of opinions about what in fact is ethical. Debates exist about whether morality is essentially religious or secular, relative or universal, altruistic or egoistic. Such differences of opinion make it easy for those on one side of a debate to see those on the other as immoral. Another part of the difficulty is that even those who agree about what is ethical may disagree about the proper methods to be used to achieve it. Some may believe that the end justifies the means—that is, that it is justifiable to lie about a political rival if doing so achieves a good goal—while other advocates of the same end may reject that premise.

The complex relationship between ethics and politics can be captured in three pairs of related questions: questions of ends (What is good? What does this politician think is good?), questions of means (Does the end justify the means? Does this politician think the end justifies the means?), and questions of integrity (Is this politician or system practicing what is good? Is this politician or system practicing what he, she, or it thinks is good?). A judgment about the influence of ethics on politics is a result of answers to these questions.



## ETHICS AND GOVERNMENT

Government is a social institution that formulates and enforces rules. In both the content of its rules and its method of enforcing them, government is unique. Other social institutions formulate rules, but the rules that they formulate apply only to those who participate in that institution. For example, a baseball league is a social institution that formulates rules, but its rules apply only to those who play in the baseball league. A government's rules, by contrast, apply to all members of the society. Other social institutions also enforce their rules, but the maximum penalty for violating a rule is to be disassociated from the institution. If, for example, one violates the rules of baseball, one may be kicked off the team. A government, by contrast, is the only social institution that enforces its rule by the use of physical force. If one violates a government's rules, it may confiscate one's property, restrict one's liberty, or even kill one.

Since government is the only social institution that makes universal rules that are backed up by the use of physical force, the content of those rules is of special importance. What rules are so important that everyone should follow them? What rules are so important that if they are violated the drastic resort of physical force is appropriate?

The only way to answer these questions is by appealing to ethics. Politics, accordingly, is an institutionalization of an ethics. This fact is easier to recognize in political theories: Plato, Thomas Hobbes, and John Locke, for example, appeal to (conflicting) ethical principles and moral evaluations of human nature in defending their political theories. Despite corruption, however, most political practice also illustrates the application of ethics.

## THREE HISTORICAL EXAMPLES

The influence of ethics on political practice can be seen in the three systems that dominated the twentieth century: Marxism (or international socialism), fascism (or National Socialism), and capitalism (or constitutional democracy). Each system has had enormous practical influence on political theory and practice, and each puts into practice a set of explicit principles that its advocates believe to be moral.

## COLLECTIVISM

Marxism and fascism are versions of collectivism. Collectivism defines morality socially, holding

that the welfare of the group is primary and, accordingly, that individual interests are subordinate to those of the group. Collectivists admonish individuals not to be self-interested; that is, not to put their personal interests above group interests but to sacrifice their interests for the welfare of the group.

Depending on how the group is defined, versions of collectivism arise. Some versions hold that the family is the proper group and that individuals should devote their lives to serving their families. Other versions hold that the group to which individuals should sacrifice is the tribe, the nation, the race, the working class, or the ecosystem. The common denominator in all these versions of collectivism is that individuals are not ends in themselves.

Largely through the influence of Georg Wilhelm Friedrich Hegel, collectivism dominated nineteenth century German philosophy. The two most prominent versions of collectivism to arise after Hegel were Marxism and fascism.

## MARXISM

"From each according to his ability, to each according to his need." Karl Marx's slogan, from his *Critique of the Gotha Program* (written 1875; published 1891), is the clearest statement of the fundamental ethical principle of his version of collectivism. According to the principle, individuals are not ends in themselves. They should see themselves as servants of the needs of others, and they should devote their lives to serving others' needs to the best of their ability. As long as someone has an unfulfilled need and I, for example, have the ability to fill it, I have a duty to sacrifice my personal interests and devote myself to fulfilling that need. To the extent that I shirk my duty, I am acting unethically. To the extent that the society I live in allows me to shirk my duty, the society is unethical.

Marx noted that Western societies often pay lip service to altruistic principles; in practice, however, they encourage the pursuit of self-interest, the profit motive, and capitalism. What is needed to make society ethical, Marx argued, is a radical shift away from the individual to the collective, from the private to the social.

In defining "social," Marx takes the broadest possible view. Society, he argued, should not be conceived along familial, racial, religious, or ethnic lines. If, for example, I define the moral society ra-

cially, then I will see myself as a servant of my race; if service to my race is of the highest moral significance, then I will view members of other races as having less moral significance. Such attitudes can only foster racial conflict. If I define myself as an individual, then I will hold my own interests to be of the highest significance, but this will lead me into conflict with other individuals and will lead to a competitive society. To prevent these conflicts, Marx argued, individuals must learn not only to define themselves primarily as social, not individual, beings but also to conceive of society as including the entire human race. Only then, Marx believed, would socialism be realized. Marxism, accordingly, defends socialism by appealing to collectivist ethical principles, which it hopes to apply internationally.

### FASCISM

During the twentieth century, “fascism” was the name adopted by a group of Italians to designate their new version of socialism. The leader of this group, Benito Mussolini, had for many years been a Marxist socialist before deciding that substituting “the Italian people” for “the working class” would give socialist ideas a better chance of success in Italy, for then they would be able to draw upon the nationalistic loyalty of most Italians. “Fascism” also labels the political system of Germany during the 1930’s and 1940’s, under Adolf Hitler’s National Socialism. In both countries, fascists applied collectivist ethical principles to politics.

The core doctrine was expressed clearly by Alfred Rocco, a leading Italian fascist. Fascism stresses, he said, “the necessity, for which the older doctrines make little allowance, of sacrifice, even up to the total immolation of individuals, in behalf of society. . . . For Liberalism [i.e., individualism], the individual is the end and society the means; nor is it conceivable that the individual, considered in the dignity of an ultimate finality, be lowered to mere instrumentality. For Fascism, society is the end, individuals the means, and its whole life consists in using individuals as instruments for its social ends.”

In their insistence upon the morality of collectivism, the fascists agreed with the Marxists. “There is more that binds us to Bolshevism [the dominant Russian version of Marxism] than separates us from it,” declared Hitler. Like the Marxists, the Italian and German fascists believed that capitalism was evil be-

cause of its individualism, its tolerance of the profit motive, and its emphasis on pursuing private interests. Hitler defined National Socialism as “idealism,” as the system in which each individual “willingly subordinates his own ego to the life of the community and, if the hour demands it, even sacrifices it.”

The fascists disagreed with the Marxists about some important points. While the Marxists defined the moral community internationally and economically, the fascists defined it nationally and racially. While the Marxists attacked all religions, the fascists focused their attacks almost exclusively on Judaism. Despite these differences, the fundamental thesis of Marxism and fascism is the same: Both have the same collectivist view of the relationship between the individual and the society. Both Marxists and fascists could accept the following statement from *Mein Kampf*: “each activity and each need of the individual will be regulated by the party as the representative of the general good.”



Italian leader Benito Mussolini is credited with coining the term “fascist.” (National Archives)

### NATIONAL SOCIALISM

By the mid-1930's, years before the beginning of World War II, the National Socialists had put into practice many standard socialist economic policies. Medicine was socialized, a modern welfare system was instituted, and the goal of complete equality of income was being sought. German industrial production was regulated and directed by the central government; while owners maintained legal possession of their enterprises, government bureaucrats set production goals and controlled wages, prices, and interest rates. Additionally, since private interests were not to be trusted to serve the public good, the Reichskulturkammer instituted a sweeping censorship covering what was taught in schools, what books were published, and what appeared on radio and in films, plays, and newspapers. The important point is that all these policies were instituted by appealing to collectivist ethical principles: *Gemeinnutz vor Eigennutz!* ("The common interest before self-interest") was the standard slogan justifying Nazi policies.

Since socialism requires that individuals subordinate their private interests to the good of the group, and since under Hitler the designated group was the German nation, "National Socialism" was an appropriate name for Hitler's political program.

It is sometimes argued that dictators such as V. I. Lenin and Joseph Stalin in the Soviet Union and Hitler and Mussolini in Germany and Italy were simply cynical power seekers who mouthed collectivist and socialist slogans without really believing them, but this idea is not plausible. If one is young, cynical, and seeking power, the most likely route to power is by infiltrating the established, already-powerful political parties (or the military). The least likely route to power is to join a fringe political group, since fringe groups rarely have any influence. Fringe groups attract only people who are committed to the causes for which the group stands. Yet the Communist and National Socialist Parties were, when Lenin, Stalin, and Hitler joined them, tiny and far from power. Therefore, it is likely that these men believed in the principles that they preached.

While collectivist ideas were most influential in eastern Europe, in Italy, and later in Asia, they also had an impact in the West. During the late nineteenth and early twentieth centuries, it was common for intelligent American and English students to spend

some time studying in Germany, which was at the time the world's leading intellectual nation. While in Germany, the students were naturally exposed to the latest collectivist theories. As Friedrich Hayek noted, "Many a university teacher during the 1930's has seen English and American students return from the Continent uncertain whether they were communists or Nazis and certain only that they hated Western liberal civilization."

### INDIVIDUALISM AND CAPITALISM

In the West, however, classical liberal ideas had retained a strong hold. Classical liberalism emphasizes the importance of the individual and tends to see social institutions as valuable to the extent that they leave individuals free to pursue their values. Individuals are ends in themselves, according to this view, and not means to the ends of other individuals or to groups.

By deemphasizing or rejecting collectivism, individualists tend to reject or at least be suspicious of any claims upon the individual to sacrifice life, liberty, or well-being. In politics, this individualist ethic leads to the view that the role of the government is not to exact sacrifices from individuals to serve a collective good, but to protect the lives and liberties of individuals as they pursue their personal conceptions of the good life. In economics, individualists tend to advocate a free market, since a free market decentralizes political power, leaving investment, buying, and selling decisions in the hands of private individuals. In this way, advocates of capitalism's limited government and free markets have tended to appeal to individualist ethical principles in support of their political policies.

### CONCLUSION

Ethics has had a broad influence in the history of modern and contemporary politics. Many conflicting ethical theories have contributed to that influence, but in terms of their influence on modern and contemporary political affairs those ethical theories fall into two major categories: individualist and collectivist. The moral slogan of individualism, "Every individual is an end in himself," stands in contrast to the moral slogan of collectivism, "From each according to his ability, to each according to his need." The principle of individualism provides moral support for capitalism; the principle of collectivism provides moral support for socialism.

Historically, it can be seen that to the extent that the politicians in power were committed to an ethic that holds individual interests to be immoral or at least subordinate to collective interests, they believed it to be improper to leave economic and political power in private hands. Accordingly, their ethics dictated that power must be concentrated in public hands, and therefore a centralization of political and economic power resulted.

By contrast, to the extent that the politicians in power were committed to an ethic that holds individuals' pursuits of their own interests to be moral, then the politicians believed it to be proper to leave power in hands of those private individuals and to see their role as politicians as secondary and supportive. Accordingly, their ethics dictated that power must not be concentrated in public hands, and therefore a decentralization of political and economic power resulted.

*Stephen R. C. Hicks*

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SEE ALSO: Campaign finance reform; Capitalism; Congress; Ethics in Government Act; Political liberty; Political realism; Power; Realpolitik.

## Poll taxes

DEFINITION: Form of capitation, or head tax, which people must pay before being allowed to vote

DATE: Abolished in the United States in 1964

TYPE OF ETHICS: Civil rights

SIGNIFICANCE: Poll taxes raise the ethical questions of whether it is proper to make people pay for the right of voting and whether such taxes disfranchise the poor.

Poll taxes existed in the United States from the earliest colonial times. They were usually quite small and did not act to discourage many people from voting. In the years following the U.S. Civil War, the poll tax system was refined in the southern states for the purpose of disfranchising black voters. The tax remained small, but it had to be paid for every election in which the potential voter might have voted. This tax effectively disfranchised nearly all black voters. Because the election laws in the United States are made by state governments, a constitutional amend-

ment was needed to do away with poll taxes. In 1964, the Twenty-fourth Amendment abolished the payment of such taxes as a condition for voting in federal elections.

*Robert Jacobs*

SEE ALSO: Constitution, U.S.; Discrimination; Suffrage; Voting fraud.

## Pollution

**DEFINITION:** Environmental contamination with human-made waste

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Pollution has effects on many different levels, from causing people minor inconvenience and aesthetic displeasure up to and including mass human illness and death, and the extinctions of other species.

Pollution must be viewed in the light of natural versus human-based events. A natural event is part of the fundamental cycle of Earth processes that maintain a balance of building up and wearing down, of destruction and recovery. A volcano may spew tons of ash into the atmosphere and darken the sky so much that weather patterns are changed. Mudflows precipitated by loose debris and rapidly melting glaciers clog waterways on which nearby ecosystems rely. Lava kills everything in its path. Despite these drastic, destructive changes, natural processes will clear the air to reestablish customary weather patterns, will create more glaciers whose runoff will establish new river ecosystems, and will produce fertile soils to support life in areas where it was destroyed.

Pollution is the introduction of agents by humans into the environment in quantities that disrupt the balance of natural processes. Its possible detrimental effect on human life is not part of pollution's definition. Neither are human ignorance or lack of foresight, which may greatly influence the course and severity of pollution.

Ethics is a dimension specific to pollution that is not characteristic of natural processes. Humankind has the intellectual capacity to affect its course, and is itself affected morally by pollution's existence.

Pollution started when humans began manipulat-

ing the environment. Although pollution is usually characterized as chemicals or by-products of synthetic processes, this characterization is not entirely accurate. Waste from herds of domestic animals, for example, is a natural product, but it causes many environmental problems. Introducing aggressive non-native species into an established ecosystem is also pollution, since such species frequently overwhelm the natural system's balance and displace native species. It has even been asserted that the human species itself is a pollutant, since it is both an aggressive species and nonnative to many habitats that it occupies and exploits.

In considering pollution created by manufacturing and daily human activities, there is no uncontaminated ecosystem. Even beyond Earth's known biosphere, humankind sends objects into outer space, and those that become defunct or were never intended to return are dubbed "space junk." Invisible pollutants cannot be overlooked. Various types of synthesized and concentrated radiation—from ultra-low-frequency sound waves to sonic booms; from artificial lighting in classrooms, offices, and along highways to nuclear radioactivity—bombard and vibrate the molecules of the land, the air, and the inhabitants. As a result of all these different contaminants, plant and animal species suffer from aborted embryos, deformed offspring, poor health, shortened lives, and death. Among those suffering is the human species.

### HISTORY

Since pollution has an ethical dimension, why has humanity not exercised its moral strength in preventing or halting it? Part of the answer is ignorance. It is not until environmental damage is recognized—usually by detecting injury to some species of plant or animal—that humankind realizes that pollution has occurred.

When gasoline-powered cars were introduced, it never occurred to proponents of modern transportation that the admittedly malodorous exhaust could possibly place large numbers of people in dire respiratory straits, let alone cause Earth to face global warming. Even when auto exhaust was recognized as a major contributor to the unsightly haze of smog, scientists had not yet developed sensing and testing equipment that would give them knowledge of the scope of the air pollution problem.



Another reason that humankind's moral capacity has not been a force in preventing pollution is lack of foresight. This issue illustrates two kinds of humanity's arrogance. Many people assume that humankind has the power and intelligence to solve every problem it recognizes. Many people also have the unrealistic, erroneous belief that there are segments of society that cannot be affected by the dangers that everyone else faces.

When nuclear power plants were developed, the designers were aware that lethal by-products would be generated, and planners incorporated holding ponds and other storage areas in the building complexes. They had not yet developed any means for the safe disposal of nuclear waste, assuming that they would be able to do so as necessary at some future date. Since these designers recognized most of the possible problems of such facilities, did they assume that they were invulnerable to those problems?

Another factor in the pollution situation is the human population's exponential growth. The relationship between technological development and increased human survival has so far been linked in an endless circle. If the human population was only one percent of what it is now, with a corresponding ratio of contaminants in the environment, pollution would be no less real, though it might not seem as serious.

## DISCUSSION

The ethics of the survival of life on Earth are shaped by the immediate danger presented by environmental pollution. Most people presume that the survival of the human species is the most important issue. Some reject this conclusion as blatant homo-centric speciesism and argue that the survival of human life is inherently no more urgent or legitimate than the survival of any other species. Many people realize, without making claims for the necessity of human survival, that it is dependent on uncountable plant and animal species surviving and upon an environment unsullied enough to support them. All these considerations are based on human acceptance of responsibility for the future. Is humankind responsible for the future? Should humankind assume any responsibility for it?

Perhaps human arrogance causes humankind to presume that such a responsibility exists. Could it be that human history is merely a natural part of evolution on Earth? Are humankind's effects on the envi-

ronment part of the natural scheme of things to which the environment will eventually adapt? Will that adaptation include mass extinctions and the subsequent development of other life-forms capable of tolerating the changes that humankind has wrought?

Is humankind responsible for all future generations of life? Is humankind morally liable for the future of Earth itself? If humankind does accept any of these responsibilities, what are the exigent considerations?

Given the history of discovering pollution by hindsight, it would seem logical that humankind should not introduce any further agents, unknown or known, into the environment. If additional contamination by known pollutants is to be stopped, it cannot be done without accepting the moral consequences of the human misery and death that will follow as a result of the loss of jobs and the decreased availability and less efficient distribution of food and other human necessities.

As with most moral issues, the pollution dilemma has no easy answers. Yet if humankind is to persist, there can be no avoiding the ethical considerations involved in a possible solution to the problems of pollution.

*Marcella T. Joy*

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SEE ALSO: Clean Air Act; Clean Water Act; Earth and humanity; Environmental ethics; Environmental Protection Agency; Gaia hypothesis; Pollution permits; *Silent Spring*; Sociobiology; Technology; Toxic waste.

## Pollution permits

**DEFINITION:** Governmental exemptions that grant industries the right to release defined amounts of pollution into the environment

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Although pollution permits have proven to be an effective means of controlling and reducing pollution, thus benefiting society, their critics argue that it is ethically wrong to give any industry the right to cause pollution.

Pollution is a problem of the common resources that are used by all members of society. Such “commons” include air, water, and the oceans. The problem in protecting these resources is how to deal with the external costs, including environmental degradation and injury to human health. The external costs of pollution are borne by those using the common resources and not by the polluters.

Early proposals to control pollution included taxation, which was favored by economists, and command and control, which was favored by politicians. In the latter method, regulatory agencies determine acceptable levels of pollution and impose the implementation of new technologies to reduce it. Both solutions have difficulties, however. Another mechanism for reducing pollution has been the issuance of marketable or tradable pollution permits, a system that relies on free market forces and economic efficiency. The use of pollution permits has resulted in the elimination of lead additives in petroleum refining, in major reductions of sulfur dioxide (which are responsible for acid rain) and particulate emissions, and in lesser reductions of chlorofluorocarbons and nitrogen oxides. The U.S. Congress incorporated pollution permits in the provisions of its 1990 Clean Air Act.

### HOW POLLUTION PERMITS WORK

Employing cost-benefit analysis, a regulatory agency determines a permissible level of pollution and allocates permits to the industries producing the

pollution. Those able to reduce emissions inexpensively may then sell their unused permits to those less able to afford reductions of their emissions. Unlike the command-and-control approach, the pollution permits system allows polluters to determine how best to reduce pollution.

Many economists prefer the pollution permit system because it allows free market forces to act, while environmentalists like it because it does reduce pollution. However, the system presents ethical difficulties. First, the common resources, such as air and water, belong to all members of society but appear to be treated as private property under the pollution permit system. Defenders respond that the permits only authorize use of the commons, not ownership of some part of it.

Critics also argue that polluting is morally wrong and that the pollution permit systems allows favorites—the permit holders—to do something that no one should be permitted to do. Sellers transfer the right to pollute and thus cause harm, something no one should have the right to sell. Others assert that holders of permits should have no right to sell them, as permits should be given away. Defenders of the system responding to these criticisms argue that the goal of the permits is the benefit of humanity, and that studies of health and the environment determine permissible levels of pollution. In addition, the permissible levels should gradually be lowered until pollutants such as leaded gasoline are eliminated or further reductions in pollution cost more than the benefits accrued from the total elimination of the pollution.

Finally, critics argue that pollution permit practices that produce “hot spots”—areas where higher concentrations of pollution develop—often in economically poorer neighborhoods, must be banned.

*Kristen L. Zacharias*

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## Poona Pact

**IDENTIFICATION:** Agreement guaranteeing members of the casteless untouchables joint legal representation with the general population of colonial India

**DATE:** Announced on September 25, 1932

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The Poona Pact drew attention to the plight of the untouchables, whose lives were severely circumscribed by the strictures of the Hindu caste system.

The independence movement in India accelerated when Mohandas K. Gandhi returned from South Africa to India in 1915 and brought with him the weapon of *satyagraha*, or “truth force.” He had developed *satyagraha* to protest nonviolently the Boers’ refusal to recognize the validity of traditional Indian marriages. He also used moral force to attempt to end the oppression of East Indians by the South African white minority government.

Gandhi joined the Indian National Congress, a Hindu-dominated independence movement, and persuaded others in that organization to join forces with Mohammed Ali Jinnah, whose Muslim League also wanted independence for all of India under a policy that Jinnah labeled *khilafat*. Gandhi persuaded both groups to boycott British-made products, to strike, and to engage in a general policy of noncooperation with Britain. The British initially responded with force to suppress this movement. In 1932, when this response failed, British prime minister Ramsay MacDonald announced constitutional proposals known as the Communal Award, which were viewed as conciliatory measures.

The Communal Award provided for separate electorates for Muslims, Europeans, Anglo-Indians, Sikhs, Christians, upper-caste Hindu Indians, and untouchables. For several thousand years Hindus have been divided into four major castes. Each caste performs specific jobs that its members monopolize.

Members of a caste tend to marry within their caste. The *Brāhmins*, who are considered the highest caste, tend to be priests, rulers, landowners, and intellectuals. At the very bottom of this social hierarchy are the untouchables. They are outcastes who are considered so low and vile that to touch them pollutes a person. They are stigmatized, held in contempt, discriminated against, and assigned the least desirable work, housing, and food.

Gandhi believed that the British were using the classic strategy of “divide and rule,” viewing the attempt to segregate untouchable voters in the Communal Award as a bid to divide the Hindu community and to grant power to either the Muslim or the European minority. Either scenario would have fragmented the independence movement and delayed independence. Gandhi believed that communal separatism could be avoided if a secular government were created. Gandhi vowed to fast until he died unless the Communal Award’s establishment of separate electorates for various classes of Indian society was rescinded.

### GANDHI’S CHALLENGE

Gandhi was a *Vaiśya* (a member of the merchant caste); therefore, his vow to resist, with his life if necessary, segregating untouchables on a separate election roll was revolutionary. No member of a privileged caste had ever proposed such an act. Gandhi’s action threatened the caste-based system of segregation, discrimination, and exclusive privilege. He fasted until separate representation for untouchables was rescinded. The key to the victory was Indian unity, which Gandhi forged through the Poona Pact. By means of this pact, the entire Hindu community voted on each candidate. As a result, untouchables were also guaranteed their fair share of seats in schools and representation throughout Indian society.

For decades, Britain had denied colonial subjects the right of self-determination on the grounds that they were racially and mentally inferior, and thus incapable of enlightened self-rule. Gandhi’s Poona Pact, coupled with his noncompliance campaign, constituted a direct challenge to the colonial order. Both assumed that all people had certain basic rights, and that assumption defied the British notion of native inferiority. Gandhi was able to unite Muslims and Hindus by appealing to the Hindu doctrine that

each individual must find his or her own path to God. Gandhi also effectively utilized the Muslim tradition of tolerance for neighbors who practiced different religions, as long as peace was maintained. This appealed to Jinnah and the Muslim community, who wanted Pan-Indian unity. Although Gandhi did not wish to abolish the caste system entirely, because it had so thoroughly permeated Indian society, his efforts on behalf of the untouchables pointed out the unfairness of the concept of untouchability.

*Dallas L. Browne*

SEE ALSO: Bigotry; Caste system, Hindu; Colonialism and imperialism; Gandhi, Mohandas K.; Hindu ethics; Human rights.

## Population Connection

**IDENTIFICATION:** Organization established to fight for social and economic stability by advocating that population growth be limited to accord with available resources

**DATE:** Founded in 1968; renamed on May 1, 2002

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Population Connection not only focuses on encouraging individuals to do their part to improve living conditions for all peoples of the world but also mounts political campaigns intended to change national policy in order to limit population growth and destruction of the environment.

With a membership during the 1990's of more than forty thousand and an annual budget of more than two million dollars, Population Connection (originally known as Zero Population Growth) promotes protection of the environment through reduction of population growth. Because 1990 figures reflect an increase of 95 million people per year worldwide, scientists fear that the ability of the earth's resources to support the population will be seriously undermined. Population Connection works in several ways, both within the United States and internationally, to educate legislators, organizations, teachers, and individuals regarding the massive negative impact of the burgeoning population and its consequent demands upon the earth's resources because of in-

creasing food and energy demands, as well as lifestyle choices that result in the wasting of resources and pollution. Among the organization's activities are political action to ensure reproductive rights, including making available safe, reliable family planning information and services and legal abortion when contraception fails; enhancing the economic and social status of women worldwide through both governmental and private efforts; and, most important, educating people regarding the crucial link between continued population growth and environmental degradation, pollution, poverty, and political and social unrest.

*Mary Johnson*

SEE ALSO: Abortion; Birth control; Conservation; Ecology; Population control.

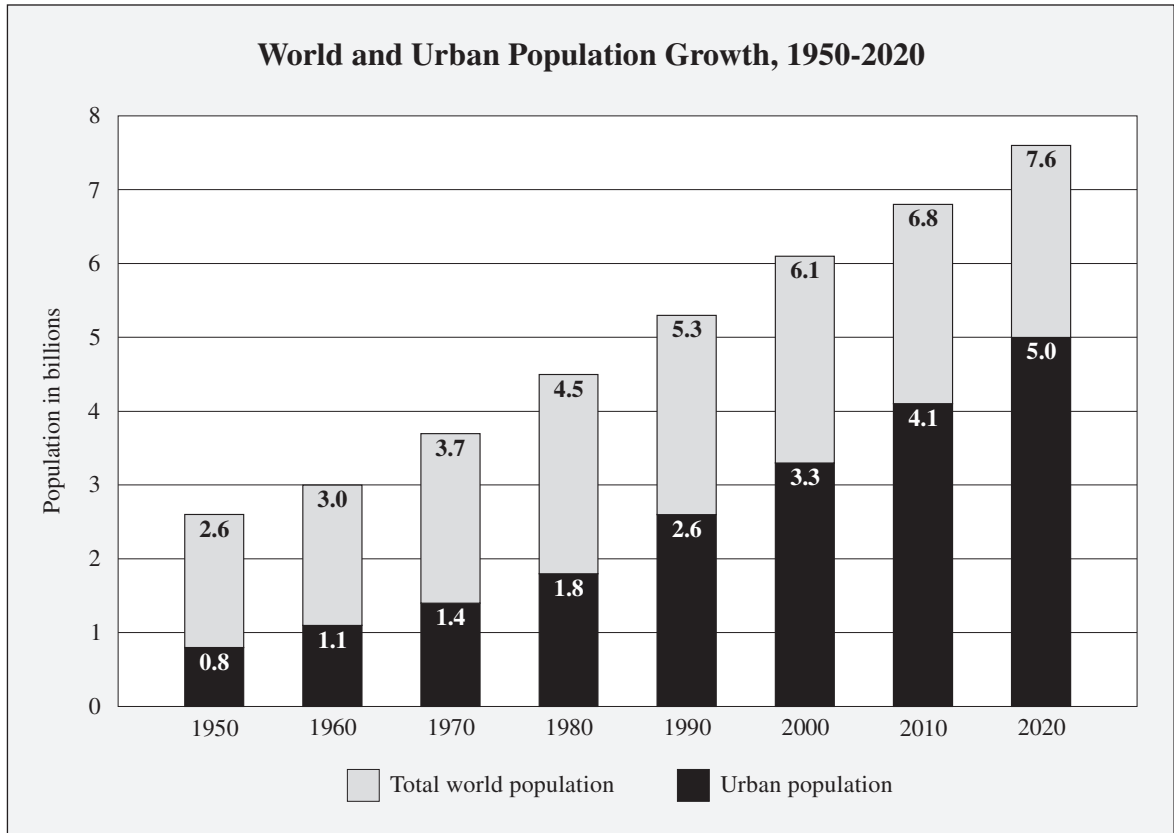
## Population control

**DEFINITION:** Attempt to limit human population by various means

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Population control is generally driven by ethical concerns about the effects of human overpopulation upon both the environment and the quality of life of individual members of the human race. Some methods of population control raise ethical concerns of their own, however, about paternalism, the right to privacy, and basic human rights.

The human population, like that of other creatures, is limited in growth by its biotic potential, the maximum rate at which a species can produce offspring given unlimited resources and ideal environmental conditions. At this rate of growth, the population would at first grow slowly only to increase rapidly to produce an exponential curve. Neither humans nor any other species in a given ecosystem can indefinitely grow at their biotic potential, since one or more factors always act as limiting agents. The maximum population size an ecosystem can support indefinitely under a given set of environmental conditions is called that ecosystem's carrying capacity.



*The exponential and ongoing rise in the globe's human population makes the need for high-yield, dependable food crops ever more compelling.*

Source: Data are from U.S. Bureau of the Census International Data Base and John Clarke, "Population and the Environment: Complex Interrelationships," in *Population and the Environment* (Oxford, England: Oxford University Press, 1995), edited by Bryan Cartledge.

### GROWTH POTENTIAL

Human population has continued to grow as Earth's carrying capacity for humans has been extended as a result of human cleverness, technological and social adaptations, and other forms of cultural evolution. People have altered their ecological niche by increasing food production, controlling disease, and using large amounts of energy and material resources to make habitable those parts of the world that are normally not so.

Observers believe a wide range of populations is possible. Some observers believe that people have already gone beyond the carrying capacity point at which all the earth's inhabitants can be fed, sheltered, and supported. Estimates on the low end of population are that only 1.2 billion people can be supported to U.S. dietary standards and only 600 million at the

U.S. rate of energy consumption. These numbers are likely low, since the U.S. rate of food and energy use is high. The higher estimate for human carrying capacity is 45 billion people on a diet similar to U.S. dietary standards, made possible by cultivating all available land, using nuclear power for energy, and mining much of the earth's crust to a depth of 1.6 kilometers for resources. An even higher estimate for human carrying capacity is 157 billion if diets are based solely on grains.

The human population continues to grow, regardless of what the carrying capacity may be. The world population doubles every thirty-five years at growth rates of the 1970's and 1980's. If the population were controlled to zero population growth, the world population would continue to grow for several generations because of decreasing death rates.



### ETHICAL CONCERNS

Ethically, most nations favor stabilized or low population growth, because problems of peace, poverty, racism, disease, pollution, urbanization, ecosystem simplification, and resource depletion become harder to solve as the population increases. At the same time, many less-developed nations feel that population control, coupled with the continued status quo of international economic order, poses a dire threat to already oppressed people. These nations insist that for population control to become accepted, there must be a reorganization of economic and political power. These nations argue that people are the most vital of the world's resources and that problems of resource depletion and pollution can be solved by human ingenuity and technology. It is argued that the more people there are, the more likely it is that these problems will be solved. Economic growth would be stimulated because with more people there would be more production.

In contrast, others argue that, ethically, the world population should be limited because most people would be added to the least-developed countries, where education, health, and nutrition levels are so low that continued rapid population growth would condemn millions to an early death. Although technological advances do not come only from people who are well educated or well paid, nations that favor limited population growth feel that encouraging rapid birth rates in the hope that someone may be born to solve the world's pollution and resource problems is an inhumane way to preserve the lives of people who already exist. Nations that encourage better education, nutrition, health care, and work opportunities for a smaller population feel that, ethically, that approach has a greater chance of making needed technological breakthroughs without adding to human suffering.

### METHODS OF POPULATION CONTROL

Most nations favor limiting population growth by controlling birth rates. Two approaches to controlling birth rates are economic development and family planning. It is argued that economic development may not be able to help the least-developed countries lower their birth rates, since economic development for these nations is more difficult than it is for those nations that developed in the nineteenth century. In these least-developed countries, expanded family planning

programs may bring a more rapid decrease in the birth rate than can economic development alone.

Family planning is a purely voluntary approach whereby information and contraceptives are provided to help couples have the number of children they want when they want to have them. Between 1965 and 1985, family planning was claimed to be a major factor in reducing the birth rates of China, Mexico, and Indonesia. In the same period, moderate to poor results of family planning occurred in the least-developed countries, such as India, Brazil, Bangladesh, and many countries in Africa and Latin America. India started the world's first national family planning program in 1952. Its population then was 400 million; by 1985, it had grown to 765 million, and it topped 1 billion during 2000.

Many people believe that effective population control must include a combination of economic development and the use of methods that go beyond voluntary family planning. Among these methods are voluntary abortion and increased rights, education, and work opportunities for women.

*David R. Teske*

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## Pornography

**DEFINITION:** Explicit representations of sexuality intended to cause arousal

**TYPE OF ETHICS:** Arts and censorship

**SIGNIFICANCE:** The moral status of pornography is a source of considerable controversy not only between ideological movements, but also within them. Some feminists, for example, attack pornography as a tool of women's oppression, while other feminists embrace it, or even produce it, as a celebration of female sexuality. In the legal arena, U.S. law distinguishes between indecent material—which may be regulated, but is still protected by the First Amendment—and obscene material, which has no constitutional protection and may be banned altogether.

Supreme Court Justice Potter Stewart made the comment in *Jacobellis v. Ohio* (1964) about obscenity that “I know it when I see it.” While many scholars and laypersons have made light of the statement, his famous words encapsulate the problematic nature of the debate about pornography. Since pornography eludes common definition, its impact on society and individuals is also passionately debated.

Conflicting perspectives on pornography from conservative, libertarian, and feminist standpoints reflect in condensed form broader societal, political, and legal debates on modern-day issues relating to morality, censorship, and women's rights.

In the United States, where the First Amendment to the U.S. Constitution assumes preeminent status to expression as a “preferred freedom,” the pornography debate is strongly tied to jurisprudential arguments about the limits of free expression. Jurisprudence in this area raises questions about the correct “balance” between freedom and equality and the appropriate emphasis on individual rights versus community values and morality.

The terms “pornography” and “obscenity” are sometimes used interchangeably. Some scholars, however, distinguish between obscenity, which is the legal term, and pornography, which is a broader term. Obscenity refers to nonwholesome sexually explicit materials that contradict societal norms. Pornography may include both socially unacceptable, lewd material and sexually explicit erotica consisting of

materials that are sexually explicit but not necessarily “offensive” to societal values.

### HISTORY OF REGULATION

Excavations of ancient Greek artifacts reveal art depicting sexually explicit and even violent sexual acts. In Greek and Roman times and in England until the seventeenth century, censorship was practiced primarily to control objectionable religious (blasphemous) and political (heretical) writings. While norms in most societies have shunned open displays of sexuality, written materials of any kind have been largely unavailable to the masses except in the last several centuries.

The English case *King v. Sedley* (1663) is often cited as a precursor of modern obscenity law. While the case did not deal directly with the distribution of obscene materials, it provided the legal and theoretical basis for modern obscenity law. Sir Charles Sedley was penalized by the court for standing nude and drunk on a tavern balcony. He spoke to a crowd below, using profane language, and poured urine on the bystanders beneath him. For offending public morality, he was fined and jailed.

Obscenity regulation was rare until the beginning of the nineteenth century, when government regulation of sexual morality became more common. By one estimate, there were approximately three obscenity prosecutions yearly in England between 1802 and 1857. By the mid-1850's, urbanization, expansion of the market for popular books, and Victorian moral standards combined to explain increased interest in and dissemination of sexually explicit materials. The regulation of such materials likewise increased. In 1857, for example, Lord Campbell's Act, which banned the dissemination of obscene works, was enacted.

### DEFINING “OBSCENITY”

In the English case of *Regina v. Hicklin* (1868), the court provided a definition of obscenity that shaped English, Canadian, and American law in this area well into the 1950's. The obscene publication *The Confessional Unmasked* was invidiously anti-Roman Catholic, purporting to describe the sexual depravity of Catholic priests. Chief Justice Alexander Cockburn's obscenity test in this case struck at any materials, including those devoid of religious or political assault, that “deprave and corrupt those

whose minds are open to such immoral influences, and into whose hands a publication of this sort may fall." This test is generally viewed as extremely restrictive, since it regulates materials that "corrupt" even the most susceptible members of society, as opposed to restricting materials that corrupt the mythical "average" person used in later tests.

An 1815 Pennsylvania case was the first obscenity case decided in the United States. Generally, very little obscenity regulation occurred in the United States until passage of the Comstock Act in 1868 by the New York legislature, which prohibited the dissemination of obscene literature. A federal law regulating mailing of obscene works was passed in 1873, and most states passed antidissemination laws during the late nineteenth century.

Judges applied the Hicklin test until about 1933, when most U.S. jurisdictions relied upon a modified test devised by federal court judges in the case of *United States v. One Book called Ulysses*. Judges in the *Ulysses* case, which did not reach the Supreme Court level, declared obscene only those sexually explicit works that, on the whole, had a prurient effect on average readers. This less-restrictive definition protected some sexually explicit works with literary merit.

### LANDMARK COURT CASES

Two major Supreme Court decisions have shaped obscenity law. In 1957, the landmark case of *Roth v. United States* established that obscene materials are outside of limits of First Amendment protection. Since the First Amendment holds that "Congress shall make no law . . . abridging freedom of speech or of the press," *Roth* constituted an important ruling on the issue, suggesting the limits of protected content. The decision defined obscenity in terms of "whether to the average person, applying modern community standards, the dominant theme of the material taken as a whole appeals to the prurient interest."

In 1973, the Supreme Court refined its definition in *Miller v. California*. Regulation of hard-core pornography was the primary aim of the decision, which specified "patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated," and "patently offensive representations or descriptions of masturbation, excretory functions, and lewd exhibition of the genitals."

The Court's guidelines for judging obscene work,

set down in *Miller*, are: "(a) whether 'the average person, applying modern community standards' would find that the work, taken as a whole, appeals to the prurient interest (Roth), (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (c) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value."

The *Miller* case raised questions about why government should be able to decide which material has value. Some scholars argue that such decisions about value should be left to the marketplace and to individual consumers. Critics, including dissenting justices, also expressed concern about *Miller's* definition of obscenity, which they viewed as insufficiently precise and clear.

In contradistinction, the regulation of child pornography is almost universally accepted. Because of the special vulnerability of children, the legal system has allowed greater protection for children from the harms of pornography. In *New York v. Ferber* (1982), the Supreme Court upheld a statute banning pornography in which children are used as models or actors. The Court accepted broader regulation of child pornography in comparison with other forms, permitting government prohibition of works that only in incidental part (not as a whole) are graphic as well as materials that may possess "serious artistic, literary, scientific or educational value," and works that may not arouse "prurient" thoughts in average individuals.

### CONSERVATIVE VIEWS ON PORNOGRAPHY

Clear justifications for allowing government regulation of obscenity are often lacking in Supreme Court decisions on the subject. Stated definitions and rationales for obscenity regulation, however, suggest underpinnings in conservative thought.

Conservatives, who support strong regulation and enforcement of obscenity law, seek to preserve societal values and morals in the interest of the general welfare. From the 1960's through the 1980's, support by conservatives for obscenity regulation was grounded in a commitment to traditional family roles and values. From the conservative standpoint, pornography threatens those values, since it depicts, and may arguably promote, sexual relationships outside of marriage as well as unusual and societally condemned sexual practices depicted in pornography.

For example, the 1986 *Final Report of the At-*

*torney General's Commission on Pornography* suggested that "it is far from implausible to hypothesize that materials depicting sexual activity without marriage, love, commitment, or affection bear some causal relationship to sexual activity without marriage, love, commitment or affection."

Thus, obscenity, in the conservative view, compromises the integrity of the community by precipitating a decline in religious and moral values among its members.

Support for pornography regulation by conservatives also rests on the assertion that pornography degrades human relationships and depreciates the individuals depicted by the pornography. Sexual acts in pornography are reduced to their purely physical dimensions; they are depicted as animalistic rather than presented in the context of consensual and loving human relationships.

Pornography regulation is also justifiable when expression harms individuals, according to the conservative view. The 1986 *Attorney General's Report*, for example, documents many cases in which individuals, usually women, were adversely affected by pornography—as participants in its production or victims of its effects. Possible links between pornography and violence against women and children have been investigated by social scientists, who have reached mixed conclusions in experimental studies.

#### **LIBERALS' SUPPORT FOR FREE EXPRESSION**

Conservatives' support for obscenity regulation in the interests of society and community often conflicts with liberals' support for individual freedom of consenting adults to self-expression and choice in what they read or see.

Generous free speech rights are also defined within the framework of the "marketplace of ideas" wherein ideas compete for acceptance. Theoretically, weak or harmful ideas will falter within the marketplace and lose acceptance. The theory places faith in individual citizens to judge astutely the merits of the ideas presented.

Free speech rights may also be justified by democratic aims. Free speech and expression are particularly valued in democratic societies, such as the United States, in order to promote effective citizenship and participation in government. Confidence in the ability of individuals to make wise choices is an essential part of democratic society.

Some scholars also support maximum expression rights as a function of the need for tolerance in a democracy, particularly one with a diverse, pluralistic, and multicultural population. Unusual, unpopular, and abhorrent ideas should be tolerated with the expectation that tolerance will be reciprocated. Thus, from this perspective, citizens must tolerate some obnoxious, even harmful, expression.

Obscenity regulation is sometimes defended on the basis that, unlike vilified, objectionable speech with political significance, obscenity is "low value" expression, outside the ambit of the political and intellectual expression intended to be protected by the First Amendment.

Others justify pornography on the basis of overlooked positive functions that it might provide, including a possible sexually therapeutic effect for inhibited or sexually dysfunctional individuals or couples. Pornography may also provide informational benefits. The norm of sexual privacy impedes dissemination of information about sexuality, which may hamper self-expression and understanding of sexuality.

While mindful of the potential harms of pornography, liberals contend that the harms must reach a high threshold to justify regulation. Liberals are, therefore, skeptical of social scientific evidence suggesting harms of pornography. They support regulation only when nearly definitive proof of harm can be mustered.

The National Commission on Obscenity and Pornography (1970) embraced libertarian views that pornography's harms are relatively limited. At that time, available social scientific evidence suggested the absence of a connection between pornography usage and violence. This finding has been modified by subsequent studies.

#### **ANTI-PORNOGRAPHY FEMINIST POSITION**

While in virtual agreement that pornography degrades women, feminists are divided in their views about the regulation of pornography.

During the 1980's, feminist scholars reconceptualized pornography as a civil rights issue, thus juxtaposing the values of equality for women against the free expression rights of individuals. Feminists such as Catharine MacKinnon, who, with Andrea Dworkin, wrote a civil rights ordinance that addressed the pornography issue, contend that liberals' preoccupation with free speech rights is myopic in that it underestimates the harms of such expression to

women. In 1986, the MacKinnon-Dworkin ordinance was declared unconstitutional in federal courts.

Defining pornography in terms of its harms to women, feminists, such as MacKinnon, have also pointed out that while the analogy of the marketplace of ideas with regard to free expression might be appropriate if all citizens had equal access to and voice in the marketplace, the analogy fails when the distribution of power in society is unequal. Socially, politically, legally, and economically, according to this argument, women have less power and voice than do men within a patriarchy, and therefore their arguments are less likely to be viewed as credible.

In feminist “dominance” theory, MacKinnon argues that because men have defined social reality and legal theory, issues such as pornography, sexual assault, and sexual harassment may be defined and viewed differently by women and men, yet the male perspective on these issues is more frequently the preferred one.

Furthermore, concepts such as neutrality and objectivity, which are integral tools in legal interpretation, have been characterized in feminist and post-modern theory as, in practice, upholding the views of the socially powerful. For example, the “contemporary community standards” guideline in *Miller* is rejected by MacKinnon as irrelevant to feminist concerns because women are pervasively devalued and dehumanized as sex objects, making such subordination of women an accepted part of the culture—befitting “contemporary community standards.”

Specific harms attributable to pornography are cited in the civil rights ordinance as well as in feminist literature. The cited harms primarily affect women. For example, the ordinance recognizes the potential for women and children to be coerced into performing in pornography productions as well as abused, beaten, threatened, and tortured. Linda Marchiano, who appeared in the pornographic film *Deep Throat*, contends that she performed in the film under duress and that she was severely beaten and abused while making the film.

The 1986 *Attorney General’s Report* also contains numerous examples of victim testimony citing the use of coercive and misleading tactics to force women and children to perform in the production of pornographic materials.

Feminists have also rekindled the argument that pornography use is linked with sexual assault. Such

causal connections are supported by anecdotal evidence that some assailants model their crimes on ideas found in pornographic materials. In addition, certain findings by social scientists suggest that pornography exposure can affect attitudes toward women and that, in laboratory settings, exposure to sexually violent pornography is correlated with increased aggression toward women.

The most pervasive harm of pornography to women, as presented in feminist theory, is that it reinforces the subordination of women by men. In pornography, women are depicted as sexual objects whose purpose is to provide pleasure to men. MacKinnon and Dworkin argue that pornography asserts that women desire to be battered, humiliated, and beaten. It eroticizes male domination of women, including violence against women. A common theme of pornography involves a woman who is raped and at first resists, but later enjoys it. Social science research cited in the 1986 *Attorney General’s Report* shows that nonoffender college males, who were not generally aroused by sexually aggressive pornography, were aroused by rapes in which the victim appeared to enjoy the assault. Furthermore, such arousal was shown to be correlated with acceptance of rape myths.

The objectification of women in pornography mirrors societal attitudes about women, whose importance is judged on the basis of sexual attractiveness and availability. From this standpoint, pornography is symptomatic of women’s situation, limiting women’s opportunities and making it difficult for women’s full capabilities to be equally recognized.

## SUMMARY

Divergent perspectives on pornography derive from different emphases on the values of community, individual freedom, and equality. The conservative perspective places primary emphasis on morality and the general welfare, while increasingly demonstrating additional concern for the harms to individuals correlated with exposure to pornography or its users. The concern over harm is shared by feminists, who place strong emphasis upon the need for equality and women’s rights. Liberals stress the value of individual free expression rights, which are central to a democratic society, suggesting that these rights be cautiously balanced against the claims of harms to individuals or the general welfare.

Mary A. Hendrickson



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SEE ALSO: Art; Art and public policy; Bill of Rights, U.S.; Censorship; Freedom and liberty; Freedom of expression; Rape; Sexuality and sexual ethics; Song lyrics; Supreme Court, U.S.

## Post-Enlightenment ethics

DEFINITION: Ethics influenced by or following in the tradition of the Enlightenment of the eighteenth century

TYPE OF ETHICS: Modern history

SIGNIFICANCE: In a very real sense, all formal scholarly ethics written in Europe and the United States after 1800 could be said to be post-Enlightenment ethics. The terms and methods created by Enlightenment philosophers, especially by Immanuel Kant, have constituted the basic parameters of the field ever since, and any contemporary work of moral philosophy must either accept those terms and methods, or argue directly and explicitly against them.

The term “Enlightenment” took its place in the English language in the seventeenth century. Its frequent employment did not occur, however, until the twilight of the movement to which it is applied. Im-

manuel Kant's 1784 essay *What Is Enlightenment?* made the term applicable to the philosophical movement that was centered in France and Germany from the middle of the seventeenth century to the dawn of the nineteenth century.

The Enlightenment has bequeathed to succeeding ages the methodical study of human relations. The social sciences became the offspring of the Enlightenment. Although these disciplines were not a part of the movement proper, they were spawned by the Enlightenment *philosophes'* struggle to improve society.

The Enlightenment was a sharp break with the dominant view of life that was prevalent during the Middle Ages. In medieval society, belief was the chief means by which humanity operated. Thus, both the church and superstition held unquestioned authority in most circles. The Enlightenment, however, introduced a rejection of traditional doctrines, whose validity largely rested upon their longevity. The Enlightenment's questioning and probing method was conducive to the growth of science and its application to the political and social realms.

Generally, the Enlightenment tended to reject the restraints that had been placed on medieval thinking. The movement's free thinking not only expanded beyond metaphysical constraints but also dismissed them as being irrelevant and incomprehensible in determining what is ethical. The narrow focus of medieval Scholasticism was replaced by an interdisciplinary pursuit of knowledge. Philosophy became the medium through which Enlightenment thinkers examined history, politics, science, and other fields.

### CHIEF TENETS

The Enlightenment set forth the employment of free reason, which involved the analysis and evaluation of existing institutions and doctrines. This movement subjected traditional authority to examination and interrogation. The motive behind the probing was a belief in progress. Unlike the thinkers of the *ancien régime*, thinkers of the post-Enlightenment era believed that human effort was the chief contribution to progress. Some *philosophes* believed in it so fervently that they conceived of a heaven on Earth that was a product of humanity's designs.

Immanuel Kant called the statement *sapere aude* ("dare to know") the Enlightenment's motto. Indeed, a chief objective of the movement was self-

knowledge. The way to knowledge, according to the *philosophes*, was through experience. Since humanity was a part of nature, experience through that medium was possible. Hence, for Enlightenment thinkers, nature became the great teacher. This belief in experiential knowledge became known as empiricism.

The focus on the knowledge of humankind put a new emphasis on humankind's motivation and nature. Instead of taking the medieval view of humankind's preoccupation with otherworldly rewards, the *philosophes* conceived of humanity as being motivated by such temporal concerns as appetite, fear, and pride. This view ushered in the era of rational scientific materialism.

Thus, post-Enlightenment ethics have sought to reform society. It is believed that societal redemption will improve individuals who are influenced by the social environment in which they live. Hence, the Enlightenment and its following generations have focused their attention on life in the present rather than a life to come.

There is a temptation to dismiss the Enlightenment as being atheistic, but to do so would be inaccurate. Only in a few extreme cases were attempts made by Enlightenment thinkers to disprove the existence of a Supreme Being.

Instead, the *philosophes* were areligious. Although religion did not hold sway over them as it had over the medievalists, most of the Enlightenment's leaders did ascribe to various elements of religious teachings in their personal faith. For example, many of them were Deists and therefore believed in God as creator but not in divine immanence in history.

### INFLUENCE ON RELIGION

Many post-Enlightenment Protestant theologians have synthesized this movement with orthodoxy to form a theology that is at odds with John Calvin's doctrine of predestination and Martin Luther's bondage of the will. Modern Protestantism accentuates personal accountability. The individual is believed to be able to exercise choice regarding his or her eternal destiny. Such a view was readily accepted by Puritan New England. The American colonists were rebelling against the authority of the Church of England. Their belief in the freedom of conscience was confirmation of a crucial link with an important tenet of the Enlightenment.

New England continued to abide by Calvinism's belief in hard work and thrift. The region also, however, came to incorporate the Enlightenment's teachings. As a result, American Protestantism, so far as salvation was concerned, moved toward an Arminian theology in which human individual freedom of choice was stressed.

The Enlightenment's view of humanity called for something other than a metaphysical solution to the problem of bringing into being a moral society. The *philosophes* devised a system that emphasized human choice. Providing a quasi-link with the rigidity of medieval theology, however, the Enlightenment did believe that laws could be found in nature. They believed that the laws that brought order to the physical environment could be studied and used in the social arena to form a moral society.

Thus, although the Enlightenment did emphasize individual freedom, it did not advocate anarchy. Natural law was believed to contain principles that would ensure societal advantages that included the recognition of the equality of human beings and the right to pursue happiness. While it was individualistic in its accentuation of freedoms, it was at the same time a submission to natural laws that called for order and continuity in both the physical and the social environment.

The *philosophes* believed that it was possible and even desirable that society should exist without religious supervision. They did not, however, advocate the abolition of religion as a necessity. Instead, they called for religious tolerance. Arguments in favor of this position particularly were characteristic of the English Protestants. Consequently, the post-Enlightenment United States (a former English colony) has adopted an official stance of separation of state and church. By not having a state religion, the country attempts to tolerate all faiths and to ensure personal freedom of religion.

### INFLUENCE ON SCIENCE

With its probing nature, the Enlightenment was conducive to scientific investigations. Its rejection of unquestioned authority created a climate for scientific explorations, experiments, and resulting discoveries and inventions. This ushered in the Industrial Revolution, which has not only transformed but also expanded the world's economies. Out of this technological growth came the belief that human

beings were capable of shaping life's conditions. The optimistic view of progress swayed the post-Enlightenment world away from a reliance upon fate.

The post-Enlightenment world has come to depend more on human ingenuity to explain the causes of phenomena, including explanations for destructive storms, floods, and other natural disasters. The modern world is not inclined to attribute such events to acts of divine justice or the inevitable. Instead, it looks for causative factors and preventive measures that will deter or minimize future damages. Thus, the post-Enlightenment world depends on human effort rather than on religion or superstition to explain the unknown.

Unfortunately, post-Enlightenment manipulators have applied some of the *philosophes'* scientific cataloging to justify classism, racism, and ethnocentrism. By classifying humanity into various segments, these individuals have used the *philosophes'* efforts to bring about order to create disunity among human beings. By going beyond the species of *Homo sapiens* and classifying humans into races and classes, the post-Enlightenment manipulation introduced a stratified chain of being for humanity. This doctrine subverted the Enlightenment's attempt to recognize the equality that nature had decreed. Hence, scientific racism became a perverted use of the Enlightenment's doctrines.

### INFLUENCE ON PHILOSOPHY

During the Middle Ages, philosophy and theology were one. Because of the Church's domination, it was considered sacrilegious to conduct speculative thinking that was independent of religious dogma. The few medievalists, such as Peter Abelard, who exercised some degree of free thought were ostracized and persecuted. The Enlightenment's philosophy, however, exemplified human reason as the avenue to truth. In fact, the Enlightenment's *philosophes* were also scientists; that is, they studied nature in the belief that it contained laws that brought order to the universe. This concept led them to classify and organize information into a system. As a result, the *philosophes'* most important form of publication was the encyclopedia, in which they cataloged scientific and philosophical knowledge. Natural law was perceived as governing not only the physical environment but also society.

This was a clear divorcement from medieval thinking. The *philosophes* did not believe that ethics could be mastered by studying metaphysics or religion. Thus, for ethics to be comprehended, it was believed that the student had to abandon metaphysics and religion. The Enlightenment viewed these disciplines as explanations for the imponderable.

The *philosophes*, again unlike the medievalists, did not concern themselves with otherworldly rewards and punishments. Instead, their focus was humanity's present situation. Thus, they attempted to discover natural laws that spoke to human behavior, government, and individual freedoms.

Because of this emphasis, the post-Enlightenment world has turned its attention toward the improvement of society. Disciplines such as sociology and psychology came of age because of the Enlightenment's scrutiny of humanity's problematic situation. The systematic study of these problems was a fundamental component of the development of the social sciences. The post-Enlightenment world has been much more understanding and helpful in treating mental disease. While the medievalist was prone simply to dismiss a disturbed person as one possessed by a demon, modern science has searched for the physical and psychological causes of mental disturbance. The net result of the advent of such social sciences has been the emergence of a more humane way of dealing with such patients.

The *philosophes'* views were widely dispersed. Their philosophy reached far beyond western Europe. The United States was particularly receptive to the positions expostulated by Montesquieu, Voltaire, Locke, and others. These Enlightenment thinkers came to have a basic and profound impact upon the American Revolution and the democratic government that was formed in the aftermath.

### INFLUENCE ON POLITICS

The Enlightenment had a tremendous impact in the governmental sphere. Its philosophy of natural law became the basic argument for individual freedom, including the pursuit of happiness. Thus, the Enlightenment declared that the governed did not exist for the benefit of the governor. Jean-Jacques Rousseau espoused the view that government was really a contract between the governed and the governor, who had reciprocal responsibilities. Opposing arbitrary authority and the divine right doctrine, the

*philosophes* held that a citizen had rights that included expectations of the government.

Furthermore, the Enlightenment gave credence to the doctrine of the right to revolt. Whenever the government infringed upon citizens' individual freedoms, the citizens were justified in overthrowing that government.

While this doctrine legitimated the American and French revolutions in the eighteenth century, it was paradoxical to its contemporary practices of slavery and colonialism. Thus, while the Enlightenment ushered in a new era that was characterized by emphasis upon individual freedoms, it did not provide a clean break with the despotic past. Many of the violations that subverted the human being's pursuit of happiness would continue for many years, even in lands where the Enlightenment's principles had been formally adopted as the basis for government. These continued violations illustrated that many of the *philosophes* were overoptimistic. Their hope for an earthly utopia has continued to elude humanity even though reforms and democratic ideals have become diffused throughout the post-Enlightenment world.

### INFLUENCE ON SOCIAL STRATIFICATION

Among the doctrines set forth by the Enlightenment was the equality of human beings. This idea was a radical departure from the medieval practice of feudalism. Under the *ancien régime*, a vassal would swear his fealty to a nobleman. The vassal was subservient to the nobleman in every way imaginable. His major assignment was to render service and obedience unto his lord (the nobleman). In no way did the serf consider himself to be on an equal basis with his master.

The Enlightenment was an integral part of the modernization of the Western world. As the growth of the middle class occurred, feudalism's structure of nobility and serfdom was challenged. Thus, the Enlightenment challenged this archaic stratification and at the same time served as an apologetic mechanism for the emerging middle class. In this way, the Enlightenment helped to pave the way for the spread of both democracy and capitalism. The Enlightenment's teachings regarding natural law and equality undermined the feudal structure. Thus, socially, post-Enlightenment society tended to be fluid. In modern democratic society it is reasonable to expect social and economic mobility. American optimism espe-

cially made the modern citizen believe that economic and social improvement is a reasonable expectation and perhaps even a right.

Yet despite the post-Enlightenment world's optimistic expectations, social stratification continues. Certainly, modern stratification in the industrialized countries is not as drastic as the plight of the medieval serf as contrasted with the comfortable life of the aristocratic nobility. Yet the dream of a classless society has proved to be an unrealistic aspiration. Even communism's imposition of a uniform dress code (as in the case of China) has not proved to be successful in producing a totally egalitarian society. Thus, the unattainable goal of a utopia free of classism again demonstrates the unrealistic expectations of some of the *philosophes*.

In fact, the post-Enlightenment world has not completely obliterated feudalism. The remains of this medieval institution can certainly still be found in the military and in the business world's corporate culture. Despite this structure, however, the Enlightenment has influenced these modern organizations. There are rules that the rulers are expected to follow, and if they do not, they can be replaced. Thus, despite the military and corporate hierarchy, the post-Enlightenment world does demand personal accountability from all.

#### CONTRIBUTION

Post-Enlightenment ethics are characterized by an appreciation for individual freedoms, democratic government, and an optimistic belief in human progress. As a result, society has become less staid and evasive of human accountability. Post-Enlightenment ethics do not ascribe blame for accidents and disasters to God or fate. Instead, human ingenuity and negligence are cited as factors in bringing about either success or failure. Such thinking has given birth to two opposing positions. Fatalists have used aspects of the Enlightenment to classify humanity into groups that range from the primitive to the most advanced. By doing so, they have maintained the inequities that were part of the *ancien régime*. Such misuse of the Enlightenment has subverted its aspiration for a totally reformed society. Yet the Enlightenment has also helped to inspire democratic ideals and universal fraternity. Since these noble ideals are not fully attained, it might be said that the Enlightenment is still in progress.

*Randolph Meade Walker*

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SEE ALSO: Enlightenment ethics; Kantian ethics; Natural rights; Postmodernism.

## Postmodernism

**DEFINITION:** Group of aesthetic and theoretical responses to late twentieth century political, economic, and social life

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Postmodernism is a largely celebratory movement, advocating and enjoying the chaos, fragmentation, and commodification endemic to contemporary capitalist society. Its embrace of ethical ambiguity has been criticized both by those who advocate a return to traditional ethical values and by those who see it as inappropriately upholding traditional capitalist values such as individual choice and personal preference.

In 1907, Pope Pius X wrote an official letter condemning what he called “modernism.” His letter

charged that modernists were denying the Church’s ancient traditions. In fact, modernism often implies the sense of an antitradition, and the pope feared that modernist ideas would necessitate a devaluation of papal authority and historical legitimacy.

Modernity, that is, the era beginning with the Industrial Revolution and ending some time in the second half of the twentieth century, was a time of rapid scientific, technological, and economic development in much of the world. The values both of tradition and of progress were constantly at issue and constantly questioned. There were two responses to this movement, one positive and one negative. On the positive side, during the modern period, there was a general feeling of impatience with the past and a popular optimism toward the future. There was a sense that perfection is possible for human society. Science, technology, and human reason could create a utopia for the world in which people would live good lives in peace and harmony. Ancient traditions no longer provided the means of future progress and advancement, and so had to be left behind.

On the negative side, however, many writers, artists, and intellectuals responded to this conception of technology and reason with skepticism. Their work decried the mechanization and rationalization of human society. They saw humans being replaced by machines and, even worse, a tendency to see the human as a type of machine. These “modernists” believed that the problem with modernity lay in the invention of a new sort of culture, mass culture, which produced artworks, as well as electronic, automotive, and other products, on a mass scale. Mass culture was seen as a culture of technology and the rational marketplace, rather than a culture beauty and artistic value. Modernism was a largely pessimistic reaction against modern mass culture, an attempt to “rescue” the category of high art from the “degradations” of the masses.

### POSTMODERN SKEPTICISM

The modernist skepticism toward traditional models of progress that had led to the creation of mechanized, mass culture was amplified in the late twentieth century. As capitalism developed and became global, modernity developed into postmodernity. The general public began to believe that their earlier optimism had been unwarranted. Science and technology did have good effects, but there was a dark side for

every advance. With new technology came pollution, for example, and more advanced means for conducting war.

At the same time, the globalization of mass culture brought radically different value systems into intimate contact with one another. The result was a heightened awareness that not all races and nationalities thought the same way. Knowledge which once had seemed objective and universal was revealed to be the perspective of one particular group. Postmodernity, then, brought about a popular acceptance of the skepticism that had been expressed only by individual intellectuals in modernity. The notion of a universal ethics that would apply to all people came to seem implausible.

Ironically, some creators of art and literature in postmodernity began to celebrate the very fragmentation of traditions and values that had seemed so foreboding to the modernists. New kinds of aesthetic movements developed which, far from “rescuing” art from mass degradation, celebrated mass culture and denied that there was any difference between high art and popular culture. These movements were identified as examples of “postmodernism.” Modernism and postmodernism thus tended to agree as to the nature of reality, identity, and values—but where modernism resisted the death of tradition, postmodernism reveled in it.

#### EXAMPLES OF POSTMODERN ETHICS

Postmodernism views ethics as something which has to be decided by the individual or group. Various races and cultures, for example, have diverse ways of living and speaking, thus making it difficult to state uniformly what is right and wrong. In postmodernity, there is an explosion of diversity in all aspects of life, and postmodernism celebrates that diversity. From one point of view, heterosexuality is normal, whereas from another, homosexuality seems right. The American desire to bring democracy to the world seems to some to be a lofty and honest goal. But a postmodernist view states that this is merely one story that can be told about the role of the United States in the world, and others may be equally valid.

Changing roles for men and women provide another example of diversity. In modernity, women were the housekeepers and men were the breadwinners. Role reversals have brought about confusion and disorientation as to what vocational choices to

make. In postmodernity, it is not possible to state, in principles that hold for all people, what is right and wrong, ethical or unethical.

Winifred Whelan

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*Winston S. Churchill (left), Harry S. Truman (center), and Joseph Stalin at Potsdam. (National Archives)*

## Potsdam Conference

**THE EVENT:** Final meeting of the Allied leaders of Great Britain, the Soviet Union, and the United States during World War II

**DATE:** July 17 to August 2, 1945

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Over the course of the Potsdam Conference, long-standing ideological and ethical differences between the United States and the Soviet Union emerged to solidify the territorial and economic dismantling of Germany and lay the foundations of the Cold War.

In the Berlin suburb of Potsdam, the Allied powers met from July 17 to August 2, 1945, to strengthen their resolve to defeat Japan and to decide how to put the world back together after the shattering experience of World War II had ended. Joseph Stalin, who had been cunning and brutal in securing control at home, was bent on exploiting the Soviet Union's victory after the war. President Harry S. Truman, the

naïve idealist who believed implicitly in his country's innate goodness, had faith in the principle of international cooperation. Great Britain sided with Truman, who demanded that free elections be held in eastern European countries that, it was charged, had unfairly been made satellites of the Soviet orbit of control. Stalin refused.

War damages, or reparations, were another crucial issue. The Soviets wanted to rebuild their war-torn economy with German industry; the United States feared that it would be saddled with the entire cost of caring for defeated Germans. Each side ended up taking reparations from its zone of occupation, and Germany was divided in two without input. The growing antagonism between the United States and the Soviet Union resulted in the Cold War.

*Andrew C. Skinner*

SEE ALSO: Cold War; Stalin, Joseph; Truman Doctrine.

## Poverty

**DEFINITION:** Condition of having insufficient resources or income to meet such basic human needs as nutrition, clothing, shelter, and health care

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Political philosophers and social activists often appeal to competing moral bases to ground their arguments about alleviating poverty. Arguments and rationales include individual rights to life and property, mutual and intergenerational obligations of citizens, legitimacy of the state, and obligations of affluent nations to poverty-stricken nations.

Welfare provision as a matter of charity is based on the notion that individuals have no moral right to what they receive because no one has a right to another's charity. People have a right to acquire and retain goods and resources by initial acquisition or by voluntary agreement. Welfare provision as a strict obligation for those with resources implies that those in need have moral claim on more affluent persons. One's right to life means more than the right not to be killed unjustly. It implies a moral claim compelling more affluent persons to relinquish part of their surplus wealth on behalf of poor persons. However, the principle generally assumes that poor persons do all they legitimately can to meet basic needs.

In the absence of strict moral claims, poor persons are dependent on others' beneficence, which may or may not be forthcoming. A duty to be benevolent, based on welfare as charity, obligates those with resources only to assist people whom they choose to assist. It cannot be enforced under equal rules for all, and it favors private, nonstate forms of provision. The role of the state is residual. Government acts as a safety net when private sector welfare is inadequate. Conversely, the strict obligation view of welfare implies that individuals have a right to such provisions. The state not only must ensure that such rights are protected and applied equally, but it also should be instrumental in welfare provision. The state's legitimacy in part derives from its welfare providing functions.

#### ETHICS OF RELIEF

The ethics of relief obligate charitable organizations and governments to assist those who cannot meet their own basic needs. Political philosopher James Sterba argues that poor persons have a moral claim on the surplus resources of the more affluent. Sterba's argument that the needs of the poor take priority over the liberty of the affluent persons to meet luxury needs conflicts with the views of libertarian and liberal political philosophers. For example, Robert Nozick maintains that the only claims to welfare help that can be justified are from those whose poverty has resulted from some form of social injustice, such as discrimination.

#### ETHICS OF PREVENTION

The ethics of prevention concern what must be done to reduce future poverty. Economist Gordon Tullock has suggested that if income were redistrib-

uted to alleviate poverty in the United States, one of the effects would be to slow the rate of economic growth by approximately 2 percent annually. After about fifteen years, the consequent reduced economic growth would leave people at the lower end of the income scale worse off than if no transfer of income had taken place. Likewise, if affluent countries were to redistribute wealth to the poorest countries, the consequent reduction in the rate of economic growth in the United States would reduce the rate of growth in the recipient countries because the United States would be consuming less of the world's goods. Over time the cumulative effects would worsen poverty in the poor countries.

The ethics of relief and of prevention are affected by the closeness of the relationship between providers and receivers. There is much less moral ambiguity around alleviating poverty among more immediate family members, other relatives, or close friends. More distant family members, acquaintances, or strangers are more ethically problematic. As Sterba notes, however, no one is morally required to do either what is beyond their power to do or what would entail too great a sacrifice. Setting limits on efforts to alleviate poverty is permissible to the extent such efforts result in immense personal or social sacrifice on those who are not poor.

*Richard K. Caputo*

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SEE ALSO: Developing world; Entitlements; Homeless care; Income distribution; Malthus, Thomas; Nozick, Robert; Population Connection; Poverty and wealth; Rawls, John; Welfare rights.

## Poverty and wealth

**DEFINITION:** Poverty: lack of sufficient material resources to sustain oneself, or of extraneous or luxury possessions; wealth: abundance of material resources and riches

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The extreme disparity of wealth levels between industrialized and developing nations may raise significant ethical issues relating to social and distributive justice, especially since the wealth of industrialized nations is largely maintained and increased at the direct expense of developing nations. Many members of the industrialized world, however, would disagree with this statement, arguing that the poverty of others creates no obligation on the part of the wealthy and that global free markets are in the long-term interests of all people.

Nonindustrialized, or developing, nations cover 60 percent of the world's land surface and include 70 percent of the world's population. They form a much less homogeneous group than do the major industrialized nations, since they represent a wide variety of social, economic, cultural, political, and geographical environments. Unfortunately, what developing nations do have in common is a marked socioeconomic disadvantage that manifests itself in weak economies, overpopulation, and widespread poverty.

In developing nations, poverty is pervasive both relative to industrialized nations and on an absolute level. State welfare systems are either inadequate or nonexistent, and for that reason millions of people are malnourished and die in periodic famines. Housing and shelter are often inadequate.

Developing nations are characterized by weak economic systems; low agricultural productivity; an undeveloped industrial base; limited technology; limited purchasing power; overreliance on a small number of export products, making their economies particularly vulnerable to fluctuations in supply and

demand; and reliance on foreign investments and the importation of industrial equipment.

Developing nations also have demographic deficiencies, such as low life expectancy at birth, high rates of infant mortality, large families, rampant disease, and high rates of infection. These countries also tend to have incompetent governments that are characterized by poor administration, widespread corruption, lack of opportunity and high unemployment, glaring inequities between social classes, a disproportionate concentration of wealth and power in the hands of a ruling elite, and insufficient resources devoted to social programs and education (impoverished sub-Saharan countries continue to spend two to three times as much on armaments as on education). Because of such inequities, the best-educated segment of the population may leave; for example, during the 1980's, one-third of Africans with a post-secondary education emigrated to Europe.

It is obvious that there is an enormous disparity between the developed and the underdeveloped world in terms of the distribution of wealth and power, and this disparity appears to be growing according to reports of the United Nations Development Program. Income disparities between the richest and the poorest 20 percent of countries more than doubled between 1960 and 1990. As of 1992, the average income gap was more than 140 to 1 (\$22,808 to \$163). In terms of control over economic activity, in 1989, the richest 20 percent of nations controlled between 80 and 95 percent of total gross national product, world trade, commercial lending, domestic savings, and domestic investment. The poorest 20 percent of countries controlled between 0.2 and 1.4 percent of economic activity.

### ETHICS AND THE WEALTH OF NATIONS

Most developing nations are in a relationship of unequal exchange with the countries of the developed world. One theory maintains that the way to decrease this inequality is to redistribute wealth. Central to this strategy is the belief that economic interaction is a zero-sum game; that is, that as one nation acquires more wealth and becomes richer, another nation loses wealth and becomes poorer. As Marjorie Kelly put it: "Wealth is made on the backs of the poor." Therefore, if the developed countries are hoarding all the wealth and this wealth is generating poverty in the undeveloped nations, poverty can be



wiped out by redistributing the wealth from developed to undeveloped nations. Examples of this theory being put into practice include the Peace Corps, foreign aid, and low-interest loans or grants that are provided by the World Bank and the International Monetary Fund.

The concept of redistribution may be ethically laudable, but it has not worked in practice, as is indicated by the growing disparity between developed and undeveloped nations. The zero-sum theory says that significant improvement in the well-being of nonindustrialized countries can occur only if a significant decline in the well-being of industrialized countries occurs simultaneously. A similar rationale works on a smaller scale for the powerful interest and economic groups within nonindustrialized countries that have monopolized the wealth of those countries. Clearly, these nations and groups have not been willing to undertake such a level of redistribution. In fact, the data suggest that they are accumulating an even greater share of the wealth. According to Jacob Needleman, "The outward expenditure of mankind's energy now takes place in and through money." Marjorie Kelly observed that one of the consequences of this single-minded accumulation of money is that "we have come to lack a sense of financial obesity: a cultural consensus that enough is enough and too much is grotesque . . . we lack any . . . revulsion to vast sums of money."

Kelly argues that a solution to this problem may be to recognize that equality of wealth is impossible to achieve. Kelly suggests that one solution might be to encourage the creation of wealth that does not cause poverty, creating a win-win situation, an ethically earned prosperity that also makes others prosperous. For example, a product is sold by a company to customers who become prosperous by using the product. Kelly's idea is interesting, but it is not clear on what scale a win-win situation could operate globally. In addition, the success of such a strategy hinges on—as Kelly noted—a duty on the part of the wealthy to care for those who do not have wealth. The fact that affluent nations are becoming wealthier while developing nations sink deeper into poverty suggests that Kelly's sense of duty has not yet achieved recognition or high priority.

*Laurence Miller*  
*Updated by the editors*

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SEE ALSO: Capitalism; Class struggle; Communism; Distributive justice; Economic analysis; Famine; Income distribution; Poverty; Profit economy; World Trade Organization.

## Power

DEFINITION: Ability to produce effects

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Power is arguably the thing which ethics is designed to regulate: One's actions and even one's existence are morally significant only to the extent that one has recognizable effects upon oneself and others. For philosophers like Michel Foucault and Friedrich Nietzsche, power—that is, the sum total of one's effects—is synonymous with existence.

Power is often confused with authority, but power is distinct from authority. In general, power implies an ability or capacity of some sort. More particularly,

power implies an ability or capacity to exercise influence, control, or dominion over others. Authority is the legitimate right to use power. Not everyone, however, believes in the separation between power and authority. Despots, tyrants, and dictators eschew legitimacy and wield authority like a sword. Vladimir Ilich Lenin viewed the rule of the Communist Party, the dictatorship of the proletariat, as being based on brutal force, unlimited by any laws or rules. Mao Zedong identified power with authority. One has authority because one has power to rule. "Political power grows out of the barrel of a gun," said Mao. This article will focus on the sources and nature of power.

### **POWER AS KNOWLEDGE**

Power has been identified with knowledge, freedom, justice, and political authority. In Plato's allegory of the cave, knowledge is likened to the power that emancipates slaves of sensory perception from the darkness of ignorance to the bright light of intellectual knowledge. Francis Bacon claimed that knowledge is power. In the *Advancement of Learning* (1605), he wrote, "For there is no power on Earth which setteth up a throne or chair of estate in the spirits and souls of men, and in their cogitations, opinions, and beliefs, but knowledge and learning."

### **POWER AS FREEDOM**

Thomas Hobbes, Baruch Spinoza, Immanuel Kant, and Jean-Paul Sartre understood freedom to be the source of power. Hobbes argued that the social contract came about by means of the surrender or alienation of natural freedom to society. Hobbes wanted to place all power in the hands of the sovereign. Spinoza identified freedom as power—power to act, power for self-preservation. Spinoza defined power as *conatus*, the special propensity or capacity of a thing to perform; in short, the freedom of self-preservation. Kant postulated that human beings have free will to impose laws upon themselves; that is, human beings have moral autonomy or freedom, which is the source of power. Sartre believed that freedom was the power of self-determination.

### **POWER AS POLITICAL AUTHORITY**

The Greek Sophist Cratylus, a skeptic and relativist, claimed that the law of right is the law of the strongest; in other words, power is right, power is jus-

tice. This ethic was taken over by the argumentative Sophist Thrasymachus. Plato's *Republic* opens with a discussion between Socrates and the aged Cephalus over the meaning of life, which leads to the question of the just life. Having asked for a definition of justice, Socrates receives a reply from Polemarchus, son of Cephalus, who argues on the authority of the Greek poet Simonides that justice is to give to each what is owed. In the course of the discussion, a frustrated and impatient Thrasymachus charges into the debate. Justice, he argues, is whatever brings advantage to the stronger or to established rule. At the end of the argument, Thrasymachus winds up defending injustice as being more valuable than justice, because injustice can be used to the advantage of the stronger. In effect, Thrasymachus defines justice as power.

### **JOHN LOCKE AND KARL MARX**

John Locke identified political power with legitimate authority. In the *Second Treatise of Government* (1690), Locke differentiated political power and despotical power. The difference consisted in the fact that political power is legitimate authority, whereas despotical power is arbitrary. Political power is founded on the social contract, in which self-rule is willfully handed over to society for the common good and for protection. Despotical power is simply arbitrary power over other persons.

Karl Marx claimed that political power can be explained in terms of economic relations of property ownership; therefore, he viewed power in capitalist society as exploitation. For Marx, private property is the source of social power. Marx believed that private property ownership patterns created asymmetrical relations of power resulting in the development of two classes: the exploiting class and the exploited class. The property-owning classes are the exploiting classes because they exploit the labor power of the non-owning classes. Workers must enjoy freedom from servitude and must be propertyless. The reason that capitalist power is exploitative is that capitalist society must constantly renew its conditions of existence by ensuring that a sizable percentage of the population remains propertyless and therefore subordinate to the dominant class. The worker has no choice, if he or she wants to survive, but to appear on the labor market as a commodity to be bought and sold. Power over others, therefore, grows out of unequal property relations.

Max Weber, unlike Marx, found sources of power outside the economic realm. Power may flow from the possession of economic or political resources. High positions may also confer power.

### MACHIAVELLI

Niccolò Machiavelli wrote *The Prince* (1513) and dedicated it to Lorenzo de Medici, hoping to attract the attention of the Medicis. *The Prince* has been called a grammar of power, and for good reasons. The book was written about the acquisition of absolute power. *The Prince* was taken from the *Discourses*, which set forth several principles: the superiority of the democratic republic, reliance upon mass consent, organic unity, the role of leadership in achieving cohesiveness, the imperative of military power, the use of national religion to unify the masses and to cement morale, the will to survive and ruthless measures, and the cyclical rise and fall caused by the decadence of the old and reinvigoration of the new. Although *The Prince* can be studied in the context of the Mirror of Princes Literature, a genre that flourished during the Middle Ages and depicted princely virtues, it signified a revolutionary turn in political thinking by rejecting ethics and metaphysics and espousing political realism.

Machiavelli refused to imagine human beings as they ought to be; instead, he employed as his starting point the realistic acknowledgment of human beings as they are. Machiavelli believed that ideals and ethics were ineffective in government. Chapters 15 through 19 of *The Prince* are the most radical. These chapters deal with the qualities that a prince ought to possess. The prince is advised to disregard the question of whether his actions should be called virtuous or vicious. The choice of action, Machiavelli claims, depends not upon ethics but upon circumstances. Machiavelli was not concerned with good or evil, but with effective government; not with virtues, but with *virtù*, or vitality. Chapter 14 stresses the primacy and necessity of brute power being employed for strategic ends—in other words, war. For Machiavelli, the prince has no other aim but war. The prince is counseled to learn war through action and study and to know and defend even in peacetime.

### THOMAS HOBBS

Thomas Hobbes defined the nature of political power in *Leviathan* (1651), which contains a power-

ful argument on behalf of strong government. Hobbes wrote *Leviathan* while exiled in Paris from the English Civil wars. Hobbes's aim was to unite Church and state into one powerful structure. Holding to a mechanical view of the universe, he naturally constructed his theory of human nature on the basis of mechanistic principles. For example, he depicted the human mind as a function of the nervous system. Chapter 13 contains the famous passage called the "Naturall Condition of Mankind." Hobbes claimed that the state of nature is a state of war because of human equality (for example, a small man could kill a big man with a rock). Human life in this natural state is "solitary, poore, nasty, brutish, and short." Power is socially and equitably distributed. In order to gain mutual protection, and because human beings enjoyed a natural rational propensity to seek peace, a commonwealth was in order. Such a commonwealth would be formed by a compact in which each individual agreed to allow as much liberty to others as he or she would expect to enjoy. By forming a compact and mutually renouncing individual freedom and power, the members of society would grant absolute power to the sovereign. Only the government, then, could assign rights and determine justice.

### FRIEDRICH NIETZSCHE

Friedrich Nietzsche, in *The Dawn* (1881), *The Gay Science* (1882), *Beyond Good and Evil* (1886), *The Will to Power* (1901), and *Thus Spoke Zarathustra* (1883), made power an interpretative principle of human behavior and morality. The will to power is at the heart of his philosophy. He pointed out a dualistic morality—a slave morality, or herd morality, versus a master morality. The slave morality was guided by resentment against the successful, wealthy, and powerful. The superman (*Übermensch*) appears as the Nietzschean hero who affirms life and recalls Wolfgang von Goethe's Faust, who symbolized the ever-striving, never satisfied power of the human spirit. "Dead are all gods; now we will that superman live." Superman is the goal of history. In *The Antichrist* (1895), Nietzsche defined the good as power. "What is good? Everything that heightens the feeling of power in man, the will to power, power itself."

### MICHEL FOUCAULT

Foucault was one of the brightest luminaries to grace the French firmament of intellectual thought in

the twentieth century, and his influence can be felt throughout the academic world of the West. His major contribution to social thought was the stimulation of new thinking about power. This concept is central to his social and political critique. In it, he thinks he has found the Archimedean point with which to understand the systems and structures of rationality, political authority, and science. However one may conceive of Foucault's use of the concept of power, there is no way to interpret his project of contemporary historical analysis without tackling the ineluctable idea of power.

Power for Foucault is not some kind of substance. It is neither an essence composed of definable qualities nor an ontological category representing some real entity. Instead, power is an abstract configuration, an abstract possibility of relations of force. Foucault conceives of power in essentially nominalistic terms. "Power in the substantive sense, *le pouvoir*, doesn't exist. . . . In reality power means relations, a more-or-less organized, hierarchical coordinated cluster of relations." Relations within the social body make the presence of power ubiquitous. This is the case because Foucault views power coterminously with the conditions of social relations. What is revolutionary about Foucault is his localization of the mechanisms of power in the apparatuses outside the state. He locates power, or "micro-powers," on the mundane, quotidian level of familial relationships, kinship systems, local administrations, and so forth. He cautions, therefore, that unless the mechanisms of power that function outside the state are changed, nothing in society will be changed. Foucault then locates power at every point of society. In fact, he contends that the functioning of the state depends on concrete power relations diffused throughout the social body. Power functions at myriad points of social contact and has myriad effects.

Foucault thinks of power as having "capillary" forms of existence—the capillaries being the points at which power enters and invests itself in individuals. It is at this level that power becomes productive of social knowledge.

The functioning of power creates new bodies of knowledge. Power and knowledge are inexorably connected. One cannot exist without the other. Power is constrained to produce knowledge, and knowledge cannot escape engendering more power. Foucault does not mean the same thing by power/knowledge

that members of the Frankfurt School meant by reason/ domination. Foucault is not trying to unmask the oppressive systems of the dominant classes. Instead, he is attempting to locate the points of intersection of power and knowledge as they are dispersed strategically throughout the social body.

### THE INDIVIDUAL IN SOCIETY

What part does the individual play in the process of the determination of power within the social body? Foucault seems rather ambiguous concerning the individual subject and the problem of subjectivity. On one hand, he says that it is the position of the subject that exercises power, not the individual; on the other, he says that power is exercised in the very bodies of individuals. The effects of power invest themselves in the bodies of individuals. Biopower (also called political technology) and biopolitics refer to the control of species and the control of the body. Political technology leads to the categorization of human species and converts the human body into an object to be manipulated (disciplinary power). The aim is to create a docile and productive body. Biopolitics depicts the individual as an object of political concern for the purpose of normalization.

In *Discipline and Punish* (1979), Foucault presents power as the force of normalization and the formation of knowledge. Normalization and knowledge invest the body, the individual, the masses, and the body politic. "The soul is the effect and the instrument of a political anatomy; the soul is the prison of the body." Through knowledge, power moves to a new level. Knowledge is power over people that ends up normalizing people and standardizing them in the factory, school, prison, hospital, or military.

Power is not built up of individual wills. Individuals and subjects are not particular powers, they do not possess power, and power does not emanate from them. Yet all individuals are subjects in a universal struggle in which everyone fights everyone else. There is, for Foucault, no such thing as an oppressor/ oppressed polarity such as the Marxist class struggle between the proletariat and the bourgeoisie. Forms of rationality other than the economic enmesh themselves in the institutions and domains of society, engendering effects such as sexism and racism.

At his inaugural address at the Collège de France, France's most distinguished academic institution, Foucault presented a discourse about discourse enti-

tled "L'Ordre du discours." In it, Foucault argues that the production of discourse is controlled by procedures of exclusion, sexual and political prohibition, taboo, ritual, and the right to speak. The will to knowledge leads to a system of exclusion that relies on institutional support. Procedures arise for the control of discourse, systems of restriction, conditions, and rules of access. The number of those allowed to participate is small. Ritual defines qualifications, gestures, behavior, and circumstances. Societies of discourse preserve discourse within a restricted group.

For Foucault, then, power is a heuristic principle, or explanatory rule, for understanding social practices. He corrected the too-long-held view that power is exclusively repressive or constraining. In fact, what Foucault demonstrated was the insidious way in which power produces conformity, legitimizes political power, and creates exclusionary forms of knowledge.

*Michael Candelaria*

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SEE ALSO: *Beyond Good and Evil*; Dirty hands; Foucault, Michel; Freedom and liberty; Hobbes, Thomas; *Leviathan*; Locke, John; Machiavelli, Niccolò; Marxism; Nietzsche, Friedrich; Politics.



## Practical reason

**DEFINITION:** Justification for taking action

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Theories of practical reason try to answer such questions as why one should be moral, whether it is always rational to act on moral requirements, and if human beings are inherently selfish.

The difference between practical and theoretical reason rests on a distinction between two types of reasons. A practical reason—such as the need to help people in trouble—gives one a reason for doing something. A theoretical reason—such as “ $7 + 5 = 12$ ”—gives one a reason for believing something. Some argue that by nature people act only for selfish reasons. Thomas Hobbes, the founder of modern egoism, is the most influential defender of this view. Most theories of practical reason attempt to refute egoism by proposing standards for moral decision making. These standards are supposed to show that human beings have reasons to be moral that are not based exclusively on self-interest.

Each of the three dominant theories of practical reason defends a conception of practical reason that can be traced back to its founder. The ancient Greek philosopher Aristotle argued that a virtuous person is someone who knows how to act in ways that promote the virtuous life. A benevolent person, for example, knows that it is good to help others in need. The practical reasoning of a benevolent person is motivated by the desire for beneficence and the knowledge that beneficence is a virtue. Practical reasoning thus involves putting moral knowledge into practice by acting morally.

The eighteenth century English philosopher David Hume argued that practical reason is always motivated by desire. For example, having a desire to relieve someone's suffering counts as a reason for acting. Moreover, unless a desire is present a person cannot have a reason for action. Hume and his followers believe that the reasons people have for acting morally are usually not selfish reasons. Because people are generally believed to have a natural sympathy for the plights of others, they have a natural desire to act morally.

The late eighteenth century German philosopher Immanuel Kant claimed that it is possible to act from

a reason even if one has no desire to do so. According to his view, a moral reason is a requirement of rationality; a moral reason is also a practical reason because it specifies an action that a person should perform. Rational people, so far as they are rational at the moments of action, will know that they have a duty to assist those in need. Kant therefore rejects the claim that a reason for action presupposes a desire. For Kant and his followers, sometimes morality requires acting on reasons that conflict with human desires. Contemporary ethicists usually defend a version of one of these positions.

*Jon Mahoney*

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SEE ALSO: Aristotelian ethics; Golden mean; Good, the; Hobbes, Thomas; Idealist ethics; Kant, Immanuel; Morality; Nagel, Thomas; Natural law; Prudence.

## Pragmatism

**DEFINITION:** School of philosophy which asserts that ideas should be understood as practical entities

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Pragmatism holds that thought is essentially a guide for action. Therefore, ideas acquire their meanings from their practical consequences, and truth is defined as whatever it is useful to believe. Pragmatist ethics tends to be situational and consequentialist, since it focuses on the useful effects of moral values in particular contexts.

Pragmatism was initiated by Charles Sanders Peirce and William James and developed by John Dewey and George Herbert Mead; it has been revived since the 1970's. Responding to Darwinism, Peirce and James viewed thought as a process within the whole context of life-activity. In his foundational essays

“The Fixation of Belief” (1877) and “How to Make Our Ideas Clear” (1878), Peirce argued that thinking arises from a disturbance in action and aims at producing a belief that more successfully guides future action. Beliefs are not mental states but organic dispositions or habits. James popularized the term “pragmatism” first in 1898 and then in the famous lectures published as *Pragmatism* (1907).

For Peirce, pragmatism was a general theory of meaning, while James stressed the view that “truth” means “workability.” Mead explored the implications for social psychology. John Dewey developed it into a rich theory of human existence and conduct, including ethical, social, and political philosophy, often known as “instrumentalism” but more correctly called “Cultural naturalism.” (Instrumentalism, the theory of intelligent inquiry, is part of Dewey’s general theory of experience, ranging from prereflective feelings to refined aesthetic and religious meanings.)

Dewey begins by seeing humans as living organisms acting within and responding to their environments. People are neither predetermined mechanisms nor purely independent. Action is a feedback process of learning, operating within certain constraints but capable of a variety of developments. As cultural beings, people also live in a social environment in which the experience of others shapes their own conduct. The process of learning, then, offers a third alternative for moral theory. “Morals means growth of conduct in meaning,” says Dewey. “It is learning the meaning of what we are about and employing that meaning in action.”

For Dewey, ethics deals with all human action. It legitimately involves obtaining reliable information; broad experience; skills in communication, cooperation, and deliberation; educational and political organization; and the creation of new values and ideals. Ethics, in short, is the art of rendering human existence as meaningful and intrinsically fulfilling as possible.

### REALIZING AIMS

Like any art, ethics is concerned with the techniques whereby its aims may be realized. In this sense, it is experimental and gains insight from the success of the scientific method. Dewey denied that ethical problems should be handed over to the social sciences or some managerial elite, but he hoped that the cooperative, experimental attitude of science

could be widely inculcated for framing tentative solutions to social problems that leave many human lives devoid of hope or meaning. By seeing the moral life as capable of being guided by a variety of intelligently undertaken experiments instead of as the subject matter for formal principles of ethical judgment, Dewey thought, it might be possible to improve the human condition.

Out of native impulses, desires arise, leading to actions that form habits. Habits “constitute the self,” becoming one’s character. They lead to certain kinds of further action that may cause reevaluation of past desires, a transformation or enlargement of them with respect to their objects, or a deepening of their meaning with broadened experience. Although Dewey agrees with Aristotle that action and habit are the basis of character, he finds no one fixed and defining virtue. The self is a process, Dewey states: It “is impossible for the self to stand still, it is becoming and becoming for better or worse. It is in the *quality* of becoming that virtue resides. We set up this and that end to be reached, but *the* end is growth itself.” Although he rejects absolute values, Dewey is no subjective relativist; instead, he is a contextual pluralist. The good self is one that is informed about its world, grasps the tendencies of situations, and deliberates well about possible ends and the means required to realize them.

Deliberation includes the imaginative search for ideals of conduct and the discovery of new values. Only in a derivative sense is it understood as the mere search for means to preselected ends. Two children fighting over a ball may discover the game of catch, discovering the new value of cooperative play and friendship, transforming the old values of possessiveness and dominance. Deliberation is not primarily a private affair; one deliberates alone because one has deliberated aloud with others. Ethical reasoning, then, is no calculative or rule-bound procedure but is fraught with imagination, dialogue, and dramatic interpretation. It aims to understand the meaning of a present situation by determining its tendencies and the possible values that they realize. An event gains meaning within an overall process. By seeing the actual in the light of the possible, one can make intelligent choices and critically evaluate one’s conduct. One can grow intelligently. This is Dewey’s understanding of freedom.

A society incorporating such behavior would pro-

vide the most secure basis for democracy as a way of life. Civilization would be no abstract ideal but would concretely aim at every means possible to realize conditions whereby human beings could lead inherently significant lives.

*Thomas Alexander*

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SEE ALSO: Dewey, John; Intersubjectivity; James, William; Mean/ends distinction; Peirce, Charles Sanders; Theory and practice; Utilitarianism.

## **Premarital sex**

**DEFINITION:** Sexual contacts between unmarried partners

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Premarital sex is a subject of significant moral controversy; sexual ethics are used to assess the morality of sexual practices in terms of how they affect human welfare.

At the beginning of the twenty-first century, premarital sex remained one of the most controversial subjects in most cultures. Most guidelines for acceptable sexual behavior in the Western world are derived from religious teachings and cultural traditions. In

most cases, the official viewpoint is that sex outside committed married relationships is discouraged if not prohibited. Despite this doctrine, the vast majority of people have sexual experiences prior to marriage.

Sexual ethics revolve around concerns about human welfare. Sexual behavior is deemed moral when it is determined that it does not harm the partners who are involved. To that end, it is essential that sexual relationships be based on mutual consent, equality, and reciprocity. Herein lies one of the challenges of sexual ethics. In cultures such as that of the United States, in which a double standard for sexual conduct prevails, mutual consent is sometimes difficult to assess. Because of taboos and religious proscriptions, some people may choose to enter sexual relationships with reservations. If one partner in a sexual encounter between two people participates with some reluctance, does that qualify as mutual consent?

Two broad ethical perspectives on premarital sex are evident in most Western cultures. The conservative ethical viewpoint is influenced by traditional religious teachings. The liberal ethical viewpoint is a secular perspective prevalent in the media.

#### **CONSERVATIVE AND LIBERAL VIEWPOINTS**

The conservative stance advocates a conventional morality that is congruent with most Judeo-Christian teachings. From this perspective, individuals are expected to conform to explicit rules. The conservative stance is viewed as absolutist and legalistic. Moral precepts should guide all sexual practices, and no person is exempt. This perspective is also viewed as restrictive in that its intent is to limit the range of acceptable sexual practices. For example, one viewpoint, consistent with traditional Christian doctrine, considers heterosexual intercourse in marriage to be the only morally acceptable form of sexual behavior.

The liberal viewpoint is less cohesive than the conservative viewpoint. In general, though, this approach is sometimes referred to as the new morality and situational ethics. From this perspective, the morality of sexual choices can only be gauged according to the situations or contexts. For example, one possible context for acceptable premarital sex is a caring committed relationship. In most Western cultures, mutually consenting sexual behavior between two adults in a committed relationship is viewed as acceptable by the majority of people.

The liberal perspective is often described as tolerant and permissive because its proponents often argue that people should be free to choose their own sexual practices rather than rely on traditional or rigid guidelines. As long as nobody is being hurt or deceived, people should feel free to engage in sexual relationships.

### SEXUAL ETHICS

Kenneth A. Strike and Pamela A. Moss have summarized five principles that are useful for evaluating moral dilemmas. The greatest good principle evaluates personal choices based on their outcomes. This principle favors choices that yield the most positive outcomes for the greatest number of people, a philosophy also known as utilitarianism. The equal respect principle is akin to the golden rule in arguing that each person merits being treated with dignity and respect. The relationship principle evaluates the morality of an action by its impact on people's relationships. Choices that promote positive relationships are viewed as morally desirable. The community principle evaluates the value of personal choices based on how these affect the community at large, which would include social groups, organizations, and other social structures. Finally, the character growth principle evaluates behavior based on how it contributes to making individuals the kinds of persons they aspire to become.

These principles can be readily adapted to some sexual situations, such as sexual infidelity. Being unfaithful to one's partner clearly violates the greatest good and the equal respect principles. Deceiving someone is likely to have an unfavorable outcome for all parties, and it suggests a lack of respect for one's partner. Deceit does not promote positive relationships, thereby violating that principle. It may also harm other relationships within a larger context. Finally, the majority of people do not aspire to become dishonest or deceitful.

Other situations are more ambiguous, and the applicability of these principles is less obvious in such cases. Premarital sex generally occurs within mutually consenting relationships between individuals of equal status, and deceit is therefore not an issue. Such relationships would conform to the equal respect principle. The extent to which such relationships promote the greatest good, character growth, and the re-

lationship itself is debatable and is at the heart of the controversy surrounding premarital sex.

From the conservative ethical perspective, any sex outside marriage is immoral and is harmful to the parties involved and their community. According to the liberal ethical viewpoint, sexual relationships between unmarried persons are not invariably harmful. They can be morally acceptable if the partners are deeply attached and committed to each other, which would be consistent with most of the principles discussed. Premarital sex could even be morally justified, from this viewpoint, in uncommitted or casual relationships whose encounters are completely open, reciprocal, and consensual. It might be argued that it conforms to the greatest good principle because it is enjoyable for both persons. It might promote character growth by facilitating self-discovery. It could feasibly create a positive bond between the parties. Finally, in an environment free of taboos and repressive views toward sexuality, premarital sex would not have a negative impact on the community or on personal growth. Whether such an environment can ever be achieved is also the subject of controversy.

*Richard D. McAnulty*

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SEE ALSO: Adultery; Consent; Lust; Marriage; Promiscuity; Prostitution; Sex therapy; Sexual revolution; Sexuality and sexual ethics; Sexually transmitted diseases.

## Prescriptivism

**DEFINITION:** Theory developed by R. M. Hare holding that the main purpose of moral language is to prescribe or command

**DATE:** Term coined in 1952

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Prescriptivism implies that ethical knowledge as such does not exist, because moral language affects action rather than containing meaning or truth.

British philosopher R. M. Hare's view has received at least five important criticisms. First, his view that morality consists only of commands implies that ethical knowledge is impossible, since a command, unlike an indicative statement, cannot be true. Second, his view that anyone who accepts a moral statement and can act on it will obey the command has counterexamples in apathetic and evil people who knowingly refuse to do what they admit is ethically required. Third, the great variety of uses of moral claims makes it unlikely that they can all be reduced to imperatives. Fourth, F. E. Sparshott believes that Hare neglects the fact that any morality must incorporate "those rules of conduct that seem necessary for communal living." Fifth, P. H. Nowell-Smith reduces Hare's theory to the absurd by exposing its implication that "Nothing that we discover about the nature of moral judgments entails that it is wrong to put all Jews in gas-chambers."

In ethics and religion, prescriptivism sometimes refers not to Hare's theory but to the theory that the only justifications for moral claims are the commands of some authority (such as God). Socrates criticized this view in Plato's *Euthyphro* (399-390 B.C.E.), where he suggested that an act was not good only because God commanded it but that God commanded the act because it was independently good.

*Sterling Harwood*

**SEE ALSO:** Cognitivism; Emotivist ethics; Hare, R. M.; Is/ought distinction; Language; *Leviathan*; Relativism.

## Price fixing

**DEFINITION:** Agreement by competing sellers of products or services to charge the same prices

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Price fixing is thought of as creating an "artificially" high price for a commodity by circumventing the "natural" deflationary effects of competition. Consumer advocates assert that it is an unfair practice because it takes advantage of consumers' lack of bargaining power.

Concepts associated with price fixing go back at least to ancient Greece. Philosophers argued about how a "just price," one that was fair to both consumers and producers, could be identified. Debates concerning the ethical issues involved in setting prices concerned the relative power of consumers and producers in the marketplace and behavior that constituted fair play. Opponents of price fixing argued that producers are likely, if allowed, to set prices that give them high levels of profit that are not justified by costs or risks taken in business.

The Sherman Antitrust Act, signed into law on July 2, 1890, forbade contracts, combinations of business, or conspiracies in restraint of trade. Exactly what constituted a restraint of trade remained to be decided by the courts, but price fixing was soon declared illegal under the act. The price fixing laws of the United States are more stringent than are those of other countries. Many countries do not forbid the practice, and some well-known trade organizations, such as the Organization of Petroleum Exporting Countries, exist primarily to fix prices. Even the United States allows some forms of price fixing, such as guaranteed minimum prices for farm products and minimum wages. These exceptions are seen as benefiting sellers of products or services that society has an interest in protecting.

*A. J. Sobczak*

**SEE ALSO:** Antitrust legislation; Consumerism; Minimum-wage laws; Monopoly; Profit economy; Sales ethics.



## Pride

**DEFINITION:** Reasonable or unreasonable self-esteem; dignity or conceit

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Justifiable pride is often accounted to be a virtue, but in ethical systems which value self-effacement, there is no such thing as justifiable pride. In traditional Christianity, pride is the worst of all the “seven deadly sins.”

John Stuart Mill noted that pride is “a name which is given indiscriminately to some of the most and to some of the least estimable feelings of which mankind is capable.” Pride has been identified as a proper reward for moral achievement and as a key element in a healthy psyche, and it has been blasted as a destructive emotion and as one of the “seven deadly sins.”

The core of pride is a high sense of one’s own moral value. One dimension of this is moral ambitiousness—a desire to achieve excellence of character. People speak, for example, of taking pride in their work; that is, of being committed to the achievement of quality. This forward-looking dimension of pride complements its backward-looking dimension as a sense of self-satisfaction for what one has achieved. People speak, for example, of feeling proud of having done a good job, of having succeeded at a challenging task.

### HISTORY

Aristotle held pride, or “greatness of soul,” to be the “crown” of the virtues. Pride, he argued, follows from the achievement of virtue. Anyone who has worked hard to achieve excellence of character will feel a justified sense of self-worth. Excellence of character and the pride that goes with it also translate into a certain style of action: The proud person not only does excellent things but also does them with grace and dignity. Magnificence characterizes the great-souled person in both character and action.

Aristotle’s was a highly optimistic account of what was possible for human beings. Later thinkers often accepted a more pessimistic view of human nature, and therefore deemphasized pride or even condemned it as a sin. The Christian tradition has many prominent representatives of this view. Emphasizing human helplessness in the face of Original Sin, Christians argued that pride is unjustified. Since

humankind is sinful and weak, humility is proper. Pride was condemned as rebellion against God, because it involves a sense of self-worth and competence, and those who feel self-worth and competence will not feel dependent upon God to save them from sin.

The modern era has been an heir to the Greek and Christian traditions, and many modern thinkers seek a middle way between them. Between the extremes of pride and humility lies modesty—thinking oneself neither great nor worthless. Such middle ways can be found in David Hume’s advocacy of a “well-regulated pride” and Adam Smith’s advocacy of magnanimity tempered with self-denial and a ready sympathy for the woes of others.

### CRITICISMS

Pride requires that one (a) achieve excellence of character, (b) evaluate one’s character accurately, and (c) act in accordance with one’s evaluation. Opponents of pride argue that one or more of these conditions cannot or should not be satisfied. As noted above, Christians argue that since humans cannot achieve moral goodness by their own efforts, (a) is impossible. Others argue that humans chronically overestimate their achievements, so (b) is wishful thinking, and a dose of modesty or humility is a useful corrective. Still others argue that one ought to be self-deprecating about oneself so as not to hurt the feelings of others, or so as not to appear to be vain or a braggart.

Defenders of pride reject these arguments. Humans have free will, so they can regulate their thoughts and actions. Accordingly, they can act consistently in a way that allows them to achieve excellence of character and a fulfilled life, and this is what one should do: Happiness depends on excellence of character, and excellence of character is acquired by one’s own efforts. This process of forming one’s character means objectively evaluating one’s thoughts and actions throughout one’s life, reaffirming those that are good and changing those that are not. Once one has achieved excellence of character, simple justice requires that one reap the reward for one’s achievement: pride.

### FALSE PRIDE, VANITY, AND HUBRIS

True pride should be distinguished from false pride, vanity, and hubris. Everyone knows people who

never miss an opportunity to brag about some achievement, whether real or imagined. A braggart may appear to be proud, but chronic bragging indicates a lack of pride: The braggart feels a desperate need for the approval of others, feeling self-worth only when that approval is received. Therefore, the braggart publicizes his or her accomplishments or, failing that, exaggerates or invents some. Clearly, there is a huge difference between self-evaluation based on actual accomplishment and self-evaluation based on deluded praise or praise extorted from others.

Vain people depend for their feeling of self-worth upon superficial or secondary characteristics, such as having a glorious family history, a slim figure, or a wonderful head of hair. While such things can be pleasant or desirable, vain people place them at the core of their self-evaluation and therefore expect inappropriate amounts of admiration from others.

Hubris is presented in classical Greek mythology and drama as the flaw of wanton activity flowing from an overestimation of one's worth. The man of hubris acts as though he has power and worth beyond his station, and because of his flaw he inevitably meets a tragic end. Hubris is distinguished from pride by reference to the accuracy of one's self-evaluation. The man of hubris misjudges his power and worth, and since he cannot live up to or control the outcomes of his deeds, he ends in disaster. The proud woman, by contrast, judges her considerable powers accurately and has the excellence of character necessary to use her powers confidently, gracefully, and successfully.

*Stephen R. C. Hicks*

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SEE ALSO: Character; Christian ethics; Egoism; Egotist; Humility; Individualism; Narcissism; Selfishness; Self-respect; Self-righteousness; Sin; Virtue.

## *Principles of Medical Ethics*

IDENTIFICATION: American Medical Association's official guidelines on professional conduct

DATE: Adopted in 1957; revised in 1980 and 2001

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: *Principles of Medical Ethics* formally codifies professional standards of conduct that are applicable to all physicians practicing in the United States.

In 1957, the AMA replaced its *Code of Ethics*—which had, since the organization's founding in 1847, stated the duties that American physicians owed to their patients, to their society, and to one another—with a statement of moral principles, supplemented by commentary. The reform was consonant with the appeal to basic moral principles by the 1948 Nuremberg Tribunal and the World Medical Association. It also lessened physicians' malpractice liability under the explicit obligations stipulated by the code and, at the same time, provided a more flexible format for advising physicians on conduct.

The *Principles* require physicians to provide competent, compassionate medical service, respectful of human dignity; to deal honestly with patients and colleagues; to expose fraud and deception; to respect the law; to respect the rights of patients and to safeguard their confidences; to respect the rights of colleagues and other health care professionals; to advance scientific knowledge; to share information with patients, colleagues, and the public; and to recognize a responsibility to contribute to the community. Revised in 1980 and again in 2001, the *Principles* are largely unchanged but have shifted in subtle ways. They have tended toward a slightly more ex-

### Ethical Principles of the American Medical Association

1. A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights.
2. A physician shall uphold the standards of professionalism, be honest in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities.
3. A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.
4. A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.
5. A physician shall continue to study, apply, and advance scientific knowledge, maintain a commitment to medical education, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health professionals when indicated.
6. A physician shall, in the provision of appropriate patient care, except in emergencies, be free to choose whom to serve, with whom to associate, and the environment in which to provide medical care.
7. A physician shall recognize a responsibility to participate in activities contributing to the improvement of the community and the betterment of public health.
8. A physician shall, while caring for a patient, regard responsibility to the patient as paramount.
9. A physician shall support access to medical care for all people.

Note: Adopted June 17, 2001.

Source: American Medical Association (<http://www.ama-assn.org/ama/pub/category/2512.html>).

licit enumeration of physicians' rights as well as their responsibilities, and they have expunged certain financial rules (for example, a prohibition against referral fees).

*Robert Baker*

SEE ALSO: American Medical Association; Medical bills of rights; Medical ethics; Physician-patient relationship; *Principles of Medical Ethics with Annotations Especially Applicable to Psychiatry*.

### *Principles of Medical Ethics with Annotations Especially Applicable to Psychiatry*

IDENTIFICATION: Addendum to *Principles of Medical Ethics* published by the American Psychiatric Association to address unique ethical issues confronting psychiatrists

DATE: First published in September, 1973; revised in 1981, 1986, 2001, 2003, and 2004

TYPE OF ETHICS: Psychological ethics

SIGNIFICANCE: The *Principles* sets out the issues particular to practitioners in the mental health field and codifies standards of ethical conduct in matters not covered by the American Medical Association's code.

The 1973 statement of *Principles* recognized that, although psychiatrists have the same goals as all physicians in adhering to the American Medical Association's code of ethics, psychiatrists also face particular ethical questions that differ in kind and degree from those of other medical specialties. The annotations given in the *Principles* were viewed as being open to revision from time to time to reflect current issues and problems. An extensive revision was published in 1986. The most relevant sections of the 1973 document dealt with contractual relationships with other mental health professionals and physicians, the waiving of confidentiality, and speaking out on social issues not related to psychiatry.

The thrust of the document was that psychiatrists must maintain the trust of their patients and other medical and nonmedical professionals. The 1986 revision maintains this basic thrust, but its seven sections contain much more lengthy, detailed, and spe-

cific annotations and focus in particular on the various aspects of the psychiatrist-patient relationship, such as confidentiality, consultation with other psychiatrists, and honesty. In 2001, the AMA adopted a revised version of its *Principles*. The APA followed suit and added a series of amendments in November, 2003.

*Laurence Miller*

SEE ALSO: Ethical Principles of Psychologists; Medical ethics; *Principles of Medical Ethics*; Psychology; Therapist-patient relationship.

## Prisoner's dilemma

**DEFINITION:** Thought experiment designed to illustrate issues raised when individuals are expected to cooperate to achieve collective goals

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** The prisoner's dilemma demonstrates that lack of communication breeds distrust, and that without trust mutual cooperation is difficult. It may also demonstrate the pitfalls of treating humans as rational, rather than irrational, decision makers.

The prisoner's dilemma was originally developed as a thought experiment in 1950. It has since become synonymous with a whole class of ethical and social problems involving the conflict between individual rationality and collective action aimed toward serving common goals.

### **STRUCTURE: TWO-PERSON PROBLEM**

The problem begins with two prisoners, A and B, who are arrested for a crime. A clever district attorney, not having enough evidence to convict either defendant, offers each of them a deal separately. If both individuals confess to the crime, then both will receive a lesser sentence of three years. If neither confesses to the crime, they will be convicted of a lesser charge, which carries a five-year sentence. If one confesses and the other does not, however, then the prisoner who confesses will receive a sentence of ten years and the other prisoner will go free. It would appear that both prisoners would be well-advised to confess to the crime and receive a three-year sen-

tence; certainly, both would prefer this result to the one in which neither confesses and both receive a five-year sentence. Yet each prisoner's protection of his or her own self-interest will lead to the less preferred result.

Consider prisoner A's position. If prisoner B does not confess, prisoner A receives a sentence of ten years if he confesses and five years if he does not confess; hence, prisoner A should not confess under these circumstances. If prisoner B does confess, then prisoner A receives a sentence of five years if he confesses but goes free if he does not confess; hence, prisoner A should not confess under these circumstances either. Since prisoner B has only these two choices, prisoner A's individual rationality compels him to avoid confessing, regardless of what prisoner B does.

Similarly, prisoner B should avoid confessing, regardless of what prisoner A does. Both prisoners therefore receive five-year sentences for not confessing, even though both would prefer the three-year sentence they would receive if both confessed. Note that communication between the two prisoners will not help this problem. Even if the two could speak to each other, each would find it in his interest to try to convince the other to confess and to avoid confessing himself.

The ethical dimensions of this problem arise because both prisoners know they would be better off if they would coordinate their efforts and cooperate in their strategy, but their individual self-interest leads them to a less optimal result. One of the first applications of this problem to a real-life situation concerned the control of nuclear weapons. Consider two nations, A and B, in a nuclear arms race. Each nation knows that these weapons are horribly expensive to build and maintain; each nation also has sufficient firepower to destroy the other nation.

However, if one nation gains a significant edge in building nuclear weapons, it will be able to destroy the other nation's weapons in a first strike and dictate terms for peace by threatening the now-defenseless nation with a second destructive strike. Both nations may agree that to build new nuclear weapons is senseless, since the opposing nation will simply build more weapons to match the increase; as a result, they will have the same strategic balance but will be much poorer and will not be able to use their resources for other important domestic priorities such

as social welfare and job creation.

It would seem that the two nations should agree to stop building arms. Yet consider nation A's interests. If nation B does not stop building arms, nation A can stop and risk conquest or can keep building and maintain the status quo. Under these circumstances, nation A will continue building arms. If nation B does stop building arms, nation A can stop and maintain the status quo or can keep building arms and conquer nation B. Under these circumstances, nation A will continue building arms. Since nation B must be expected to think in the same way, the arms race will escalate and both nations will waste resources to maintain the status quo, even though both sides realize they would be better off with fewer weapons (and, therefore, lower costs for the creation and maintenance of arms).

#### **STRUCTURE: MULTIPERSON PROBLEM**

A second ethical application of the general prisoner's dilemma, discussed by Mancur Olson and Russell Hardin, among others, extends the problem to more than two parties and discusses individual efforts toward collective action approved by all members of a group. In this scenario, an individual is asked to contribute to a group effort. A common example used is the placement of catalytic converters on cars to reduce pollution. Assuming that it costs \$400 to add a converter to a car and that each individual believes that it is worth paying the money to clean up the air, it seems reasonable to believe that all individuals would order converters for their cars.

However, the individual contemplating this action considers two circumstances. If everyone else does not add a converter, then the individual can pay \$400 to add a converter without making the air significantly cleaner (since one car produces very little pollution) or can choose not to add the converter and avoid paying the price. Under these circumstances, the individual should not order the converter. If everyone else does add a converter, then the individual can pay \$400 to add a converter without adding appreciably to cleaner air (since one car produces insignificant amounts of pollution) or he can not add the converter and enjoy cleaner air without paying the price. Once again, the individual should not order the converter under these circumstances.

The one difference between the two-party situation and the multiparty situation with the prisoner's

dilemma is that it would be in the interest of the individual in the second situation to order the converter only if his contribution made the difference between the success or failure of efforts to clean up the air. Unfortunately, the chances of such a situation occurring are so small in most cases of large groups that it would not provide sufficient incentive to contribute to solving the problem. As a result, all individuals agree that it would be worth the money to contribute \$400 for cleaner air, but none of the individuals does so, and the effort fails.

#### **PROPOSED SOLUTIONS**

Two solutions have been posited to both situations. The first involves coercing, or forcing, all individuals to cooperate toward the common goal. In the case of pollution controls, for example, the federal government sets emission standards that must be met for individuals to drive their cars; they are forced to add catalytic converters to their cars. A problem with this solution is that it requires some authority to compel the parties to cooperate; in the example involving nuclear weapons, however, there is no authority that exists that has the power to compel nations to halt an arms race.

A second solution is to give selective incentives to only those persons who cooperate. All individuals who contribute to public television, for example, receive handbags with the PBS logo, which only contributors can obtain. Such selective incentives may include cheaper vacations, group medical or life insurance benefits, or other incentives. The problem with this solution is that in most cases a group must already exist to provide selective incentives; one cannot obtain group health insurance rates, for example, if one does not have a group to insure. This solution does not explain how groups are started in the first place.

Neither solution addresses the central ethical problem of the prisoner's dilemma: that self-interested individuals may be prevented from participating in collective action that all understand is in the general interest. Therefore, self-interest alone may not compel people to contribute to the general welfare in many cases, even when individuals realize that their self-interest would be better served if everyone contributed to the collective goal than if no one did.

*Frank Louis Rusciano*



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SEE ALSO: Common good; Dilemmas, moral; Paradoxes in ethics.

## Privacy

**DEFINITION:** Freedom from unwarranted observation of, or intrusion into, one's domestic space, personal relationships, or intimate activities

**TYPE OF ETHICS:** Civil liberties

**SIGNIFICANCE:** As a general moral right, the right to privacy came to be discussed and debated in the Information Age far more than it had ever been before, because electronic recording, surveillance, and storage technologies rendered it far more fragile. As a legal matter, the Ninth Amendment to the U.S. Constitution makes it possible to argue that privacy is a constitutionally guaranteed right, but because it is not explicitly enumerated as such, that argument too is a source of controversy.

John Stuart Mill wrote that "there is a sphere of action in which society, as distinguished from the individual, has, if any, an indirect interest; comprehending all that portion of a person's life and conduct

which affects only himself, or if it also affects others, only with their free, voluntary and undeceived consent and participation" (*On Liberty*, 1859). The "sphere of action" in which society has only an indirect interest is a matter of intense controversy. As Otis H. Stephens and John M. Schab II said in *American Constitutional Law* (1993),

The debate over the constitutional right of privacy is ultimately a debate between two sharply divergent views of the law. In the libertarian view, the law exists to protect individuals from one another. In this view, morality is not in and of itself a legitimate basis for law. The classical conservative view, on the other hand, sees law and morality as inseparable and holds that the maintenance of societal morality is one of the essential functions of the legal system.

### CONSTITUTIONAL BASIS OF PRIVACY RIGHTS

There are several provisions in the U.S. Bill of Rights that explicitly protect privacy. The Third Amendment prevents forced quartering of soldiers in people's homes. The Fourth Amendment protects against unreasonable searches and seizures. The Fifth Amendment protects the privacy of people's minds by prohibiting compulsory self-incrimination, and the First Amendment ensures freedom of conscience in political, religious, and associational matters. The due process clause of the Fifth Amendment protects substantive as well as physical liberty. Proponents of greater privacy rights have argued that the Ninth Amendment, which states that there are unspecified rights "retained by the people," provides additional justification for expanding constitutional rights of privacy.

Although Justice Louis D. Brandeis dubbed "the right to be let alone" "the most comprehensive of rights and the right most valued by civilized men," the first explicit recognition of a constitutional right of privacy by a majority of the Supreme Court took place in *Griswold v. Connecticut* (1965). An 1879 Connecticut law forbade the sale or possession of birth control devices and also made "assisting, abetting, or counselling" another in the use of such devices unlawful. Estelle Griswold, the director of Planned Parenthood in Connecticut, was arrested for violating this statute three days after Planned Parent-

hood opened a clinic in New Haven. Griswold was convicted and fined \$100. After several intermediate appeals, the Supreme Court agreed to hear Griswold's case. After argument, the Connecticut law was declared unconstitutional.

Justice William O. Douglas, writing for the majority, found that "specific guarantees in the Bill of Rights have penumbras, formed by emanation from those guarantees that help give them life and substance. Various guarantees create zones of privacy . . ." In sum, Douglas's argument was that the First, Third, Fourth, Fifth, and Ninth Amendments, when taken together in the light of the Court's earlier decisions, created a new independent right of privacy that was violated by Connecticut when it attempted to deny people access to birth control devices. Although Douglas's opinion was carefully limited to "marital privacy," it was widely read to go beyond the rights of married couples, and when a similar issue arose a few years later in Massachusetts, the Court extended the *Griswold* holding to unmarried persons.

Eight years after *Griswold*, the Supreme Court enormously extended the right to privacy when it decided in *Roe v. Wade* (1973) that the right of privacy covers a pregnant woman's decision whether to have an abortion. In this case, the Court struck down a Texas statute that prohibited all abortions except for the purpose of saving the life of the mother. Justice Harry A. Blackmun's opinion recognized, however, that there is a state interest in the preservation of fetal life, and therefore the right to abortion is qualified—it is absolute only in the first trimester of pregnancy, the period in which the fetus is not yet viable. *Roe v. Wade* has occasioned immense political and juridical controversy since 1973. The American public has been sharply divided over the abortion issue, and judicial and legislative struggles still continue thirty years after the Court's decision. The right announced in *Roe v. Wade* has been slightly modified in several subsequent Supreme Court decisions, but despite several serious challenges, its fundamental principle still stands.

*Roe v. Wade* was the high-water mark of the constitutional right of privacy. The Supreme Court has not pressed it further and, indeed, held in *Bowers v. Hardwick* (1986) that there is no constitutional right to engage in homosexual sodomy. The Court explicitly reserved decision on whether there is a right, marital or otherwise, to engage in heterosexual sodomy.

Some public safety issues also raise privacy issues. Recreational drug use, motorcycle helmet and automobile seat belt laws, prostitution, suicide, and euthanasia are all issues that implicate privacy rights and with which courts and legislatures will increasingly have to deal.

*Robert Jacobs*

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SEE ALSO: Abortion; Bill of Rights, U.S.; Biometrics; Cell-phone etiquette; Civil rights and liberties; Computer databases; First Amendment; Gay rights; Information access; Invasion of privacy.

## Private vs. public morality

**DEFINITION:** Distinction drawn between the moral codes governing private individuals in their personal and interpersonal relationships and the moral codes governing political and business leaders while acting in their official capacities

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Because the decisions of public figures may significantly impact the lives of vast numbers of people, some theorists posit a fundamental dichotomy between public and private morality.

In his book *Moral Man and Immoral Society* (1932), Reinhold Niebuhr argued that there are sharp, major distinctions between the moral, ethical "rules" of behavior for individuals, on one hand, and for social groups, political and business leaders, and the state and nation, on the other hand. Actually, Niebuhr's thought on the issue was not original, for consideration of this ethical problem dates from antiquity.

The most famous philosopher to address the subject was Niccolò Machiavelli, who taught political rulers how to be “bad” ethically so that they could be “good” in their calling. Such leaders, then, may lie, break promises, use violence, engage in deceit, give and take bribes, and even commit murder if such actions are necessary to hold and augment power. Another who drew distinctions between personal morality and public morality was Martin Luther, who talked of an “earthly realm” and a “spiritual realm” as if they were absolutely different entities. Max Weber also argued that there was a sharp split between personal and public ethics, while pointing out that the public “person”—all leaders in politics, business, the military, and so on—may have to use dubious means to achieve “good.”

Twentieth century political analysts such as George Kennan, Charles Frankel, and Arthur M. Schlesinger, Jr., have argued that *realpolitik* is the only thing that counts in government and in diplomacy. Frankel perhaps spelled it out best. He held that the moral rules of individuals in their personal lives are definitely not the rules that should guide people in performing complex social, political, or economic roles.

Interestingly, J. Fred Buzhardt, legal counsel to the morally condemned former president Richard Nixon, who resigned his office in disgrace, once asked whom the members of society would prefer as a leader—did they want a competent “scoundrel” or an “honest boob”? In this view, the picture of private versus public morality is darkly painted. Is it necessary to choose between ethically upright “boobs” and dishonest, lying, cheating criminals and near-criminals? The implication of Buzhardt’s question is, of course, that the ethical, honest, sincere person is too naïve to assume a leadership role in politics, business, education, and so on. Instead, there is room in the elite leadership class only for liars and thieves.

Machiavelli and Buzhardt, then, endorse unethical public behavior as the norm and ethical behavior as bizarre. Such thinkers are themselves taking an immoral position by clinging to views that, over time, have caused much harm. Therein lies the problem. Public morality has been defined by those who speak for immorality, some of whom would tolerate all corruption and abuse if such practices were to lead to success. Actually, the later scandals in American “public” life have demonstrated that the country does

not need competent scoundrels but should return to honesty, lest American civilization experience a permanent decline.

Consider a few facts. During the Vietnam War, four different presidents at some point lied to the public, as did some of their generals. Had the truth been told, might America have avoided that long, costly, and lethal imbroglio? In the Watergate scandal of the 1970’s, lawyers, onetime Central Intelligence Agency operatives, and their minions committed such crimes as breaking and entering, burglary, and illegally “bugging” phones—all this for political and economic gain. When the scandal became public, lies abounded in such great number that many people think that the public may never know the exact extent of the wrongdoing.

During the late 1980’s and 1990’s, more scandals abounded. Corporate executives of the Chrysler Automobile Company ordered mechanics to “roll back” speedometers so that used cars could be sold as new cars. Executives of many savings and loan associations and commercial banks looted their own depositors, their own “businesses,” and forced the future’s taxpayers to pick up the tab. Many congresspersons also showed their true character when they corruptly mismanaged their post office, restaurant, and bank. Former presidents Ronald Reagan and George Bush were implicated in the “Irangate” arms-for-hostages controversy and a possible cover-up. A person need only read a big-city newspaper regularly to find example after example of corruption and immorality in politics, business, and other public fields.

There are those who believe that public leaders should be held morally accountable for their actions, just as individuals are held accountable in private life. Perhaps public leaders should examine their lives and ask such questions as: Have I lied, cheated, stolen, broken promises, deceived, or taken bribes today?

*James Smallwood*

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## Pro-choice movement

**DEFINITION:** Coalition of activists working to keep abortion legal, unrestricted, and available to all women

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** The pro-choice movement represents one side in perhaps the most heated moral debate of the late twentieth and early twenty-first centuries. Although associated with feminists and the political left, neither of those two groups is undivided on the issue of abortion.

Throughout history, a major means by which men have controlled women and restricted their rights is the control of human reproduction. Abortion rights have become a central concern of the women's rights movement. The movement argues that women must have total control over their bodies, including their reproductive processes, if they are to be able to function as free, equal members of society.

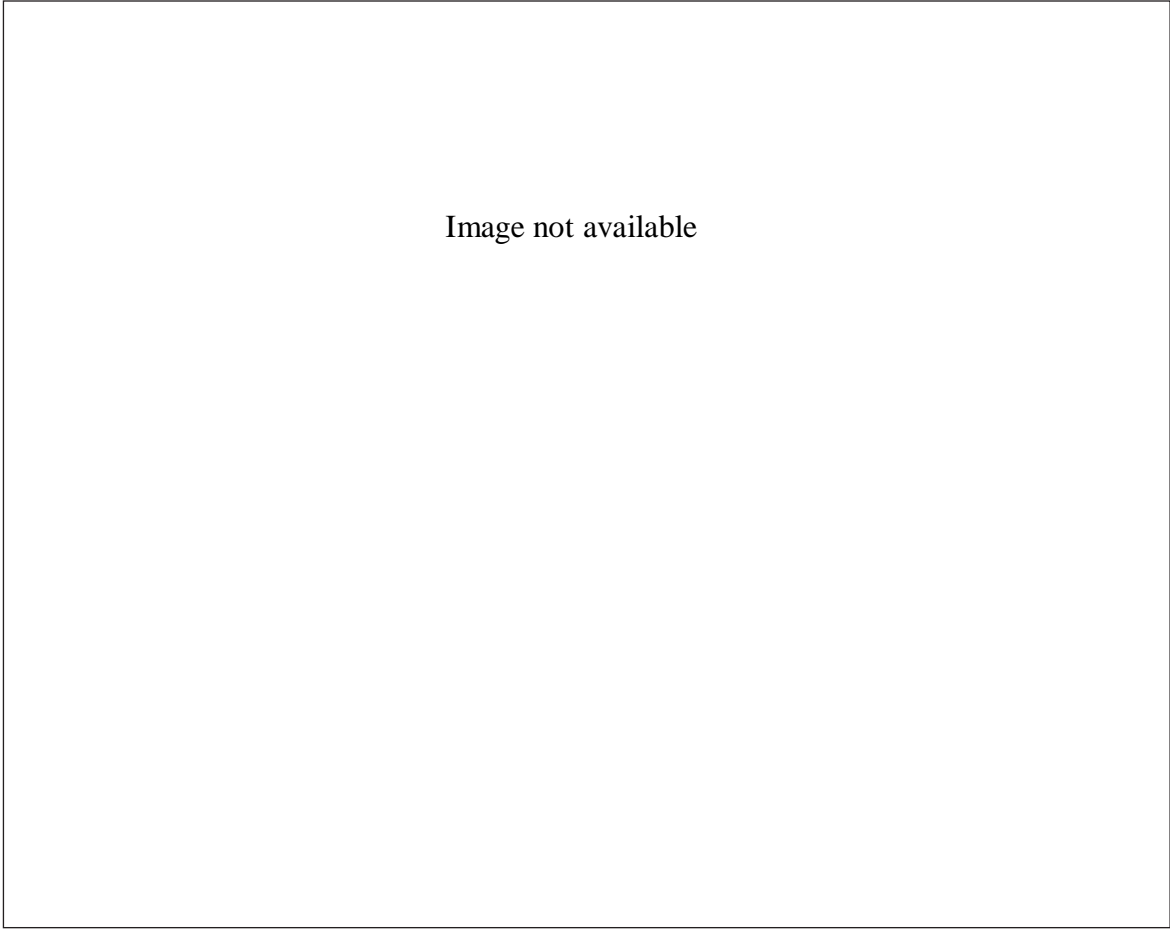
## HISTORY

Abortion has been practiced throughout history and across cultures. Formulas for abortion appear in Chinese medical texts dating from 3000 B.C.E. and in Islamic texts in the Middle Ages. Regular references to abortion appear in Greek and Roman texts and early Christian literature. Regardless of societal tolerance or prohibition, women have resorted to abortion to terminate unwanted pregnancies even though many of the techniques used have threatened their lives and health.

The modern pro-choice movement has its roots in the women's rights movements of the early twentieth century in the United States and Europe. Responding to legal prohibitions against disseminating information about birth control, women such as Margaret Sanger incorporated demands for reproductive rights into the movement. Building on this base, the feminist movement in the United States during the 1960's established a pro-choice coalition to support abortion rights. Included were demands that the legality of abortion be restored (abortion had been legal in the United States until the latter half of the nineteenth century).

In 1973, with the Supreme Court decision *Roe v. Wade*, prohibitions against abortion during the first trimester of pregnancy were ruled unconstitutional and only limited restrictions were permitted during the second trimester of the pregnancy. In the ruling, a woman's "right to privacy" in such matters was upheld as having greater legal standing than fetal rights or the right of states to intervene in the reproductive life of women. The Court's decision generated an immediate protest and the establishment of a coalition of religious groups that designated themselves as the "pro-life movement." This movement has worked to limit and even abolish the legal right to abortion. Such limitations have included the removal of federal funding for abortions, the establishment of required waiting periods before abortions can be performed, and parental and paternal notification and/or consent. A number of such restrictions were upheld by the Court during the 1980's and early 1990's.

These new restrictions have revitalized the pro-choice movement and expanded the coalition to include a number of secular and religious groups. The term "pro-choice" was consciously employed during this period to affirm the belief in the primacy of women's right to choose. While persons in this coali-

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*Thousands of pro-choice advocates stage a rally in Hollywood, Florida, as part of a campaign to ease the state's abortion restrictions in 1989. (AP/Wide World Photos)*

tion have a wide range of viewpoints pertaining to the morality of abortion, they are united by their belief that abortion should and must remain legal. By the 1980's, the movement had become more proactive, stating that a pro-choice environment requires guaranteed medical care for expectant mothers and young children, guaranteed minimum adequate income that assures proper nutrition and housing for children, job-security guarantees for pregnant women, and federally mandated maternity leaves. Only such rights, it is argued, allow women to exercise free choice in response to pregnancy.

#### **ETHICAL ARGUMENTS**

Because of the disparity of beliefs of those who constitute the pro-choice movement, there are no

moral arguments that are universally accepted. The most prominent and widely used arguments follow.

Drawing on the concept of "developmentalism," fetal life is recognized as human life and as having value. Value accrues, however, as humans develop. A woman, as a fully developed person living in a network of relationships in which she is valued, has rights that take precedence over fetal rights in situations of conflict. Since many pregnancies occur without the consent of the woman involved (rape, incest, contraceptive failure, ignorance), the fetus has no more right to use the woman's body than the state or a stranger has a right to use her organs, without consent, for transplant purposes.

Since women are the ones primarily affected by pregnancy and childbirth, they legitimately retain the



right to decide whether to terminate a pregnancy. Only legal access to safe abortions assures women control of their own lives.

Confronted with unwanted pregnancies, many women will resort to abortion whether legal or not. (Between 250,000 and 1,000,000 illegal abortions were performed annually in the United States in the years prior to its legalization.) Illegal abortions are often unsafe, leading to the death or sterility of the mother. Since abortion cannot be stopped, it should be legal, medically safe, and easily accessible.

Failure to provide federal funding for low-income women is discriminatory and leads to unwanted births, further impoverishment, and in some cases life-threatening attempts at self-induced abortion. Since some pregnancies result in the development of severely defective fetuses, the mother, as the party most affected by the birth of such a child, should have the right to decide whether such a pregnancy should be continued.

In an overpopulated world suffering from resource depletion and environmental pollution, women should have the right to use abortion as a means of population control when they view it as a morally preferable choice.

*Charles L. Kammer III*

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SEE ALSO: Abortion; Feminist ethics; Life and death; Pro-life movement; Right to life; *Roe v. Wade*; Sexism; Women's ethics; Women's liberation movement.

## **Product safety and liability**

**DEFINITION:** Issues relating to questions of who is liable for products that cause harm

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Two related ethics questions are integrally connected to product safety and liability issues: determination of who is responsible, *prior* to a product's purchase, for ensuring that the product is appropriately safe, and determination of who is responsible, *after* the product is purchased, if someone is injured by it.

Safety is one value among many in transactions between buyers and sellers. Products vary in their degree of riskiness—from cotton balls to butter knives to parachutes—and customers vary in the importance they attach to safety. Automobiles provide an apt example. How attractive a car is to a customer depends upon its price, style, dependability, fuel efficiency, comfort, capacity, speed, power, maker's service record, and safety features. A young man buying his first car is likely to make speed and style higher priorities, while the parents of a young child who are struggling to make ends meet are more likely to make safety and fuel efficiency their highest priorities.

Two competing ethical models of how to achieve appropriate amounts of safety have been debated. One model emphasizes that both the seller of a product and the product's buyer are self-responsible agents who negotiate appropriate levels of safety in a free market. The other model calls for government regulation of safety on the grounds that sellers do not have enough sufficient incentives to provide appropriate levels of safety, and that buyers often do not have the knowledge or power to negotiate for safety.

#### **THE FREE MARKET MODEL**

The free market model sees safety as a value no different in principle than any other value that is pro-

duced and consumed. Just as prices, styles, and quality of customer service vary among products and are negotiable between buyers and sellers, optimal amounts of safety are variable and negotiable. Both sellers and buyers are self-responsible agents with their own goals, and both have responsibilities with respect to safety.

The seller's responsibility (*caveat vendor*; let the seller beware) is to manufacture a product within the range of professional standards of competence, to research reasonably foreseeable risks associated with using the product, and, in the case of risks that might not be obvious to consumers, to inform potential buyers of the risks.

The buyer's responsibility (*caveat emptor*) is to become aware of the risks associated with using the product—either by doing firsthand research or by seeking expert advice, such as one might get from physicians or from sources such as *Consumer Reports* magazine. Buyers must then determine their own risk tolerance and learn how to use the products they purchase properly.

Ultimately, sellers and buyers seek each other out and negotiate transactions that are mutually satisfactory, including the question of how safe the products are. On this free market model, appropriate amounts of safety are fixed but vary from product to product and emerge as a result of supply and demand. Different producers emphasize the safety of their products to different degrees and attract to varying degrees customers who are interested in the amount of safety they are providing. The producers' profit motive should lead them to give to consumers the amounts of safety that satisfy them. Some cars, for example, are produced out of heavier materials and have additional safety features, while others are lighter and have extra speed or style features. How many of each kind of car are sold depends on how many customers are interested in their different features. Safety is thus a market value like any other, and the optimal levels of safety are set by supply and demand.

### THE GOVERNMENT-REGULATION MODEL

The free market model assumes that customers are knowledgeable about both the relative safety of given products and their own risk tolerances, or that they can become knowledgeable by research. It also assumes that producers are responsive to consumer demands for safety. By contrast, the government-

regulation model is skeptical of both assumptions, so it concludes that safety should be provided primarily via government regulation rather than through free market forces.

Producers have a profit motive, which leads some to cut corners on safety. Since safety can be costly, an obvious way to cut costs is to avoid spending money on either research or additional safety features. Correspondingly, consumers are often unaware of risks involved in using many products, particularly new or complex products, and are consequently often unwilling to pay the extra costs associated with safer products. Therefore, the government-regulation model assumes that many consumers will end up injured or worse because of an unregulated market. Therefore, to protect consumers from both themselves and producers, an informed third party with the power to regulate safety is needed. The government, therefore, should act paternalistically to shield consumers from their own lack of knowledge and poor judgment, and it should act protectively to shield consumers from careless, profit-seeking producers.

According to the government-regulation model, government experts should research products and decide uniform safety standards. The government should craft regulations and communicate them to producers. The producers should be given incentives to produce the specified amounts of safety—the incentives being the avoidance of fines, losing their licenses, or going to prison. Consumers can then purchase products confident in the knowledge that the government has made sure that their production meets adequate safety standards.

The two models of safety differ over two key ethical issues. Both agree that safety is a value but disagree over whether safety is a value that varies from consumer to consumer or is a uniform value that all products in a given category should possess equally. Both sides also agree that assigning responsibility for safety is crucial—but disagree over whether producers and consumers can be self-responsible for safety or whether government regulators can best handle that responsibility.

### LIABILITY

During the 1960's, American liability law began shifting from its long-standing emphasis upon a standard of individual negligence to an emphasis upon strict liability. Common law traditionally analyzed li-

## Two Relevant Legal Cases

Two key cases demonstrate the trend toward strict liability in modern courts. In 1992, a New Mexico jury awarded Stella Liebeck \$2.7 million in punitive damages and \$200,000 in actual damages because she was scalded by a cup of McDonald's coffee that she spilled while riding in a car. The determining factor for McDonald's guilt was the harm done to Liebeck. The large amounts were awarded to perform the two functions of strict liability. First, the \$200,000 was awarded to cover Liebeck's medical costs (social insurance). Second, the judgment of \$2.7 million was used to force McDonald's to lower the temperature of the coffee it served (safety incentive).

The 1980 case of *Sindell v. Abbott Laboratories* also indicates the newer concepts in strict liability. Judith Sindell brought a class action lawsuit on behalf of the daughters of women who alleged that diethylstilbestrol (DES), a drug approved by the Food and Drug Administration for pregnant women, caused their vaginal cancer. The class action lawsuit was brought against eleven DES manufacturers because the injured women could not isolate which company provided the actual drug to their mothers. Under the strict liability model, the women were not required to prove that DES was the definitive cause of their vaginal cancer—only that they were harmed. The collective liability standard held the DES manufacturers to be responsible even though some women may have never ingested their product.

ability in terms of individual responsibility. Plaintiffs were responsible to show that acts of negligence by identifiable defendants caused their injuries. Negligence is ignoring or hiding a reasonably foreseeable harm to a person. The argument for negligence-based liability relies on the concept of rational self-responsibility. Manufacturers sell goods for profit, and customers purchase them for consumption. Since no product can be completely risk-free, traditional liability requires that both sellers and buyers be responsible.

Manufacturers have two basic responsibilities to consumers. They must identify and address foresee-

able risks in their products and must inform consumers of the risks. Under traditional liability, consumers have three responsibilities to protect themselves from injury. First, they must educate themselves about the products they buy and the companies that make them. Second, they must accept the foreseeable risks associated with the products. When a company issues directions indicating proper use, the consumers' third responsibility is to use the products properly.

If someone is harmed in using a product, determining liability requires identifying who, if anyone, was negligent in upholding his or her responsibilities. However, even when producers and consumers act responsibly, accidents may still happen. If a manufacturing company provides proper warnings of a product's risks, and the consumer accepts those risks, or if the accident that occurs is not foreseeable, then the costs fall to the consumer. Part of being an ethically responsible consumer is to recognize that accidents may happen and to protect oneself through insurance. Under the negligence standard, however, a producer is liable only if the company has been negligent.

### STRICT LIABILITY

Although the negligence standard of liability has a long history of solving disputes between parties, proponents of strict liability argue that that standard does not adequately address social concerns, such as large liability claims and complex products. To address these concerns, strict liability eliminates the requirement of having an identifiable negligent party as the cause of the harm. Negligence by the producer or consumer is not necessary for legal liability. Strict liability is a harm-only concept. Additionally, strict liability collectivizes the concepts of harm and liability, in contrast to the negligence standard's individual focus. Strict liability has created two new concepts in litigation, the class action lawsuit and collective liability. A group of people who have suffered the same harm can bring about a single lawsuit in which the question of plaintiff responsibility is irrelevant. Collective liability occurs when more than one producer contributes to the manufacture of the same harm-causing product. If the product cannot be isolated to one company, then all the producers may be held liable.

Strict liability's use of class action lawsuits and collective liability is intended to solve the perceived gaps left by traditional negligence liability. From the

negligence-standard perspective, strict liability may seem unfair to a producer who has not been negligent; however, proponents of strict liability argue that it provides two main social benefits. First, strict liability gives manufacturers a greater incentive to make the safest possible products. If a manufacturer is liable for any of its products that causes harm, then rational economic thought dictates that the manufacturer should market only extremely safe products. Second, strict liability functions as a social insurance policy. Some people who are harmed have no way to pay their medical costs under traditional liability. If, however, companies are legally required to accept the responsibility for harm done to people, then the medical and other costs will be transferred from the victim to the manufacturers of the product. Manufacturer will then simply add liability as a cost of production. In wealthy nations such as the United States it may be easier to make everyone share the cost of liability rather than leaving it as an individual responsibility.

### ETHICAL CONTROVERSIES

Proponents of traditional liability find two problems with strict liability. The first problem is with the safety incentive. Under strict liability, companies should produce safer products; however, their incentive to innovate will decline. Since innovative products involve unknown risks, manufacturers will rationally decide in some cases that the costs of innovation combined with unknowable liability exposure is not compatible with the profit motive.

The second criticism of strict liability is a result of ethical differences. Traditional liability holds self-responsibility as its ethical ideal, while strict liability demands sacrifices of some for the sake of others. Therefore, the negligence view believes strict liability is unjust to manufacturers and will lessen consumers' self-responsibility; advocates of strict liability, by contrast, believe that the negligence model is unfair to individuals who cannot pay for their medical costs.

*Stephen R. C. Hicks  
Todd M. Krist*

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SEE ALSO: Consumerism; Corporate responsibility; Employee safety and treatment; Genetically modified foods; Industrial research; Marketing; Nader, Ralph; Public interest; Sales ethics; Tobacco industry; Warranties and guarantees.

## Professional athlete incomes

**DEFINITION:** Money that professional athletes make from salaries, product endorsements, appearance fees, and other sources

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The dramatic rise in the earning power of professional athletes that began during the closing decades of the twentieth century raised numerous ethical questions about income distribution and the role of athletes in society.

Until the late twentieth century, financial compensation for professional athletes typically varied according to each individual athlete's level of competition, experience, and achievement. Athletes at lower levels of professional competition often earned wages that were below subsistence levels. Those at higher competitive levels typically earned comfortable salaries, while a select few were paid handsomely but not out of proportion to the top earners of other professions. In 1930, for example, baseball star Babe Ruth earned an annual salary of \$80,000—approximately equivalent

### Top-Earning American Athletes in 2004

Rank	Athlete	Sport	Salary	Other	Total
1	Tiger Woods	golf	\$6,673,413	\$70,000,000	\$76,673,413
2	Shaquille O'Neal	basketball	\$26,517,858	\$14,000,000	\$40,517,858
3	LeBron James	basketball	\$4,018,920	\$35,000,000	\$39,018,920
4	Peyton Manning	football	\$26,900,000	\$9,500,000	\$36,400,000
5	Kevin Garnett	basketball	\$29,000,000	\$7,000,000	\$36,000,000
6	Oscar De La Hoya	boxing	\$30,000,000	\$2,000,000	\$32,000,000
7	Andre Agassi	tennis	\$2,530,929	\$24,500,000	\$27,030,929
8	Kobe Bryant	basketball	\$13,498,000	\$12,000,000	\$25,498,000
9	Derek Jeter	baseball	\$19,000,000	\$6,000,000	\$25,000,000
10	Grant Hill	basketball	\$13,279,250	\$11,000,000	\$24,279,250

Source: Sports Illustrated/SL.com, May 14, 2004. Totals reflect expected total income for calendar 2004. "Salary" column includes salaries, bonuses, and winnings; "Other" column includes money from commercial endorsements, appearance fees, and other sports-related sources

to a \$800,000 salary in 2003 dollars. At the same time, the average salary of Major League Baseball players was approximately \$6,000, or \$60,000 in 2003 dollars. Athletes competing in sports emphasizing individual excellence sometimes earned much more. In 1927, for example, heavyweight boxing champion Gene Tunney earned \$990,000—equal to almost \$10 million dollars in 2003—for a single boxing match against former champion Jack Dempsey. However, most rank-and-file competitors of the past earned salaries commensurate with national averages for skilled and professional workers.

After World War II, as the advent of mass media made professional athletics increasingly popular and profitable, many professional athletes began to resent team owners and event promoters who were reaping ever higher profits while restricting increases in athlete compensation. In 1966 Major League Baseball players organized the first successful professional athletes' union and, after a series of contentious court cases, won the right to negotiate with other teams when their contracts expired. Andy Messersmith and Dave McNally exercised this option in 1975 and became the first "free agents" in professional sports.

Other professional sports soon followed suit by enacting their own systems of free agency, resulting in dramatic increases in player salaries. By the end of

the twentieth century, the *minimum* salary for rookie Major League Baseball players was \$200,000, and the highest-paid baseball player, Alex Rodriguez, was earning approximately \$25 million per year. In addition to their salaries as players, many top athletes were receiving additional money from product endorsement contracts that often paid them millions of dollars per year.

#### IMPACT ON SPORTS

Although most observers agree that higher compensation for athletes has exerted a profound influence upon professional sports, disagreements exist as to whether the aggregate impact has been positive or negative. Supporters maintain that higher earnings have provided athletes with increased motivation to improve their performances, resulting in more intense competition among athletes and higher overall standards of athletic excellence. Moreover, since professional athletes no longer have to work during their off-season months to supplement their incomes as they did in the past, they have more time and energy for training.

Some critics argue, however, that high salaries and lucrative endorsements negatively affect performance by compromising team loyalty, fostering jealousy and friction among team players, and diminish-



ing the desire of individual athletes to achieve their full potentials. In order to enhance their “market value,” team-sport athletes are often encouraged to prioritize individual achievement over team success. Thus, critics argue, high salaries and endorsements serve either to distract and spoil athletes or to saddle them with unrealistic expectations.

Defenders of rising compensation rates for professional athlete pay often cite past and present inequalities between athlete pay and the profits of their employers or sponsors. This argument is rooted in the assertion that team owners, event promoters, and corporate sponsors have profited handsomely from the growth of the professional sports industry, and that athletes—without whom the industry would not exist—are ethically justified in their efforts to share in the financial success of their sports.

#### SOCIETAL IMPLICATIONS

The ethical implications of higher athlete pay upon society have also been the subject of contentious debate. Many argue that paying athletes large amounts of money damages both sport and society by fostering gross inequalities in income, and that salaries should thus be limited through regulation. Proponents of free market capitalism insist that owners, promoters, and sponsors are ethically justified in compensating athletes according to freely conducted negotiations and the demands of the market, and that athletes reserve the right as contract employees to sell their services to the highest bidders. Proponents

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*With tournament winnings and endorsement income totalling more than seventy million dollars a year, golfer Tiger Woods ranked as the world's highest-paid athlete in 2004. (AP/Wide World Photos)*

#### Average Player Salaries in Major League Sports in 2004

<i>League</i>	<i>Total teams</i>	<i>Total players</i>	<i>Average salaries</i>	<i>Total salaries</i>
Major League Baseball	30	850	\$2,490,000	\$2,116,500,000
National Basketball Association	29	375	4,900,000	1,837,500,000
National Football League	32	1,200	1,260,000	1,512,000,000
National Hockey League	30	725	1,700,000	1,232,500,000
			<i>total payrolls</i>	\$6,698,500,000
	121	3,150	<i>player average</i>	\$2,126,508

*Source:* Average salary figures from Associated Press, April 8, 2004. Total player numbers are estimated from average active-player rosters as of early 2004, and total salary figures are extrapolated from these estimates.

of regulation argue that larger payrolls are unethical because they give sports teams in large markets—such as New York and Los Angeles—unfair advantages over those in small markets, and result in increased costs that are routinely passed along to fans in the form of much higher prices for tickets, concessions, souvenirs, and parking.

Some people view the disproportionately high earnings of top professional athletes as an example of growing disparities between rich and poor people in developed societies. Others argue that it is inequitable, and therefore unethical, to pay top athletes amounts totaling hundreds of times the salaries of persons in such essential occupations as education, health care, public safety, and social work.

### EFFECTS ON YOUTH

Many critics also assert that higher athlete pay also damages society by setting a negative and unrealistic example for youth that is inherently unethical. The conspicuous presence of multimillionaire athletes, they argue, encourages youth to value athletic achievement over educational accomplishment, character, and citizenship. Moreover, the lure of immense wealth often encourages young people, especially those from disadvantaged backgrounds, to make sports a higher priority than education or personal growth in the often-unrealistic belief that they will themselves eventually succeed in professional sports. This assertion is supported by numerous examples of athletes who have interrupted their educations to “turn pro.”

Proponents of the free market can cite numerous examples of athletes who emerged from modest backgrounds to become rich and famous athletes. By contrast, only a tiny minority of athletes are ever afforded the opportunity to compete professionally, and fewer still ever achieve the level of success required to command large earnings. Therefore, those who are persuaded single-mindedly to pursue careers in professional sports and do not succeed often lack the skills necessary to become healthy, productive members of society.

*Michael H. Burchett*

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## Professional ethics

DEFINITION: Codes of conduct governing the performance of professional duties

TYPE OF ETHICS: Professional ethics

SIGNIFICANCE: Members of most professions are governed by ethical rules which may be formal or informal, codified or left unspoken. Such rules are designed to protect the public welfare and to encourage a high level of trust for the profession as a whole.

Professional ethics undertakes to examine the special ethical obligations and problems that people who work in professional occupations have because of their professional status. It seeks to reach normative conclusions about these; that is, it considers how professionals *ought* to behave in their professional work, not merely how they *do* conduct themselves. In order to accomplish this goal, it must consider the various professions in their historical, legal, and social contexts in society. Relative to differently organized societies, or relative to different eras in Western society, it may need to reach different conclusions concerning professional conduct.

Every legitimate occupation involves its own characteristic ethical obligations. Thus, firemen have a special obligation to rescue people from burning buildings even when it is dangerous for them to do so, and farmers have a special obligation to see that the foodstuffs that they produce are safe to consume. All

such special obligations presumably could be discussed in the field of occupational ethics.

In order for professional ethics to be a distinctive field in its own right, it needs to differ from occupational ethics. The special ethical obligations of professionals need to be seen as differing in their source and character from those of nonprofessional workers. This can come about only if professional ethics is based on a conception of the professions that succeeds in demarcating them ethically from other occupations.

The term “profession” is used in a variety of ways in the English language, and most of these do not embody conceptions that are suitable for grounding professional ethics as a field in its own right. To forestall confusion that may generate doubt about the legitimacy of professional ethics, it will be useful to review several of these widespread uses before focusing on a more appropriate one.

#### USES OF THE TERM “PROFESSION”

When people ask “What is your profession?” this is often merely a polite way of asking one’s occupation. In this usage, the terms “profession” and “occupation” are synonyms. Another frequent use, which is familiar from sports, contrasts professional with amateur standing: To be a professional in an activity is to make that activity one’s principal career, from which one expects to derive income. In another sense, professional work is work that is done skillfully. “They do a professional job,” people say of workers who perform knowledgeably and well.

The term “profession” generally carries a favorable connotation, and sometimes it is used merely to express the speaker’s approval of an occupation and the desire that it be accorded high status. Thus, when someone says “Realtors are professionals!” often no factual information is involved, and the speaker is merely voicing approval of the occupation and seeking to enhance its standing in the minds of hearers.

In sociology, professions often have been discussed, and many descriptive criteria of professionalism have been put forward. These include the following: the work is white-collar, above-average education is required, above-average pay is received, there is an explicit code of ethics to which those in the occupation subscribe, entry is limited by licensing procedures, those in the occupation have an association that is dedicated to maintaining standards, the

service provided is indispensable for the public good, those in the occupation work as independent practitioners, and income does not depend much on the deployment of capital. Typically, a sociologist studying professionalism establishes a particular list of such factors and then stipulates that an occupation is to count as a profession only if it accords with at least several factors on that list.

None of these widespread ways of understanding the term “profession” is satisfactory as a basis for normative professional ethics, because each of these definitions picks out as professions some set of occupations that, from the standpoint of normative ethics, do not differ significantly from the occupations it classifies as nonprofessions. If professional ethics is to be viewed as a field in its own right, it is necessary to employ a conception of what professions are that is more normatively oriented than are any of the conceptions noted above.

#### A HISTORICALLY BASED CONCEPTION

How did certain occupations first come to be called professions? Considering the history of the term may lead toward a conception that is suitable for the purposes of professional ethics.

The Latin term *professionem* originally meant the making of a public declaration. In medieval Latin, it came to mean the taking of religious vows. The English word “profession” comes directly from the Latin, and until the sixteenth century it too meant only the public taking of religious vows. After that, however, it came to mean an occupation in which learned knowledge is applied to the affairs of others, especially medicine, law, divinity, and university teaching.

The linkage between oath taking and distinctively professional occupations arose because of the procedures of the medieval universities. In them, students prepared for one of four careers; they could become physicians, lawyers, clerics, or university teachers. At various stages in the course of study, and especially at its conclusion, the student was required publicly to take religious oaths. These oaths affirmed general loyalty to the doctrines of the Church and to the discipline of the university, and specific commitment to the special ethical standards of the learned occupation being entered into. Such oaths, devised by persons who already belonged to the occupations in question, carried with them the threat of divine re-

tribution should they be violated; thus, they served as fairly effective means for constraining new entrants to respect the ideals of service that had been established for these occupations.

Because they had taken these oaths, members of these four occupations came to have special ethical obligations that were different in origin and nature from those incurred in other occupations.

#### **APPLYING THE CONCEPTION TO MODERN LIFE**

Downplaying its religious aspect, this conception of professions nowadays can be regarded as postulating an understanding between society and those in a profession, a bargain from which both sides benefit. This understanding may be spelled out explicitly, at least in part, but often in modern times it is left largely unstated and is taken for granted. Society accords certain valuable advantages to the members of the occupation, and they in return pledge themselves to promote certain goals that have value to society.

The chief benefit that society grants to members of the occupation is the right to a considerable measure of control over their own activities. This includes the right of those in the occupation to define for themselves the standards of performance that should be obeyed in it and their right to organize their own disciplinary procedures for enforcing those standards. They may also be granted the right to restrict entry into the occupation by imposing licensing requirements (this may well have the effect of reducing competition and keeping fees high). It will be especially appropriate for society to grant these privileges to the members of occupations that are highly technical and require extensive knowledge. Outsiders will be unable to make reliable judgments about how those in such occupations ought to conduct themselves; therefore, the setting of standards and the enforcement of discipline may best be left to the specialists within.

In return for granting these privileges, society receives from the members of the occupation higher-quality service and the curbing of certain types of self-interested exploitation of their expertise by those in the occupation. The ethical requirements that the profession imposes upon itself fall under three headings: responsibilities toward clients (or patients), responsibilities toward the profession itself, and responsibilities toward society. Usually, the interests of the client will be accorded high priority, and the pro-

fessional's technical skills will be viewed as the client's to command, for any reasonable purpose. Responsibilities toward the profession itself will aim at enhancing the excellence of the profession's services and maintaining its standing in the eyes of the public. The responsibilities to society, though not negligible, will usually be accorded a distinctly lower priority.

If all goes well, both society and those in the profession will benefit from such a bargain. The ethical status of professionals will thereby become differentiated from that of nonprofessionals, whose conduct is not governed by bargains of this type.

In U.S. society, medicine and law are traditionally the paradigmatic examples of professions in this sense. Other occupations deserve to be classified as professions if they strongly resemble medicine and law in having this type of ethical structure. Whether an occupation counts as a profession will not be a black-or-white matter, however, but will be a question of degree.

#### **FREE ENTERPRISE VS. COMMUNISM**

This contrast between the ethics of professionals and those of nonprofessionals makes sense within a society that has an individualistic ideology such as the free enterprise system, which prevails in the economic life of the United States. Such an ideology makes it ethically permissible for workers to aim at promoting their own individual advantage, when they are in occupations which have not entered into any professional-type bargain with society. Such non-professional workers are supposed to be ethically bound by the law and by the requirements of minimal decency (which prohibit lies, fraud, murder, assault, and the like). In addition, they are ethically bound by any explicit promises they have made to others; for example when an employee contracts to obey an employer's orders in doing work of certain kinds. Aside from these limitations, however, non-professional workers in an individualistic society are ethically free to act as they please, seeking their own advantage. (Society permits them this ethical latitude because doing so encourages them to work harder and more efficiently, which ultimately benefits society.) There arises a contrast between their ethical situation and that of professionals, whose conduct is constrained by self-imposed ethical commitments of the kind already mentioned, which are quite unlike employment contracts.

In a communistic society, this difference between professionals and nonprofessionals would not exist. Under communism, the ideology would be that every worker, whether physician or coal miner, always should be striving above all to promote the well-being of society. Consequently, there would be no special group of professional occupations whose ethics would contrast significantly with the ethics of other occupations.

### **MEDICINE AS A PROFESSION**

In Western society, medicine has had a professional character since ancient Greek times, when physicians took the Hippocratic oath, pledging to protect their art and to use their medical skill only for the promotion of health. Although medicine has changed enormously over the years, modern physicians are rightly expected to retain some of the Hippocratic spirit of dedication to healing, righteousness, and service. For example, in an emergency, even a physician who is off duty is ethically bound to provide medical aid to injured persons who would not otherwise be treated (this is not the case with non-professional workers, such as farmers or fire fighters, who have no general obligation to provide services that have not been contracted).

Some writers who discuss medical ethics include in it wide-ranging public policy questions concerning how best to organize the delivery of health care in society. This is potentially misleading, in that it may suggest that defects in the system of health-care delivery exist only because physicians are not fully discharging their ethical responsibilities. It should not be supposed that increasing the ethical dedication of physicians will be the only, or even the best, way to perfect the structure of a health-care system. To deal with its problems, legislators must make wise public policy decisions.

A particularly controversial topic in medical ethics is whether it is permissible for physicians to end the lives of terminally ill patients who request it or to assist them in committing suicide. On one hand, the Hippocratic tradition commits the physician to using medical skill only to heal and to preserve life; on the other hand, suffering patients sometimes desire to die, and some compassionate physicians think that it would be proper to provide such service. Prevailing opinion within the American Medical Association has opposed the latter view as setting too dangerous a

precedent, and U.S. law has forbidden such action by physicians. In the Netherlands, however, euthanasia has been legally accepted and has been widely practiced.

### **LAW AS A PROFESSION**

In the United States, law as a profession has been dominated by the American Bar Association (ABA). Its Canons of Professional Conduct serve as an explicit statement of the way in which U.S. lawyers conceive of their professional responsibilities. According to this statement, the lawyer is "an officer of the court." This phrase expresses the idea that the lawyer is a part of the justice system and therefore has an obligation to uphold that system and to promote its efficient functioning.

The ABA views the lawyer as having a primary responsibility to the client, whose prerogative it is to decide what legal action is to be undertaken. The lawyer's task is to provide accurate legal information and then to carry out the client's wishes. It is the lawyer's duty to keep strictly confidential what the client has revealed in the course of consultation, and the lawyer cannot legally be forced to divulge such information.

One vexing issue in legal ethics is how far the lawyer may go in promoting the client's cause by means that seem shady yet that are not illegal. For example, in a criminal defense, may the lawyer permit the client to give testimony that the lawyer has good reason to believe is untruthful? As an officer of the court, the lawyer ought not to countenance perjury, yet the lawyer also has an obligation to advance the client's case, and the client's questionable testimony may do this. In such cases, two responsibilities clash, and lawyers differ among themselves about how far to go.

### **BUSINESS AS A PROFESSION**

As education in business management has advanced, the field has become more and more complex and technical. Intricate mathematical analyses and strategies have become available to assist and guide the business executive. This development has encouraged some writers to say that business has now become "professionalized."

Business ethics, however, remains different from professional ethics. Under the free enterprise system as it exists in the United States, it is ethically permissible for businesspersons to make pursuit of their own advantage their primary goal, as long as they do



not break the law or violate minimal standards of decency. Professionals, however, have additional ethical obligations that further limit their pursuit of self-interest; they ought not to be as single-minded in their profit-seeking as businesspersons may be.

### OTHER PROFESSIONS

Architecture, engineering, accounting, military science, and many other occupations partake of the character of professions in varying degrees. Those engaged in these occupations possess technical skills and provide them to those who need them. Because these skills are so technical, it is difficult for outsiders to evaluate their use; therefore, associations in these occupations establish codes of conduct and seek to maintain high standards. The degree of professional independence is less, on the whole, than that prevailing in medicine and law, but the professional model does make sense in respect to these occupations.

When architects, engineers, or accountants (especially certified public accountants) are independent practitioners taking on clients, their status is more strongly professional. When the practitioner is an employee of a business enterprise, the employer naturally exercises considerable control over the way in which work is carried out, and independence is diminished. Even so, the practitioner who has a will to do so may be able to maintain independence by rejecting any orders that are contrary to professional canons.

### JOURNALISM: A CONTROVERSIAL OCCUPATION

Journalism is an occupation whose status has been especially controversial. Many journalists have come to regard themselves as subject to very special ethical imperatives that make journalism a profession rather than a business activity. They think of themselves as charged by society with the vital task of conveying news, and, more specifically, of exposing wrongdoing by prominent persons. (They have sometimes spoken of journalism as constituting a "fourth branch of government.")

A special test of this conception of journalism as a profession arises when journalists claim a legal right to preserve the confidentiality of their sources. For example, suppose an employee in a government department reveals to a journalist classified information about improper activity within that department. The government then seeks to prosecute the leaker

and demands that the journalist reveal this person's name. The journalist perhaps refuses to do so, claiming a privilege of confidentiality that is, supposedly, analogous to the lawyer's privilege of keeping confidential what clients have said in legal consultation. Many journalists have thought they ought to have such a privilege; the U.S. Congress and the courts, however, have refused to grant it to them, and journalists who refuse to cooperate with legal authorities risk criminal prosecution.

Against the view that journalism is a profession, it can be pointed out that it is not an occupation requiring extensive scholarly education. Furthermore, it would probably be imprudent for society to hand over to journalists the kind of power to set their own standards and regulate their own activities that physicians and lawyers are granted. To do so might give journalists more political control over society than they should have.

### CONCLUSION

From time to time, society should ask itself whether the tacit bargains that have been struck with professional groups are working out well. If they are not, and the balance has shifted away from the best interests of society in certain areas, then renegotiation may be appropriate.

Modern trends in medicine and law have been away from the older pattern of individual practitioners. More and more physicians and lawyers are becoming employees of large organizations. As employees, they must accept direction from their employers; therefore, they tend to be less independent than was the case in the past. This decreasing independence diminishes their distinctively professional status but does not eliminate it.

*Stephen F. Barker*

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## Profit economy

**DEFINITION:** Social system designed to allocate efficiently the scarce resources of a society by allowing individuals to pursue their own self-interest and to accumulate the wealth gained from that pursuit

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The profit economy is celebrated by those who focus on the theory behind it, which indicates that the system is fundamentally just since it should lead to increased benefits for all members of the community. It is attacked by those who focus on actual examples of such economies, in which the disparity between rich and poor grows larger and larger over time.

The purpose of economic activity is the satisfaction of wants. The question of which wants and whose wants should be satisfied is a problem of social justice. A profit economy determines how resources are to be allocated, what goods will be provided, and which wants will be satisfied by encouraging individ-

uals to act in ways that they believe will enhance their own self-interest. In a profit economy, firms will act to maximize their profits and households will act to maximize their income, since firms and households are motivated by the desire to accumulate wealth.

It is the ability to accumulate wealth that has raised questions about the justice of a system based on profit. Utopian thinking, which is based on the idea of economic equality, considers the getting of profit as the getting of more than one rightfully deserves, resulting in an unjust and preferential system. Supporters of a profit economy counter that in the real world, if profit is not to be had, little will be done. Furthermore, it is argued that a profit economy functions particularly efficiently, creating wealth that, over time, will benefit all.

*Sandra L. Christensen*

SEE ALSO: Advertising; Capitalism; Cost-benefit analysis; Distributive justice; Free enterprise; Greed; Monopoly; Poverty and wealth; Product safety and liability; Profit taking; Smith, Adam.

## Profit taking

**DEFINITION:** Selling one's securities or property for more money than one expended to acquire them, especially when the sale occurs immediately after a rise in their market value.

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Profit taking by many people at once is often the cause of a temporary drop in the price of the security being sold, following the laws of supply and demand. This situation raises ethical issues to the extent that profit takers harm the interests of long-term shareholders to benefit themselves. As the stock market comes less and less to be populated with long-term shareholders, however, this becomes less and less of an issue.

In its broadest context, profit taking simply refers to the action of an investor in cashing in an investment and realizing whatever profit has been made. There are at least three circumstances, however, in which profit taking raises ethical questions. Especially during the 1980's, when corporate restructuring became commonplace, insider or management buyouts and firms "going private" often meant that investors with

privileged knowledge about a company would offer stockholders more than the market value for their shares but less than the true value of those shares. Then, sometimes after only a brief period of reorganization, the investors would “go public” again, sell some or all of their shares at a considerably higher price, and thus engage in profit taking.

Such practices raised questions of a conflict of interest on the part of the managers involved, who were operating in their own interest rather than upholding their fiduciary responsibility to the company’s shareholders. A second circumstance that raises ethical questions occurs when an investor realizes excessive profit from a transaction based on some standard of social acceptability, and a third such circumstance occurs when an investor gains profit by using unreasonable economic power.

*D. Kirk Davidson*

SEE ALSO: Capitalism; Free enterprise; Greed; Insider trading; Profit economy.

## Progressivism

**DEFINITION:** Political movement and philosophy advocating social change through governmental and institutional action

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Progressivism holds that social and political institutions and activist coalitions bear the burden of improving the quality of life for individuals, because an individual alone lacks the power to achieve social justice. On the political spectrum, progressives are generally to the left of liberals and to the right of radicals.

Although lacking a definitive ideology with common tenets, progressivism evolved during the late nineteenth century as a unique American philosophy that was intended to counter the economic and social ills of the Industrial Revolution and a burgeoning urban society. The philosophy formed the basis for a large-scale reform movement, led by young, educated professionals, that embraced all levels of society and encompassed diverse ideologies.

The unifying forces for this movement were a belief that humankind had evolved sufficiently to con-

trol the course of human development through reform, dispelling the prevailing assumption of a fixed unalterable order beyond human control, and the belief that reform was to be accomplished through a democratically controlled government. Progressives emphasized systems, planning, management, predictability, collective action, the scientific method, and the value of expert opinion. Beginning with the Theodore Roosevelt administration in 1901, the U.S. government initiated and sponsored legislation and amendments to cure the ills of society, make society more democratic, and provide equality for all Americans.

*Stephen D. Livesay*

SEE ALSO: Conservatism; James, William; Liberalism; Pragmatism.

## Pro-life movement

**DEFINITION:** Coalition of activists working to ban abortion

**TYPE OF ETHICS:** Sex and gender issues; bioethics

**SIGNIFICANCE:** The pro-life movement represents one side in perhaps the most heated moral debate of the late twentieth and early twenty-first centuries. Although associated with Roman Catholics and the political right, neither of those two groups is undivided on the issue of abortion.

Ethical conflict over abortion has grown hugely since the 1960’s, when the pro-life movement began. The first members of this movement were Catholics, whose views were supported by the Roman Catholic Church. Since then, the movement has spread, and it now numbers among its proponents people from every religion, race, and walk of life. All these people view any abortion as being murder because they see the fetus as becoming a human being at the moment of conception, when sperm and egg fuse. Pro-life responses to abortions vary from peaceful methods that include demonstrations and attempts to dissuade women seeking abortions to active demonstrations at abortion clinics that sometimes lead to physical confrontations involving pro-life demonstrators, clinic staffers, and patients seeking to obtain abortions. In some cases, abortion clinic staffers have been threat-

ened with physical violence, abducted from their homes or workplaces, and subjected to various levels of physical harm by pro-life zealots.

The end goals of the pro-life movement are to seek for the fertilized ovum the same rights that persons who have been born enjoy. It is deemed by many or most pro-lifers that the U.S. Constitution should be amended. A version of the amendment supported by several pro-life members of Congress states that “the paramount right to life is vested in each human being, from the moment of fertilization without regard to age, health or condition of dependency.”

### CONCEPTS AND METHODOLOGY

The basic pro-life concepts about abortion, from several sources, indicate the following ethical judgments: (1) the fetus at any stage in its growth from fertilization on is a human being in every sense of the word, (2) an abortion thus kills a person and is murder, and (3) anyone who condones abortion condones murder and is a criminal. According to some members of the movement, such people deserve “anything that happens to them.” The action techniques of the pro-life movement vary greatly, and many are codified by pro-life manifestos such as *Closed: Ninety-nine Ways to Stop Abortion* (Scheidler, 1985).

Such manifestos list numerous operational procedures, including sidewalk counseling of pregnant women, picketing and demonstrations at abortion sites, disseminating leaflets and getting pro-life literature into libraries, advertising in the news media, using sit-ins, picketing the homes of abortionists, going into politics, and using horror stories to frighten women who are seeking abortions. Fortunately, many manifesto writers point out that violence should not be used, because it constitutes using evil to fight evil. Yet there have been regrettable instances in which this belief has not been shared by some pro-lifers, who have destroyed property, abducted abortionists, threatened a shooting war, and, in one case, killed a doctor who performed abortions.

### HISTORICAL BACKGROUND

The conflict over abortion is as old as humankind. The ancient Greek and Roman philosophers codified the use of abortion. For example, Plato favored the use of abortion when it was for society’s good, and Aristotle defined human life as beginning only forty or ninety days after the conception of a male or fe-

male fetus, respectively. With the development of Christianity, strong antiabortion sentiment arose and began to flourish. In more modern times, English common law stated that abortion was legal until mothers felt movement in the womb—“quickening”—and this view persisted well into the eighteenth century.

By the twentieth century, the abortion debate became quiescent, and many abortions were made legal by the 1950’s. During the 1960’s, with most Americans favoring therapeutic abortion, the pro-life movement began and evolved to include religious, medical, and lay proponents. At first, the pope and numerous Catholic functionaries preached a pro-life manifesto that was not backed by the Protestant churches. During the 1970’s, however, various Protestant clerics began to support the idea.

A number of physicians, including Jack Wilke, have been long time leaders of the movement. Wilke, in fact, wrote a 1970’s “abortion handbook,” illustrated with pictures of mutilated fetuses, that earned eminence for his pro-life National Right to Life Committee. By the 1980’s, the polarization between pro-life and pro-abortion factions had grown hugely, and the debate has since then become more and more acrimonious. It is not clear what will happen; however, verbal—and sometimes physical—battle lines have been drawn.

Pro-life lobbies in Washington, D.C., have sought to pass the amendment alluded to earlier. In addition, Randall Terry’s well-known Operation Rescue has sought to prevent abortions and close abortion clinics. Documents have also been written by prominent lawyers propounding the legality of the rights of the unborn. Some splinter groups among pro-life proponents have warned their adversaries that a shooting war awaits them. A serious confrontation seems to be inevitable.

### CONCLUSIONS

The ethical issue that focuses the actions of the pro-life movement is that it is never appropriate to stop the occurrence of a human life. The advocates of this viewpoint warn that if their point of view is unheeded, the consequences of such unethical decision making will lead to the practice of genocide. In contrast, those who favor abortion for “appropriate reasons” fear that its criminalization will lead to other restrictive legislation that will diminish human rights and produce many other forms of related human

persecution. It seems possible that an ethical compromise could give both sides some of their desires. One model for use could be that of Western Europe, in which respect for every human life is promised and abortion is permitted under conditions that are deemed appropriate and ethical.

*Sanford S. Singer*

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SEE ALSO: Abortion; Bioethics; Birth control; Christian ethics; Family; Jewish ethics; Life and death; Pro-choice movement; Right to life.

## **Promiscuity**

**DEFINITION:** Sexual activity with multiple partners  
**TYPE OF ETHICS:** Personal and social ethics  
**SIGNIFICANCE:** Promiscuity may involve simple non-monogamy, but the term has strong connotations of a lack of discrimination in sexual partners. It is therefore judged by some to cheapen or even commodify the sexual relationship.

The change in sex habits of Americans since the end of World War II has been described as leading to unlimited sexual freedom. Contraceptive devices had provided nearly complete protection from pregnancy,

and changing and more relaxed attitudes about sex had mitigated the stigma of premarital and extramarital sex, sex with multiple partners, and having children out of wedlock. It seemed the American society had indeed become more promiscuous.

An extensive study of sexual behavior by Albert D. Klassen, Colin J. Williams, and Eugene E. Levitt (1989) concluded, however, that there was no evidence suggesting any far-reaching changes in sexual norms. Patterns of traditional sexual behavior were neither significantly reduced nor reversed. The authors concluded that a “sexual revolution” had not occurred in the United States.

#### **PROMISCUITY**

The conclusion that no sexual revolution has occurred does not imply that promiscuity does not exist. Klassen et al. pointed out that norms contradicting the traditional ones have emerged and that commitment to the traditional norms may not be as strong as in the past.

In Africa, premarital and extramarital sex are common. For example, a survey in Zimbabwe revealed that 40 percent of married men had had extramarital sex within the past year (the actual figure is probably higher). Part of the reason for this high frequency is that there is a cultural expectation that married men can have other relationships, and these relationships are accepted by the wives. (This attitude is changing because of the AIDS epidemic in Africa.) Ethically, promiscuity per se is neither good nor bad but depends on the culture in which it occurs. Unfortunately, often accompanying promiscuity are the following outcomes, which can only be viewed as negative.

Where promiscuous behavior is not condoned—for example, in marriage—it is usually conducted without the partner’s awareness. Lying and deceitfulness are commonly used by the one having the relationship in order to keep it secret. This breach of trust and of the bonds of marriage is hardly noble and virtuous behavior.

#### **ROLE MODELS**

For better or worse, professional athletes are the true heroes of American culture, and therefore their behavior sets a powerful example. When, for example, famous basketball players brag publicly about having sex with more than ten thousand women or



### Patterns in American Sexual Promiscuity

An extensive study of American sexual patterns and behavior by Sam Janus and Cynthia L. Janus provided a measure of how extensive promiscuity is. Their data, which suggest that promiscuous behavior occurs frequently, include these findings:

1. Twenty-six percent of women and 40 percent of men aged eighteen to thirty-eight at the time of the survey became sexually active by age fourteen.
2. Forty to 63 percent of men from ages eighteen through sixty-five and older said that their sexual experience before marriage was important. For women, the figure ranged from 25 to 56 percent.
3. Sixty percent of the men surveyed had had relations with from one to thirty partners, 21 percent with thirty-one to sixty partners, and 18 percent with sixty-one or more. For women, the figures were 81, 9, and 7 percent.
4. Eighteen percent of married men had had one extramarital affair, 38 percent had engaged in extramarital affairs rarely, and 29 percent often had extramarital sex. For women, the figures were 27, 38, and 12 percent.
5. Twenty percent of the men, regardless of income level, had had sex with prostitutes, whereas the figures for women ranged from 3 to 8 percent. Most of these people used the services of a prostitute occasionally (25 to 63 percent), rather than once (6 to 50 percent) or often (7 to 31 percent).

Source: Janus, Sam, and Cynthia L. Janus. *The Janus Report on Sexual Behavior* (1993).

contract AIDS in the course of having sex with hundreds of women, or the mistress of a baseball player is rewarded with extensive coverage in *Playboy*, legitimate questions can be raised about the kinds of examples that these heroes provide.

#### SEXUALLY TRANSMITTED DISEASES (STDs)

The more persons with whom an individual has sex, the greater that individual's chance of contracting a sexually transmitted disease. According to a report released in 1993 by the Guttmacher Institute, 20 percent (56 million) of all Americans have an STD. Of the 12 million new cases diagnosed each year,

about 90 percent involve people under age 25. By March of 1992, 139,269 adults and adolescents and 1,954 children had died from AIDS in the United States (not all as a result of promiscuous sex). The AIDS epidemic in Africa is even worse.

The 1993 *Kids Count Data Book* claims that the status of adolescents is "deteriorating." Aside from STDs, almost 9 percent of all babies in 1990 were born to single teenagers, and teenagers also accounted for about 25 percent of all abortions. Marilyn Gardner used these data to claim that "Early sexual activity can exact a terrible price from promising young lives . . . too many find themselves shackled by unplanned pregnancies, abortions, single motherhood, infections or infertility."

On balance, then, promiscuity is bad. To avoid the pejorative connotation of the term "promiscuity," social scientists often refer to "sexual networking" or "a pattern of multiple partners." Since promiscuity is not neutral in its effects, however, perhaps the pejorative connotation is desirable.

Laurence Miller

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SEE ALSO: Acquired immunodeficiency syndrome (AIDS); Adultery; Lust; Premarital sex; Prostitution; Sexism; Sexual revolution; Sexual stereotypes; Sexuality and sexual ethics; Sexually transmitted diseases.

## Promises

**DEFINITION:** Morally binding declarations that one will or will not do something; oaths

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** One's ability or inability to keep one's promises is often taken as a sign of one's general level of integrity or moral character. The keeping of promises is also of central theoretical importance to moral philosophers as different as Immanuel Kant and Friedrich Nietzsche.

Every society is organized according to various kinds of rules and standards for behavior. Humans' social nature, limitations, and similar needs, along with the scarcity of objects, goods, or conditions such as food, wealth, and jobs, serve to create situations of conflicts that moral and other rules seek to resolve or minimize. There are many implied agreements, or moral rules, that allow people to live safely and to

have meaningful relationships with others. These include agreements not to harm one another, not to lie or cheat, to obey laws, to treat others with dignity, and to keep promises.

In earlier times, one's promise, or "word," was part of one's reputation. Many promises and agreements were made verbally or by shaking hands. Some promises, such as personal ones, are still made that way, but many are written down as formal contracts and agreements. This is because such promises tend to be more complex and because fewer and fewer people actually honor their promises.

To understand the concept of promising and the breaking of promises, two basic and opposed approaches to morality must be examined: nonconsequentialist and consequentialist views.

Nonconsequentialist views oppose the breaking of promises at any time. Whether one keeps or breaks promises has an effect on human relationships, and one of the main arguments against breaking promises

### Promises and Kant's Categorical Imperative

In *Foundations of the Metaphysics of Morals* (1785), German philosopher Immanuel Kant argues for the existence of a categorical imperative, a universal and objectively valid moral law. Kant's first formulation of the categorical imperative is "I should never act in such a way that I could not also will that my maxim should be a universal law." In other words, in making moral decisions, one should apply the following test: Is it logically possible to universalize the maxim that guides my action? Kant uses the breaking of promises as his central example. If one were to break a promise, the maxim one followed in such a case would be something like this: "I should always keep my promises . . . unless I decide to break them." Kant argues that if this claim were to be universalized, the word "promise" would lose all meaning. "Everyone should always keep their promises, unless they decide to break them." If it is universally acknowledged that no one is obliged to keep a promise, then the promise ceases to be a promise, since a promise entails obligation by definition. A world in which the universal version of the maxim is accepted, then, would be one in which there is simply no such thing as a promise.

The important point about the first formulation of the categorical imperative is that it is a statement, *not* about desirability, but about logical coherence. Kant is not saying that oath-breaking is bad, because one would not want to live in a world where promises cannot be trusted. He is rather pointing out that the statement "everyone should always keep their promises unless they decide to break them" is a logically incoherent utterance, because the proposition renders its key term meaningless. Therefore, it is simply not *possible* to will that this maxim should be a universal law, whether one wants to or not. Kant is committed to this kind of analysis, because he believes that the categorical imperative derives its authority from its form rather than its content. It must have the form of law as such. Only then will it be both objective and universal.

This point raises a potential objection to Kant's formulation, however, since it is unclear that any other type of transgression fails his test in the same way. Vengeful murder, for example, does not cause similar logical inconsistencies when it is universally willed. Kant may well have chosen oath-breaking as an example, because it is the only transgression that clearly fits his point.

is that breaking them can destroy or undermine personal relationships. If a person promises to do something, most people will tend to believe that person's word. If the promise is broken, the relationship with that person is weakened, because trust is a central element of vital relationships. The lack of trust that develops makes rapport more difficult to achieve in the future.

A second argument against the breaking of promises is the idea that if a person breaks a promise and gets away with it, it becomes easier to break other promises. It can become a habit that is hard to break. Third, breaking a promise can have serious effects on other people's lives. In some situations, people make decisions that can greatly affect their lives based on promises that are made to them. For example, someone may quit one job for a promised job and end up with no job at all.

The destruction of general social trust is a fourth reason for not breaking promises. Much of what people do is based on promises and agreements. Once these promises and agreements break down, social trust breaks down. One example of such a situation is the lack of trust that people have regarding promises made during political campaigns. A final argument against breaking promises involves the loss of personal integrity of the one breaking the promise. Breaking a promise not only hurts one's reputation with others but also causes the loss of one's own self-esteem.

What if the consequences for everyone affected would be better if a promise were broken? Consequentialist theories argue that whether a promise should be kept depends on the end results. Consequentialists believe that one should always act to maximize happiness and minimize pain for all involved. Breaking a promise is acceptable if the greatest good consequences would be the result of that act.

One argument favoring the breaking of promises has to do with changed circumstances. One who has made a promise should have the right to break it if the circumstances under which it was made have changed. Another defense of promise breaking involves the arising of moral conflicts. For example, protecting human life should take precedence over keeping a promise. Promise breaking should also be allowed when promises are made in unusual situations. For example, a promise made to satisfy someone on his deathbed can be broken later for good reasons.

Finally, in the spirit of the Latin phrase *caveat emptor* ("let the buyer beware"), recipients of promises should beware. They should not assume that promises will be kept.

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SEE ALSO: Consequentialism; Deontological ethics; Integrity; Kant, Immanuel; Nietzsche, Friedrich; Rights and obligations; Teleological ethics; Trustworthiness; Universalizability.

## Property

DEFINITION: Objects, land, ideas, creative expressions, or other things over which individuals or groups enjoy ownership

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: In traditional liberal political philosophy, ownership of property is a fundamental civil right. In socialist theory, it is an evil to be overcome.

Human beings need material goods to survive. Therefore, whoever controls the production and distribution of material goods controls human survival. The legal arrangements that societies enact for the control of material goods—property—are based on ethical principles regarding the proper relationship between the individuals who must ultimately consume the goods and the societies of which they are a part. Historically, three broad ethical approaches have shaped legal arrangements for the control of property: the individual, the collective, and the monarchic.

### **INDIVIDUALISM**

Individualist ethics argue that each individual is an end in himself or herself. Each individual should have control of his or her own life and be responsible for his or her own well-being. Accordingly, individualists argue that each individual should have legal control over whatever property he or she produces or acquires; in other words, the right to private property should be a fundamental social principle. Economically, a free enterprise system results from the recognition of private property rights. In such a system, the moral standard at work is self-responsibility and individual achievement, and the property arrangements in the individualist society reflect this standard.

### **COLLECTIVISM**

Collectivist ethics argue that individuals are subordinate to the larger social group of which they are a part. The larger social group varies depending on the version of collectivism that is advocated: The group may be defined in national, tribal, racial, or cultural terms. Common to all versions of collectivism is the principle that individuals exist primarily to serve the welfare of society as a whole; therefore, collectivists argue that society as a whole (or its representatives) should have legal control over all property in society. Control of a portion of society's property may be delegated to various individuals, but ultimate control remains with society as a whole. Economically, some form of socialist economy should result. In such a system, the moral standard at work is the value of the individual to the society, and the property arrangements within the collectivist society reflect this standard.

### **MONARCHISM**

Monarchist ethics argue that some single individual (or, in aristocratic variations, a small number of individuals) is inherently superior to the rest of the individuals in the society. Accordingly, most individuals in the society exist primarily to serve the monarch (or the aristocratic class), and therefore the monarch should retain ultimate control over all property. Whether an individual has control of much, little, or no property thus depends upon the will of the monarch. Economically, some form of command economy should result. In such a system, the moral standard at work is the value of the individual to the monarch, and the property arrangements within the monarchist society reflect this standard.

### **MIXED SYSTEMS**

Historically, most societies' property arrangements have been mixtures of two or more of the above principles. In some tribal societies, for example, most property is controlled communally, while some is controlled individually. Since no individual has control over the use of enough property to ensure his or her existence, however, an individual's survival is controlled by the tribe. Individuals whom the tribe holds to be valuable are granted greater control over property, both as a sign of favor and in the hope that they will use it to benefit the tribe, while individuals for whom the tribe no longer has a use—such as the deformed, the aged, and those who are deemed troublemakers—are denied access to the tribe's property. In this way, the primary moral standard at work is the value of the individual to the tribe, and the property arrangements within the tribe reflect this standard.

Most modern Western societies are a mixture of individual and collective property arrangements. Much property is owned and controlled by private individuals, but the use to which individuals can put their property is often controlled collectively by, for example, zoning laws; in some cases, a private individual's property rights can be overridden by eminent domain.

### **CONNECTION TO CIVIL RIGHTS**

Individual property rights are sometimes contrasted with other categories of individual rights—most often, civil rights such as the rights to freedom of religion, freedom of speech, freedom of association, and the freedom to vote. In some accounts of

rights, civil and property rights fall into two fundamentally different categories; advocates of such accounts use such a distinction to argue for a mixed system of rights—for example, that all property should be controlled collectively, while individuals should retain the full range of civil rights. Others argue that there is no fundamental distinction between civil and property rights; they will argue, for example, that the right to freedom of speech means very little if one has no right to own a printing press.

### INTELLECTUAL PROPERTY

Most philosophical discussion has focused on material property; for example, tools, real estate, machines, and animals. Increasingly, however, many of the values that contribute to human life require primarily intellectual (rather than physical) work for their production. Accordingly, individualist societies have evolved legal mechanisms to protect individuals' rights to the fruits of their intellectual labors, once they have been translated into physical form. Copyrights exist to allow individuals to control the use of the written works or art works that they have produced, industrial trademarks are registered and protected by law, and patents are issued to protect individuals' control over their inventions, such as new machines or drugs. Scientific advances continue to raise questions about the proper scope of such rights—for example, as biotechnology makes possible the creation of new life-forms.

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SEE ALSO: Capitalism; Communism; Copyright; Intellectual property; Socialism.

## Prostitution

DEFINITION: Provision of sexual services for payment

TYPE OF ETHICS: Sex and gender issues

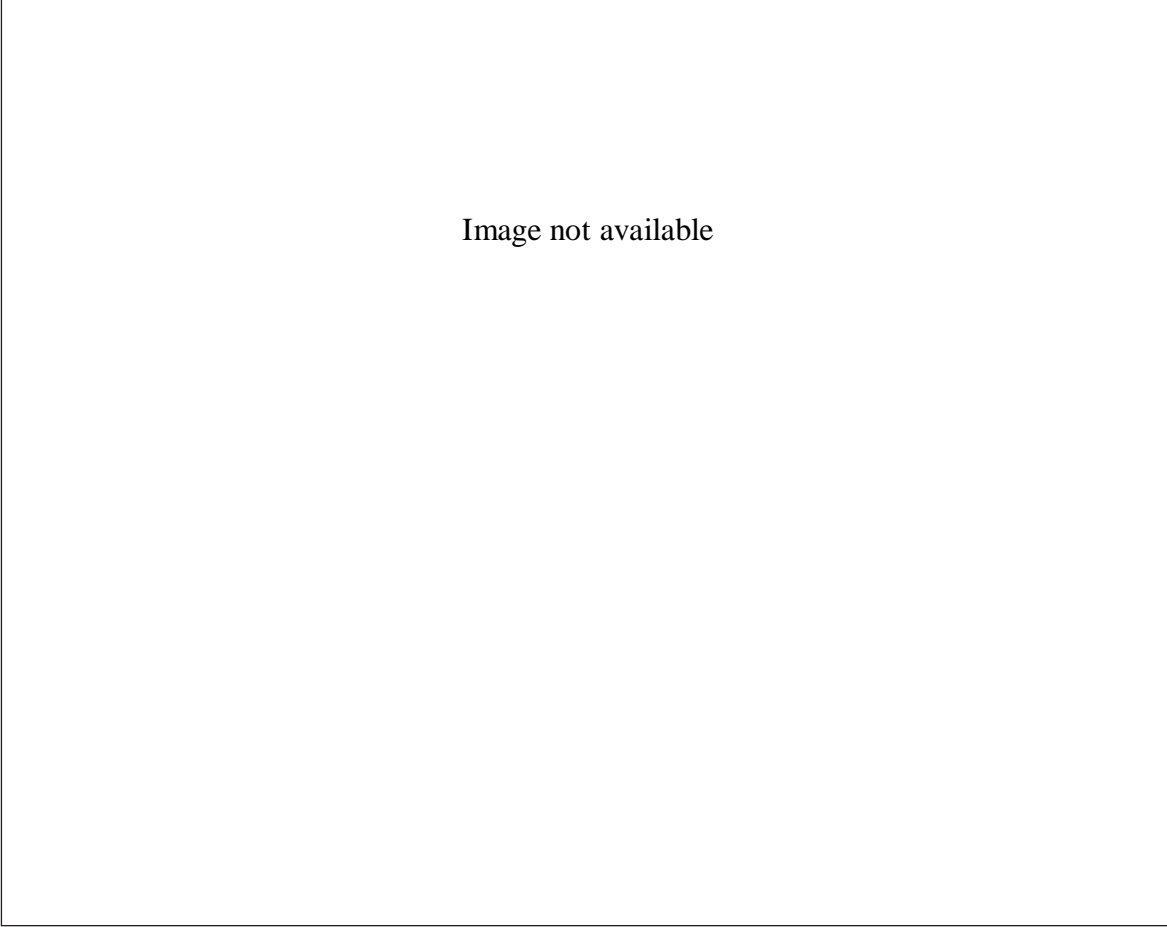
SIGNIFICANCE: The ethics of prostitution constitute one of the most debated and controversial issues concerning human relationships in history, and prostitution itself is the focus of significant criminal justice resources.

Prostitution, or sex for pay, has been pervasive throughout human history. It differs from sex slavery because its sexual contacts are generally voluntary and largely commercial. It also differs from marriages of convenience, or mistress-keeping, in that its sexual contacts are relatively indiscriminate and typically involve large numbers of customers. It differs from sexual promiscuity or sexual addiction because payments are involved. Finally, it differs from other sex work, such as strip shows or pornographic films, because it provides direct physical sex contacts to its clients.

A primary sex issue in prostitution is the contrast between marital or romantic sex and commercial sex, in which the physical acts tend to be more mechanical than emotional. Moreover, the sexual access that the prostitutes provide to their clients is objectified, depersonalized, and merely a means to satisfy their clients' sexual needs. The prostitutes themselves tend to be emotionally detached and even alienated from their own sexuality, and their physical relationships with their clients are brief and utilitarian.

Other issues relating to prostitution include the extent to which oral, anal, and genital sexual access is granted to customers and questions of mutual con-



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*Mexican prostitutes in the border city of Tijuana watch for customers on a rainy afternoon. During the mid-1990's Tijuana's prostitutes—like those in other major Mexican cities—organized a labor union to protect themselves against police harassment and to secure better health care. (AP/Wide World Photos)*

sent in the undertaking of such activities as bondage, sadomasochistic acts, and role playing. Gender issues include the relative rights of men and women to work as prostitutes and the sexual access each may grant, and perceptions of male domination symbolized by female prostitution.

#### **BEYOND SEX AND GENDER ISSUES**

Many people question the morality of prostitution. Prostitution tends to be judged immoral because it is usually illegal. Critics charge that prostitution does great harm to the prostitutes themselves, their customers, third parties, and society in general. Religious critics charge that prostitution promotes sexual unions that lack the sanctification of marriage, do not

serve the natural purposes of reproduction or conjugal union, and are both impersonal and mercenary. They see prostitution as sinful: Prostitutes are unclean and fallen, at least temporarily, from the grace of God. However, some ancient and primitive religions used prostitutes in religious rites. Social critics would add that prostitution is often forced upon its practitioners by economic forces and is inherently degrading to them.

Human rights advocates see prostitution as a social welfare problem with people taking up prostitution out of economic desperation, lack of skills, or social isolation. They recommend counseling, education, and training to encourage prostitutes to make other employment and human relationship choices.

Women choosing careers in prostitution even though other options are open to them are encouraged to direct themselves toward healthier and safer sexual practices and working environments.

Some civil libertarians view prostitution as a privacy issue and argue that individuals should be permitted to choose any lifestyle and profession they wish, so long as they do not harm others. Sexually transmitted disease or the psychological and economic damage done to third persons including the prostitutes' or customers' spouses and dependent children are possible types of harm.

Politico-economic rights advocates debate prostitution as both a power issue and a free-exchange issue. Those with political power define, through law, what is permissible commercial behavior. Sex is one of several regulated or prohibited commodities. Paternalists would protect the prostitute from abuse, disease, and social ostracism by either banning prostitution or regulating it with geographic zones, medical inspections, and licenses. Free market advocates believe all voluntary commercial exchange, including prostitution, should be permitted and see sex as merely another form of wage labor.

Legal ethics address the subjective and relative criminality of prostitution. Regarded as a victimless crime, prostitution is consequently an offense that is subject to considerable discretion and variance in both law enforcement and adjudication. Some communities treat prostitution permissively, while others subject it to strict, harsh, and punitive enforcement.

Some business and labor ethicists advocate extending to prostitutes and their customers the same business standards and work safety protections offered in other professions. Such a change would help relieve prostitutes from exploitation by third parties, especially pimps, public accommodations operators, and organized crime. According to this view, prostitutes deserve the same health care, insurance, banking privileges, tax paying, public accommodations, and public utility rights as other citizens.

#### UNINTENDED CONSEQUENCES OF PROHIBITION

Continuing efforts to stop prostitution tend to generate disrespect for both the law and law enforcement, as prostitution continues to flourish. Meanwhile, prostitution enriches pimps and members of

organized crime bodies. Traffickers in prostitutes provide financial incentives for the corruption of law enforcement, the courts, and politics, adding to the burdens of the police, the courts, and the penal system. At the same time, the prostitutes themselves rarely profit financially and are increasingly marginalized socially. They and their customers also stand greatly increased chances of contracting sexually transmitted diseases, including acquired immunodeficiency syndrome (AIDS), especially because they avoid testing.

Prostitution also contributes to tensions in marriages in which one partner is more sexually demanding or adventurous than the other. Laws define as criminals people engaging in what are essentially victimless crimes, while consuming public resources that might be better used elsewhere. Criticisms of prostitution contribute to erosion of respect for religion and other institutions that try to define a relatively popular practice as immoral. Confused public attitudes toward prostitution also help to perpetuate moral, religious, and legal double standards in which the clients are less condemned than the prostitutes, and male clients of female prostitutes are less condemned than female clients of male prostitutes.

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SEE ALSO: Adultery; Agreement for the Suppression of White Slave Traffic; Lust; Promiscuity; Rape and political domination; Sexual revolution; Slavery; Vice.

## Prudence

**DEFINITION:** Skill in judging how to achieve one's ends while avoiding danger or minimizing risk

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Prudence is sometimes described as a virtue, especially to the extent that it entails avoiding conflicts that will necessarily harm oneself or others. It is also possible, however, to judge people to be overly prudent, or too cautious for their own good.

In twentieth century ethical theory, there are two quite different ways of understanding prudence and its relationship to ethics. According to one, prudence is a virtue that is essential to an ethical life. According to the other, prudence is a principle that is distinct from, and often opposed to, ethics. The best approach to understanding these two conceptions of prudence is to look at their history. Since prudence has been examined during most of its history in languages other than English, it is helpful to identify the non-English ancestors of the term "prudence."

For most of the leading ethical theorists of ancient Greece, ancient Rome, and the Roman Catholic tradition, prudence is understood to be one of the four cardinal (principal) virtues. In the *Republic* (c. 390 B.C.E.), Plato uses the Greek word *sophia*, which is usually translated into English as "wisdom," and Greek words meaning justice, courage, and temperance to name the four chief virtues (states of character) of both good persons and good communities. For Plato, persons with the virtue of *sophia* are those who exercise forethought in determining what is best, both for themselves and for the communities to which they belong, and whose rational faculties are in command of their other faculties.

Plato's student Aristotle distinguishes, in his *Nicomachean Ethics* (c. 330 B.C.E.), *sophia* and *phron̄sis*. For Aristotle, a person with the virtue of *phron̄sis* is able to deliberate rationally about which actions best achieve the end of a good human life. *Phron̄sis* was later translated into Latin as *prudentia*, from which the English word "prudence" is derived. Philosophers in the Stoic and Epicurean traditions, both Greek and Roman, also developed theories of the cardinal virtues.

Drawing from many of his predecessors in the Greco-Roman and Judeo-Christian traditions,

Thomas Aquinas provides a detailed account of the virtue of *prudentia* in his *Summa Theologica* (c. 1270). He defines *prudentia* as "right reason applied to action" and explains that it is concerned not with determining ends, but with determining the means to the end of a good, complete human life. Following Aristotle, he discusses three subvirtues of *prudentia*: *euboulia*, or good deliberation; *synesis*, or good judgment in ordinary cases; and *gnome*, or good judgment in exceptional cases. He distinguishes *prudentia* from false *prudentia*, which enables one to determine well the means to an immoral end, and from incomplete *prudentia*, which falls short of complete *prudentia* in one way or another. He explains that *prudentia* is concerned with both the good of individuals and the good of the families and communities to which they belong, and he offers a detailed analysis of the vices, or negative states of character, that are opposed to *prudentia*.

### THE MIDDLE AGES AND BEYOND

The shift in the understanding of prudence that occurred between the thirteenth and twentieth centuries was part of a larger shift in the understanding of the relationship between ethical obligation and the good of persons who perform ethical actions. Whereas the dominant view in ancient and medieval ethics was that being ethical is usually good both for ethical persons themselves and for those who are affected by their actions, the history of modern ethical theories is one of increasing emphasis on the obligation to benefit other persons at the expense of self-interest.

Prussian philosopher Immanuel Kant played a major role in developing the belief that prudence (in German, *Klugheit*) and ethics often oppose one another. His *Foundations of the Metaphysics of Morals* (1785) distinguishes "rules of skill," which describe the means to ends that people could desire; "counsels of prudence," which describe the means to an end that all people do in fact desire (their own happiness); and "commands of morality," which tell people which actions they should perform because they are good actions, regardless of what ends are desired.

For Kant, what makes an action moral is that it is motivated by a desire to perform a moral action, not that it has certain intended or actual consequences. In his *Critique of Practical Reason* (1788) and *Perpetual Peace* (1795), Kant writes that there are clear boundaries between prudence and ethics, and that ac-

tions motivated by the desire to achieve happiness directly oppose morality. Kant's theory is, therefore, a departure from those traditions that understand prudence to be one of the virtues, without which one cannot be ethical.

The history of eighteenth to twentieth century ethical theory in the English-speaking world also includes a shift toward the belief that prudence and morality are in competition with, or opposed to, each other. Jeremy Bentham, in his *Introduction to the Principles of Morals and Legislation* (1789), understands ethics in terms of a distinction between duty to self and duty to others. He associates prudence with the former but is somewhat tentative in calling it a duty at all: "The quality which a man manifests by the discharge of this branch of duty (if duty it is to be called) is that of *prudence*."

In *The Methods of Ethics* (1874), Henry Sidgwick goes beyond Bentham by calling *phronisis* "practical wisdom" and classifying it as an "intellectual virtue," and then classifying prudence as a "self-regarding virtue." Although Sidgwick allows that "prudence may be said to be merely wisdom made more definite by the acceptance of self-interest as its sole ultimate end" and that "it is a strongly supported opinion that all valid moral rules have ultimately a prudential basis," he is a contributor to the separation of prudence from ethics.

In twentieth century English-language discussions of ethics, it is common to find "prudence" used both as the name of a principle that is in competition with ethics and as the name of a virtue that is essential to an ethical life. For example, William K. Frankena writes, within a single paragraph in *Ethics* (1973), both that "morality must be contrasted with prudence" and that "it may also be that prudence is a moral virtue." Some twentieth century writers attempt to minimize confusion by following Sidgwick in using "practical wisdom" as the English name of the virtue *phronisis/prudentia*.

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SEE ALSO: Altruism; Egoism; Negligence; Self-interest; Self-love; Virtue ethics; Wisdom.

## Psychology

DEFINITION: Scientific study of the human mind and human behavior

TYPE OF ETHICS: Psychological ethics

SIGNIFICANCE: Psychology raises two distinct sorts of ethical issues: how to engage responsibly in psychological research, and how best to treat patients of clinical practitioners. Because patients are often simultaneously research subjects, however, the line between research and treatment may blur, raising other ethical concerns.

When most people think of psychologists, they think of psychotherapists. These are licensed psychologists who have a private practice with individual clients or who work in settings such as hospitals, substance abuse clinics, or victim services centers. Psychotherapists (or clinical psychologists) have as their main goal helping their clients to achieve a better sense of balance, self-esteem, or mental health. To achieve this goal, they use a variety of therapeutic techniques and follow ethical guidelines intended to ensure that the clients' best interests are being met as well as possible.

Not all psychologists, however, are therapists. Psychologists are found in a variety of nonclinical settings where they must follow ethical guidelines as they apply their psychological knowledge and skills. Research psychologists must ensure the well-being of their animal or human experimental subjects, while psychologists who work in industrial, educa-

tional, and government settings try to ensure the well-being of those with whom and for whom they work: employees, students, and citizens in general.

The American Psychological Association (APA), the largest U.S. professional organization for psychologists, has formulated and published ethical guidelines for psychologists in each of these settings. It also maintains several committees that answer questions, make suggestions, and sometimes investigate psychologists who have been reported for malpractice or other unethical behavior.

### **ETHICS IN THERAPY**

The relationship between therapist and client is complex and potentially fraught with ethical dilemmas. In many instances, the reason the client is seeking help is, in and of itself, sensitive information; clients may be embarrassed or ashamed about a problem or behavior, such as phobia, bulimia, or sexual dysfunction. In other circumstances, a client may feel that his or her job, marriage, or even personal liberty may be in jeopardy if the issues that are brought up in therapy somehow become public knowledge. Clearly, one of the primary concerns of any clinician is to establish an open and trusting relationship with the client, and in most cases, that can be done only when confidentiality is ensured.

Therapists try to ensure confidentiality whenever possible, but a promise of complete confidentiality may put the therapist at risk for other kinds of ethical infractions. What if, for example, a client reports repeated fantasies of murdering his former girlfriend and the therapist feels that the reported fantasies may be based upon a real motive and plan? What if the client brings up a history of child abuse and then admits to being a perpetrator as well as a victim? These and other such ethical quandaries are more than hypothetical, and, after a real case in which a client did murder his former girlfriend, the California Supreme Court ruled that the privilege of therapist-client confidentiality, like the privilege of doctor-patient confidentiality, has its limits. In cases in which it appears that the public welfare is endangered (whether it be a particular individual or the public at large), a therapist is ethically and legally required to report his or her assessment of the situation to appropriate authorities who may be able to protect the endangered individual or individuals. Rarely, however, are such decisions either straightforward or without cost.

Another attribute of the client-therapist relationship that makes it difficult to make clear-cut ethical judgments is the fact that the relationship of the therapist to the client may be, at one time or another, that of an objective expert, a friend, an authority figure, a role model, or a variety of other things; and behavior that is appropriate in some kinds of relationships may not be appropriate in others. In addition, since therapeutic sessions often involve intense emotion, there is always the potential for one or both parties to interpret the emotion as personal rather than situational and to respond to that emotion in an inappropriate way. It is not always possible to know when each type of role could be helpful and when it could be harmful; thus, it is impossible to come up with clear guidelines. Most psychologists, however, acknowledge the dangers inherent in playing multiple roles and realize that it is the psychologist, rather than the client, who should always be on the alert for such dangers.

A common but undesirable type of relationship between therapist and client is one of client emotional dependence upon, or indebtedness to, the therapist. While in such a relationship, the client may make it easy for the therapist to take undue advantages that are not in the client's best interest—for example, overcharging, extending the period of therapy beyond what is necessary, accepting favors, or even entering into a sexual relationship with the client. Such outcomes are antithetical to the goal of developing a better sense of self-esteem and well-being in the client, and they should be avoided at all costs; once developed, however, such relationships are often difficult to undo without additional psychological pain or damage.

Licensed therapists are also expected to maintain professional standards in other areas, such as maintaining and upgrading their education and competence, avoiding conflicts of interest, being able to make appropriate referrals when necessary, and being truthful in their advertising and other public statements.

### **ETHICS IN THE COURTROOM**

Psychologists are more and more frequently being called as expert witnesses in the courts. One increasingly common practice is the use of psychologists to present evidence about the validity of certain types of testimony. Psychologists may address, for example, the accuracy (or lack thereof) of eyewitness



testimony of witnesses of different ages (as in child abuse cases), or of memory elicited while the witness was under hypnosis, or the likelihood of different types of errors made by “lie detectors.” They may also be asked to address special issues such as child development (as in custody cases), victimology, post-traumatic stress disorder, or “brainwashing.” Testimony should be unbiased and, to be accepted by the court, should be based upon accepted knowledge and standards.

Psychologists are also sometimes called upon to make judgments that could affect a person’s legal status. As expert witnesses in court, they may be asked to give their opinion on a person’s mental status and ability to stand trial (“competence”), on a person’s likely mental status at the time of a crime (“sanity”), or on the likelihood that a particular convicted criminal will respond positively to treatment or rehabilitation. This type of testimony cannot, like the types discussed above, be based solely upon accepted scientific standards and “facts”; because each case is unique, the psychologist must rely on clinical and personal judgment as well as scientific and statistical data.

Clearly, the impact of such judgments can be of great consequence, both to the public and to the person being judged. Therefore, both ethical and legal guidelines exist in order to help psychologists (and others involved in the criminal justice system) make decisions about a person’s psychological competence and legal status. Despite U.S. society’s long, traditional belief in personal liberty and the pursuit of happiness, that liberty can be taken away if a person is perceived to be a threat to himself or herself or to the public; whenever such drastic measures are considered, the ethical as well as the practical consequences must be addressed.

In some cases, a person is perceived to have lost the capacity to make free, rational choices—not as a result of incarceration, but as a result of severe physical or mental illness. Psychologists must often testify regarding a person’s mental status and abilities when questions arise regarding the legitimacy and enforceability of a contested will, contract, or other legal document, or the involuntary commitment of an individual to a mental treatment facility. Both ethical and legal guidelines exist that allow a guardian or other legally designated individual to make decisions in the best interests of an “incompetent” individual,

but it is difficult to determine when, if ever, a person should lose the legal right to make decisions, even when those decisions may seem irrational to an observer.

Although it is a minority opinion, some psychologists share the view of Thomas Szasz, who argues that all psychiatric and psychological diagnoses of mental disorders are simply negative labels that the majority give to those in the minority who have a different view, or kind of life. Szasz argues that simply because someone may be statistically abnormal and doesn’t function the way that society expects, that does not make him or her any less of a person, even in terms of legal rights and status. Clearly, what one considers “ethical” depends substantially upon one’s philosophy.

#### **ETHICS IN EDUCATION AND THE WORKPLACE**

Unlike clinical psychologists, psychologists in educational and industrial settings are unlikely to be working with clients with mental illness, yet there exist in these settings many sensitive issues that require ethical consideration. Perhaps foremost among these are the issues surrounding testing. Students, workers, or potential job applicants may be tested for a variety of things, including honesty, aptitudes and abilities, attitudes, and personality. Such tests are thought to predict academic or job performance and are thus often used to “track” people into particular classes or careers.

One of the most controversial ethical issues surrounding testing is the phenomenon of labeling. Although many of the tests used in academic and industrial settings do have predictive validity (that is, they can predict people’s performance at better than chance levels), no test is perfect, so sometimes a person’s performance is estimated at a much lower level than it actually is. Since the tests are thought to measure stable attributes of individuals, they are usually not given more than once; thus, a person whose test score underestimated his or her abilities would likely be tracked into an area that would underutilize that person’s skills and understimulate his or her intellect. Once the person is labeled as unlikely to succeed in other, perhaps more demanding areas, it is unlikely that such opportunities will be made available. At the same time, the person may self-label and enter into what is called a “self-fulfilling prophecy”; the person will assume that the test is accurate and that he or she

is not cut out for other kinds of challenges, and thus will not try more challenging things. Since many skills really reflect the phrase “use it or lose it,” if the person ceases to try new things and practice skills, his or her competence level may truly drop. Thus, as a result of being labeled by a test, the person may in fact become more like what the test originally (incorrectly) suggested.

The ethical quandary surrounding test use is whether the benefits that the tests confer to the educational or business institution outweigh the potential losses to the individuals being tested. Since some tests are statistically valid, they can save institutions time and money by tracking people quickly and efficiently into areas in which they will perform well; they also can be beneficial for those students or workers who are unhappy and want professional advice about what kind of study or job may suit them better. The costs of labeling someone, however, are unmeasurable.

As an example, consider honesty testing. Some honesty tests, such as the polygraph test, are statistically better than chance at ferreting out dishonest individuals as long as the tester/interpreter is honest and well trained. By giving a polygraph test to all potential employees, a business may save thousands of dollars by screening out some people who might embezzle, steal equipment, or sell company secrets. For each dishonest person who is caught by polygraph testing, however, there are several honest people who will also be weeded out and labeled by the test. Although the institution may save money by giving the test, many innocent (honest) people will suffer—they will not get the job, they may have something negative put in their files, or they may even be told that they failed the test, and may become depressed, hopeless, angry, or otherwise emotionally scarred. Because of these human costs, the U.S. Congress has outlawed the use of polygraphs in some settings, but where they are still allowed, the psychologists involved must consider the ethical issues each time the test is administered.

Unlike the polygraph test, not all tests used in educational and work settings are even statistically valid. Sometimes tests go out of date as society and culture change. Even those that are valid for one population (for example, adult males) may not be valid for another population (for example, adolescent males). Good psychologists must constantly keep up

to date about the strengths, weaknesses, and limitations of the tests they use. Like their clinical counterparts, industrial and educational psychologists must realize that their tests are not always accurate, that there are dangers in mislabeling just as there are in misdiagnosing, and that a person is more than the sum of his or her test scores.

### **ETHICS IN RESEARCH**

Psychologists who do research are subject to federal regulations that ensure that subjects' rights are not abused. According to federal guidelines, each research institute must set up an ethics committee to monitor animal research and another to monitor human research. Each committee must include not only research scientists but also at least one individual who has studied ethics and at least one person who can represent the views of the local community. Research using both animal and human subjects must be approved by the relevant committees before it is begun.

Researchers using animal subjects must ensure that animals are housed, fed, and transported in a humane manner; government-employed veterinarians make unannounced visits to make sure that each facility is operating in compliance with federal animal welfare guidelines. Researchers must also ensure that animals' pain and suffering is minimized, and that all alternative research techniques have been considered before any painful procedures are planned. The number and species of animals that are used must also be justified. On an annual basis, each committee presents a summary report of the institution's research activities to the federal government.

Researchers using human subjects must do much more in order to get a project approved by the local committee. Each researcher must demonstrate that all subjects are informed, in writing, of all possible risks of participation; that each subject signs a written consent form (or has a legal guardian sign instead); that subjects are never pressured to participate in a study and know that they are free to withdraw from the study at any time; that counseling is available for anyone who does somehow feel injured by participation in the study; that all data are kept confidential at all phases of the study; and that all subjects receive a written “debriefing” at the end of the study, which not only thanks them for their participation but also gives them any information about the study that may have been withheld or disguised in the consent form.

Withholding or disguising information in the consent form is called “deception.” Deception is kept at a minimum but sometimes is necessary in order to prevent subject bias. For example, subjects may sign up to participate in a study that is supposedly on reading, but is really on helping behavior. While the subjects are sitting in what they think is a waiting room, the experimenter may stage an “accident” and observe how many subjects try to help the accident “victim” and under what conditions. It is likely that subjects would behave in a different way under these fairly realistic circumstances if they knew that the “accident” was staged and that they were really in a study of helping behavior. All research deception must be approved by the ethics committee in advance, and the debriefing must explain to the subjects why the deception was necessary. Studies that involve major or prolonged deception are generally not approved, even though they might provide useful information.

Linda Mealey

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SEE ALSO: Behavior therapy; Behaviorism; Electroshock therapy; Ethical Principles of Psychologists; Family therapy; Freud, Sigmund; Institutionalization of patients; Intelligence testing; Jung, Carl; Mental illness; Therapist-patient relationship.

## Psychopharmacology

DEFINITION: Study of the effects that drugs have on emotion, thought, and behavior

TYPE OF ETHICS: Psychological ethics

SIGNIFICANCE: Psychopharmacology is the basis for the medical treatment of mental illness. As such, it raises ethical questions involving the rights of the mentally ill to determine their own course of treatment or to refuse medication, as well as the long-term risks of medications that produce short-term benefits.

While many physicians and biologically oriented psychiatrists have had a long-standing commitment to the use of psychotropic medications for the treatment of some emotional disorders, others have questioned their use in particular cases. From an ethical perspective, some people have questioned whether such interventions are demonstrably superior to other treatment forms—such as psychotherapy, for

example—in view of the known side effects of medications. In addition, it is not always clear that patients are able to give fully informed consent, and it is not always clear that patients are fully informed of all the risks inherent in psychopharmacological interventions.

### HISTORY

While the use of psychoactive drugs designed to treat mental disorders is relatively recent, the use of drugs as pain relievers and sleep producers goes back for many hundreds of years. Alcohol and opiates are good examples of drugs that have been used for such purposes. The use by the medical community of drugs to treat mental symptoms goes back to the 1840's, when bromides were first used to treat anxiety. Later in the nineteenth century, Sigmund Freud, the father of psychoanalysis, suggested that cocaine was a psychoactive drug that could be helpful, and in the first part of the twentieth century, barbiturates were introduced to treat anxiety.

Alan Gelenberg, Ellen Bassuk, and Stephen Schoonover point out in their book *The Practitioner's Guide to Psychoactive Drugs* (3d ed., 1991) that in 1949, with the synthesis of chlorpromazine, the medical community began to focus on the use of drugs to treat mental illness. At about the same time that chlorpromazine was developed, reserpine (another tranquilizer synthesized from the root of the plant *Rauwolfia serpentina*) came into use. Lithium chloride was used as early as 1940, but its ability to counter manic behavior was not established until 1949 and lithium itself was not approved for use in the United States until 1970.

### PRESCRIPTION PRIVILEGES

While physicians and some other health professionals (for example, nurse practitioners and optometrists) do have the authority to prescribe medications, nonphysicians, including psychologists, do not have prescription privileges, although on the federal level psychologists have legally prescribed within the Indian Health Service. Since the 1990's, there has been a spirited debate among psychologists regarding whether prescription privileges should be sought by psychologists on a state-by-state basis. The focus of the argument has been on psychotropic medications and their judicious use. Some people have argued that nursing home residents are often treated

with drugs that are designed to treat mental disorders when, in fact, most of these patients are not mentally ill. Conversely, while there is agreement that some children with symptoms of hyperactivity and/or attention deficit disorder should be treated with psychotropic medications, it is important to diagnose such problems carefully, since such problems may involve parents' ineffectiveness in coping with the child.

### OBJECTIONS TO PSYCHOTROPIC DRUGS

In his book *Toxic Psychiatry* (1991), Peter Breggin argues that many patients may not have been fully apprised of the negative (addictive and dangerous) side effects of many psychotropic medications. In addition, he argues that the use of drugs even for the severely mentally ill is not unequivocally supported by research and that the results of positive drug studies are countermanded by evidence that some psychotropic drugs cause brain impairment. Mary Lee Smith, Gene Glass, and Thomas Miller, in their book *The Benefits of Psychotherapy* (1980), analyzed 112 experiments that studied the separate and combined effects of drug therapy and psychotherapy. They found that even for serious psychological disorders, psychotherapy was nearly even with drug therapy in terms of overall effectiveness. While drug therapy and psychotherapy taken together produced greater effects than did either drug therapy or psychotherapy alone, the effects of these therapies in combination were only slightly greater than their separate effects.

### THE COMBINED USE OF PHARMACOTHERAPY AND PSYCHOTHERAPY

In his book *The Psychotherapist's Guide to Psychopharmacology* (1990), Michael J. Gitlin raises the question of whether there are negative interactions between drug therapy and psychotherapy. To the extent that successful drug therapy reduces symptoms, some patients may not wish to continue in psychotherapy for their emotional problems. There is also concern that dependence on drugs may make patients unusually passive and relatively unwilling to explore their problems in psychotherapy. Finally, some patients may become distressed at the notion that they could benefit from medications in addition to psychotherapy, since they may perceive medications as a kind of crutch. Some patients, however, are convinced that they have some kind of chemical

imbalance that needs to be “fixed” by means of psychotropic drugs. These patients do not believe that it is important to explore their problems in psychotherapy.

Gitlin also describes who should have a medication consultation. He points out that patients with such psychiatric symptoms as delusions, hallucinations, or psychosis should be considered, as well as patients with appetite or sleep disturbances and those with significant suicidal tendencies. Patients with significant medical disorders and patients with a family history of more than minor psychiatric disorders are candidates for drug therapy. Finally, patients presenting confusion, concentration problems, and other cognitive symptoms are also good candidates for medication consultations.

### THE RIGHT TO REFUSE TREATMENT

In his book *Law, Psychiatry, and Morality* (1984), Alan Stone raises an important moral and ethical issue. Should hospitalized mentally ill patients be required to take antipsychotic medications? Critics of forcing hospitalized patients to take antipsychotic medications argue that this is an invasion of privacy or that these drugs are mind altering and thus violate First Amendment rights. It is known, for example, that some antipsychotic drugs can affect speech and thought. Stone cites a case in which the court was asked to decide whether the state can impose the use of antipsychotic drugs in the absence of an emergency. In that case (*Rogers v. Commissioner of Mental Health*), a federal judge decided that the patient did have the right to refuse medication, since the patient was not likely to harm himself or others. Stone argues that the real issue that should be addressed is whether a patient’s mental illness will respond to antipsychotic medications, rather than assuming that antipsychotic drugs are chemical restraints. Some organizations, such as the National Association for the Mentally Ill, strongly agree with Stone. Others, including many psychologists, agree with the judge’s decision. Time will tell how this topic will be resolved.

*Norman Abeles*

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SEE ALSO: Diagnosis; Drug abuse; Electroshock therapy; Institutionalization of patients; Jung, Carl; Psychology; Therapist-patient relationship.

## Public interest

DEFINITION: Common good of all members of a society

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Theoretically, the interests of every single member of a society may conflict with the interests of the public considered as a whole. The notion of public interest therefore requires weighing the theoretical rights of the individual against the rights of the collective, as well as considering practical claims of specific individuals or groups in specific situations.

For Plato and Aristotle, the concept of public interest arises together with the following fundamental questions: What is justice? What is the best structure of society? What is the proper role of government? The same concept, under the term “commonwealth,” underlies the social contract theories of Thomas Hobbes (*Leviathan*, 1651), John Locke (*Second Treatise of Government*, 1689), and nineteenth century progressivism.

In 1907, U.S. president Theodore Roosevelt signed the Pure Food and Drug Act, quieting decades of outcry against dangerous consumer products that were perceived as resulting from unregulated pursuit of the profit motive. The 1930’s saw renewed interest in the government’s mission to benefit society, and a plethora of public-interest legislation resulted. Dur-



ing the 1960's and 1970's, legislation addressed to public health and safety introduced a new level of regulation of private enterprise, fueled by the growing consumer and environmental movements. In response to business objections, there was a partial rollback of regulation during the 1980's. The longer-term trend, however, has been the evolution of a closer identification between private enterprise and public needs, partly reversing the traditional view that free enterprise and the public interest are inherently at odds.

*D. Gosselin Nakeeb*

SEE ALSO: Altruism; Bentham, Jeremy; Common good; Consumerism; Environmental Protection Agency; Future-oriented ethics; Whistleblowing.

## Public's right to know

**DEFINITION:** Notion that government agencies, and some private companies, have an obligation to disclose their plans and actions to the public

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** A guiding principle behind the public's right to know is the idea that citizens in a representative democracy have the inherent right to be informed about decisions, especially those of government, that may affect them and their communities.

On July 4, 1967, President Lyndon B. Johnson signed the Freedom of Information Act (FOIA). That law effectively required the federal government and, by implication, the various state and local governments, to provide fuller disclosure of their actions and decisions to citizens, especially through the news media. The law was the logical result of a long series of campaigns to enact "sunshine laws" ensuring that government would be conducted more in the public view. Those campaigns also grew to include information about significant activities of private corporations that could have impacts on potential health hazards in the air, water, and land, as well as in food and other consumer products. The concept of the public's right to know is not confined to the United States; however, it and the FOIA have special relevance in the United States because of direct connections to the

free press clause of Article I of the U.S. Constitution's Bill of Rights.

As the concept is generally accepted, the public's right to know covers several broad categories. The first is that maximum disclosure is favored over partial revelations. Protected areas may include trade secrets and other exceptions, but supporters of the right to know say exceptions should be kept to an absolute minimum. A second broad category is the promotion of open government, the "sunshine" portion of FOIA. Wherever possible, government decisions should be discussed and made in public meetings freely reported by the media.

A fourth area covered by most FOIA and right-to-know legislation is the imperative for government agencies to facilitate use of their information by the news media and citizens. This goal should be achieved through open meetings, limited costs to copy requested documents, and processes that help spread information freely. These are required obligations on the part of government—and, to some extent, the private sector as well. Finally, protection is often afforded to "whistleblowers," those individuals who come forward with previously withheld information covered by the right to know provisions of the law.

There are opponents to the principle of the public's right to know, especially in sensitive areas involving national security or competitiveness. However, courts have generally been favorable to the concept, perhaps shown nowhere more clearly than in the U.S. Supreme Court's ruling that the government could not use prior restraint to prevent *The New York Times* (1971) from publishing excerpts from the Pentagon Papers that revealed how the United States became secretly and heavily involved in the Vietnam War. The ethical obligations of a democracy to inform its citizens as fully as possible, especially about decisions that affect public policy, has clearly been established as a keystone of media operations, although there are those in and out of government who remain unhappy with the concept and its application.

*Michael Witkoski*

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SEE ALSO: Ethics in Government Act; Freedom of Information Act; Information access; Journalistic ethics; Pentagon Papers.

## Punishment

**DEFINITION:** Penalty suffered as a result of transgression

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** The legitimate purposes of punishment are a source of ongoing debate. Is it permissible, for example, to punish out of a need for revenge, or only as a deterrent to future wrongdoing? To what extent are punishment and rehabilitation compatible or incompatible goals? What limits if any should society place upon parents' rights to punish their children, or employers' rights to punish their employees, in the manner in which they see fit?

Punishment, along with crime, appears to be as old as human society. Punishment involves doing harm to supposed offenders in order to prevent the harm caused by crime. It is a crucial means used to promote social control, order, and, presumably, justice. While punishment has been endemic to human society, it is morally problematic in theory as well as practice. Therefore, it retains the status of a necessary evil. A society in which punishment is clearly obsolete has yet to evolve.

### HISTORY OF THE CONCEPT

The idea and practice of punishment are as old as civilized societies. Various histories make it clear that punishment has been a basic component of human society, past and present. Indeed, one measure of advancing civilization has been the codification of law, including criminal offenses and sanctions. Punishment is treated conceptually in Western philosophy, at least from the time of Plato, and is prominent in Asian philosophy as well (for example, the Chinese Legalists). The Bible and the Qur'an contain

many passages and parables involving punishment. With the coming of the Enlightenment (in the eighteenth century), social reformers sought to rationalize and humanize punishments, making penalties proportional to offenses and arguing against particularly brutal sanctions. The Ninth Amendment to the U.S. Constitution, for example, prohibits (though it does not define) "cruel and unusual" punishment.

Punishment may be classified into several types. Corporal punishment involves physical sanctions such as beating, flogging, or the amputation of limbs. Capital punishment involves the execution of offenders and is limited to the most heinous of crimes. Incarceration, the most common modern sanction for serious offenders, involves forced restraint in a prison setting. (Incarceration also may involve forced labor, though this has become less common.) Less-serious offenders may be subjected to fines, house arrest, probation, or community service.

### MORAL BASES FOR PUNISHMENT

Punishment involves doing harm to people, restraining their freedom, inflicting pain, or even taking their lives. Because of this, it requires moral justification. The primary justification is "retributive justice" (or just deserts). This means that the harm of punishment may legitimately be inflicted because the victims of punishment deserve punishment. In addition, punishment may be defended as a "deterrent." The swift and certain punishment of offenders discourages other people from breaking laws.

Two defenses of punishment try to minimize the harm inherent in the concept. "Incapacitation" suggests the morally neutral restraint of prolific criminals until they have passed the age of peak criminal activity. "Rehabilitation" suggests that punishment can be beneficial. Here, restraint is used to reform the offender in a way that serves his or her best interests as well as society's. The problem with these last two rationales is that both involve the radical restraint of freedom. (In addition, incapacitation involves massive allocation of social resources and rehabilitation has yet to be proved effective in practice.)

### MORAL DILEMMAS

Punishment is morally problematic in both practical and theoretical terms. In practice, the criminal sanction is often utilized to punish real or imagined "political" crimes against autocratic or tyrannical re-

gimes. It is also sometimes meted out by unruly mobs, as in vigilante justice. In addition, real-life punishment is often brutal, even for minor offenses. The remedies for these ills are guarantees of due process and, as mentioned above, the prohibition of cruel punishments. Even when it is formally correct, however, the criminal process is disconcertingly imperfect.

Theoretically, punishment is marred by the problematic nature of culpability and criminal responsibility. Punishment can be legitimate only if offenders deserve to be punished. To be so deserving requires the presumption of free will. Free will, however, is philosophically and sociologically problematic. Where free will is not assumed (as, for example, in cases of criminal insanity), criminal responsibility is mitigated to the extent that temporarily insane defendants may even escape punishment or medical restraint altogether. While insanity is the extreme case, people are compelled in their behavior by all sorts of factors. Thus, free will is not an absolute. Indeed, its very existence is impossible to prove. There are also important social limits to the concept of criminal culpability, particularly where crime is heavily associated with a segment of the population that is in a disadvantaged social position. In such a case, social responsibility becomes confounded with criminal responsibility. As a result, the entire criminal process, including punishment, becomes morally suspect.

#### LIMITED EFFECTIVENESS OF PUNISHMENT

In addition to the moral dilemmas of punishment, there are practical limits to punishment's effectiveness as a means of maintaining order. Punishment is, at best, only half of the equation when it comes to social order. The other half is the availability to all strata of society of sufficient rewards for legal pursuits. Societies that permit crime-producing socioeconomic disparities are not able to ensure social order by means of the criminal sanction. This means that a society can simultaneously have harsh punishments and high crime rates, as exhibited by the United States during the last third of the twentieth century. Thus, punishment is most accurately seen only as a corollary means of maintaining social order, one that complements the teaching of solid social values and an abundance of opportunity for legitimate gain.

#### THE FUTURE OF PUNISHMENT

Despite its moral and practical limits, punishment appears to be an indispensable mechanism for dealing with certain kinds of behavior. For centuries, utopian thinkers have held out the hope for a society so well ordered that punishment would become obsolete. Such a condition has yet to emerge. Until it does, people can still attempt to minimize the role of punishment in preserving order and producing justice.

*Ira Smolensky*

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# Q

## Quinlan, Karen Ann

**IDENTIFICATION:** Comatose patient who was the focus of a well-publicized ethical controversy

**BORN:** March 29, 1954, Scranton, Pennsylvania

**DIED:** June 11, 1985, Morris Plains, New Jersey

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Despite the fact that Karen Ann Quinlan remained alive for almost ten years after she was taken off life support, the removal of her

respirator set an important precedent for legal battles over euthanasia.

On April 15, 1975, Karen Ann Quinlan, then twenty-one years old, was taken to a hospital in a critical comatose state. She had had a few drinks, passed out, and temporarily quit breathing. There was a small amount of alcohol in her body as well as a nontoxic level of aspirin and Valium. Part of her brain had died because of oxygen depletion. She was moved to St. Clare's Hospital in Denville, New Jersey, where it was determined that she had extensive brain damage. Karen began to deteriorate physically and coiled into a fetal position. She was attached to an MA-1 respirator.

In July, Quinlan's parents asked that the respirator be removed and signed papers absolving the hospital from legal liability. The doctors refused. Karen was twenty-one, so her parents were not her legal guardians. Joseph Quinlan went to court to be appointed guardian so that he could have the respirator removed. The lower court ruled against the Quinlans, but the New Jersey Supreme Court ruled in their favor. Six weeks later, Karen was still on the respirator; however, the doctors agreed to wean her from it. She continued to breathe without the respirator. In June, 1976, she was moved to a nursing home where she was given high-nutrient feedings and antibiotics. She lived for ten years in a persistent vegetative state. Her case is important in discussions of the right to die, the ordinary/extraordinary care distinction, the active/passive euthanasia distinction, and the need for a living will.

*Rita C. Hinton*

**SEE ALSO:** Death and dying; Euthanasia; Life and death; "Playing god" in medical decision making; Right to die.

Image not available

*Karen Ann Quinlan. (AP/Wide World Photos)*

## Qur'ān

IDENTIFICATION: Holy book of Islam

DATE: Revealed to Muḥammad between 609 and 632

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The Qur'ān is the central text of Islam. It is believed to have been revealed to the Prophet Muḥammad by God through the angel Gabriel over a period of twenty-two years.

Muslims believe that the Qur'ān was revealed by God to the Prophet Muḥammad through the angel Gabriel. At the age of forty, Muḥammad began to receive messages from God. Muḥammad had the habit of retiring to secluded places outside Mecca in order to pray and think.

During one of these periods of seclusion, the angel Gabriel first appeared to Muḥammad. Gabriel shook Muḥammad several times and ordered him to repeat after him, to “recite in the name of the Creator” (the literal meaning of the word *Qur'ān* is “to recite”). Muḥammad’s relationship with the angel Gabriel was to last the rest of his life, and the Qur'ān was revealed piece by piece. The actual compilation of the holy book was undertaken by the third caliph, ‘Uthmān.

### FORM AND CONTENTS

The Qur'ān contains 114 chapters, or *sūras*, which are further divided into thirty parts, or *ajza*. The order of the chapters, which is not chronological, was decided by Zayd ibn Tabi, who was one of Muḥammad’s close associates. Zayd is believed to have collected all the verses from various sources—some in written form and others orally, from those who knew them by heart.

Some scholars believe that the current form of the Qur'ān took shape many centuries after the death of the Prophet Muḥammad. The accepted belief among Muslims, however, is that the book was compiled in its original form by the order of caliph ‘Uthmān. When the compilation had been completed, ‘Uthmān sent copies to the principal centers of the Muslim empire—Damascus, Basra, and Kufa—ordering that all previous versions be destroyed. According to one account, the people of Kufa preferred another version that had been compiled by Ibn Mas‘ud.

Orthodox Muslims believe that Islam is a com-

plete code of life and that the Qur'ān contains answers for all conceivable questions. The Qur'ān is the fundamental authority on all matters. (If no clear answer is found in the holy book, the next source is the *Hadīth*, or sayings, that grew up around the life of the Prophet Muḥammad.)

The Qur'ān is written in verse, and it is considered to be the ultimate example of Arabic poetry—a standard against which all other literature must be judged. It deals with all kinds of subjects, ranging from property and family law to the way in which prisoners should be treated during a war. The book is written with remarkable fluency and great style, and with a wide range of vocabulary. Because of the Qur'ān’s literary quality, many skeptics challenged Muḥammad’s claim that he did not know how to read and write. Several Christian and Jewish scholars claimed that Muḥammad borrowed concepts from their religions and had help from scholars in presenting his message to his followers. Muslims, however, claim that only a divine message could be so beautiful and poetic.

It is a fact that Muḥammad traveled extensively for business purposes. He is said to have visited several centers of knowledge of the time, including Palestine, Egypt, and Lebanon. These are the places where he is said to have met scholars and to have learned about other religions. Western scholars believe that this is how Muḥammad formulated his ideas.

One important concept contained in the Qur'ān is that the other so-called “religions of the book”—Christianity and Judaism—are valid because they are based on true prophets such as Moses and Jesus, who were sent by God. According to Islamic belief, God sent various prophets to show people the true path. After some time had passed, the people would be led astray by Satan, and God would send another prophet. Muslims believe, however, that God chose Muḥammad to bring the final message of God for all people. One of the Five Pillars of Islam is the belief that there is no God but Allah, and Muḥammad is the prophet of Allah; there will be no prophets after Muḥammad.

Some of the most important ideas of Islam are similar to those of Judaism and Christianity. Both Judaism and Christianity are monotheistic, and in both, the ideas of heaven and hell are similar to those found in Islam. Many of the episodes described in the



Qur'ān are the same as those found in the Old Testament; for example, the versions of the story of Abraham's willingness to sacrifice his son at God's command and the story of Noah's Ark are quite similar in the two books. One of the central themes of the Qur'ān is the day of judgment, which is described in various verses throughout the book. On that day, all human beings will be resurrected and made to answer for all their actions on Earth. Muslims will be expected to have followed the dictates of Islam to the letter.

There are various ways of interpreting parts of the Qur'ān, and these have led to the development of various schools of thought within Islam. Although there are two main sects in Islam—Sunnīs and Shī'ites—there are also several subsects that differ in fundamental ways regarding certain crucial concepts. In the modern Islamic world, for example, there is fierce debate regarding women's rights, laws of inheritance, interest-free banking, and many other subjects. There is a major struggle between a desire for modernity and the requirement to follow Islamic precepts to the letter. In the early twenty-first century, Iran and Saudi Arabia represented Orthodox Islam,

whereas Turkey and Egypt represented more pragmatic, modern varieties of Islam.

*Khalid N. Mahmood*

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SEE ALSO: Abū Ḥanīfah; Būkhārī, al-; *Ḥadīth*; Islamic ethics; Jihad; Muḥammad; Shī'a; Sunnīs.

# R

## Rābiʿah al-ʿAdawīyah

IDENTIFICATION: Arab mystical poet

BORN: 712, Basra (now in Iraq)

DIED: 801, Basra (now in Iraq)

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Composer of numerous religious poems, Rābiʿah was a formative influence in the development of devotional Sufism. Because her life stands as an exemplum of religious devotion, she is one of the most important women in the history of Islamic ethics.

Rābiʿah's life is a metaphor for her thought: She was a slave who was set free by her master. She was a joyful ascetic who was freed from attachment to or desire for things of this world, even from the selfish desires of attaining Paradise and avoiding Hell. Her life was completely filled with immediate love of God for God's own sake. Hers was a jealous God who would countenance no other loves: There was no remaining room for marriage, worldly gain, self, or even any special reverence for the Prophet Muḥammad. She produced no treatises or other lengthy works, but her brief sayings, her short poems in awe and celebration of God's beauty, and stories of her life made a dramatic impact and played an important part in transforming the severe asceticism of early Sufism into a mysticism focused on divine love. She inspired devotional poets such as al-Rūmī and was celebrated by ʿAṭṭār as "a second spotless Mary." She remains a popular ideal of devotion to God.

*Thomas Gaskill*

SEE ALSO: Asceticism; Islamic ethics; Mysticism; Rūmī, Jalāl al-Dīn; Sufism.

## Racial prejudice

DEFINITION: Irrational hostility toward, or baseless preconceptions about, persons of other races

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: Racial prejudice is commonly thought to be wrong in modern society, but it is also believed that one should not be punished for one's thoughts. There is thus a conflict between the desire to eradicate prejudice and the desire to respect freedom of conscience. Moreover, because it is no longer socially acceptable to express racial prejudice in public, it is difficult to gauge the extent to which prejudice is disappearing in modern society and the extent to which it has simply moved underground.

Racial prejudice stems from the mistaken notion that superficial physical differences among people reflect inherited differences in character, personality, motivation, intelligence, and potential. Racial prejudice leads to interpersonal conflict and to discrimination in housing, jobs, and services. Laws designed to end the effects of prejudice have been enacted in many countries, though large numbers of people continue to harbor prejudiced views.

Racial prejudice is often confused with ethnocentrism, the presumed superiority of one's own culture over the cultures of other people. Traditional animosity between the Chinese and Japanese, for example, is sometimes interpreted as racist, but this hostility is more likely the result of cultural bias.

### HISTORY

On the basis of historical records, it is difficult to distinguish racial prejudice from nationalism and ethnocentrism. An undoubted case of racial prejudice, however, developed among the Tutsi, Hutu, and Twa peoples of Rwanda and Burundi in Central Africa during the fourteenth century. This region was

originally settled by the Twa, who were very short hunters and potters. At some time before the fourteenth century, the Hutu, who were agriculturalists of medium stature, moved into the region and asserted dominance over the Twa. Then the Tutsi, who were unusually tall people, immigrated to the area and assumed sovereignty over *both* the Hutu and the Twa. Physical stature played an important role in the development and maintenance of this prejudicial hierarchical system.

Racial prejudice also played a role in the histories of South Africa and the United States, countries in which white European settlers achieved cultural dominance over indigenous, darker-skinned peoples. The South African system of apartheid, which was dismantled during the early 1990's in response to years of political turmoil and international boycott, was designed by the ruling Dutch colonialists to maintain separate white and black cultures. Blacks and other nonwhites, who accounted for more than four-fifths of the population, experienced restrictions in travel, education, land ownership, and voting privileges.

In the United States, centuries of tension and misunderstanding between whites and Native Americans developed into bitter racist resentments during the nineteenth century. As a result, Native Americans were forcibly removed by the federal government to reservations where they still live. Racial prejudice was also directed against Hispanics, Asians, African Americans, Jews, and other ethnic minorities in America. White supremacist organizations such as the Ku Klux Klan used beatings, lynchings, and other terrorist tactics to maintain the low social status of racial minorities. In response to the social activism of the 1950's and 1960's, however, the Civil Rights Act of 1964 outlawed racial segregation and other forms of discrimination in public establishments. Despite this and other government reforms, white supremacists continue to foster racial prejudice in America.

One of the most chilling examples of racial prejudice resulted in Nazi Germany's attempt to exterminate the Jews during the 1930's and 1940's. Adolf Hitler believed that Jews were innately inferior to Germans and other members of the so-called Aryan race. Because Jews competed for food and other resources that his own "superior" people deserved, Hitler believed that it was his duty to eliminate Jews and other unworthy competitors. Hitler's intense race hatred led to the systematic killing of millions of Jews

during the Holocaust. Similar genocidal campaigns have been mounted by the Turks against the Armenians, the Iraqis against the Kurds, and the Serbians against the Bosnian Muslims.

### JUSTIFICATIONS FOR RACIAL PREJUDICE

While social scientists believe that racial prejudice is a learned response, the roots of racial prejudice often remain obscure. The justifications used by people to defend racist attitudes, however, are well documented. Ironically, the most influential justifications for racial prejudice have come from two unlikely sources: science and religion.

Racial prejudice was almost universal among Western Europeans and Americans during the nineteenth century. White scientists felt compelled to provide empirical evidence for the assumed superiority of their race. Craniometricians, for example, believed that brain size and intelligence were causally linked—the larger the brain, the more intelligent the person. Despite a lack of objective support for this hypothesis, craniometry became very popular. Brains of famous people were measured, compared, and preserved after their owners' deaths, and the average cranial capacities of skulls from people of different racial groups were computed. The results suggested that whites were more intelligent than members of other races. When IQ tests were developed during the early twentieth century, these were also employed by psychologists to reinforce the notion of white superiority. Recent studies have shown that attempts by craniometricians and psychologists to provide scientific support for racist views were flawed by unconscious bias or outright fraud.

Religious notions have also provided powerful justifications for prejudiced attitudes, especially against African Americans. For example, biblical fundamentalists have taught that the descendants of Noah's son Ham developed "inferior" traits such as dark skin and kinky hair as the result of a divine curse. Others have ascribed the origin of these traits to the activities of the devil. Still others believed that blacks originated as a result of sinful cross-breeding between humans and animals. Because of distorted ideas such as these, many white Christian congregations in America refused to admit African Americans to their services, denominationally operated hospitals denied care to dark-skinned patients, and church schools closed their doors to black children.

**ERADICATING RACIAL PREJUDICE**

Deeply ingrained racial prejudice is difficult but not impossible to eradicate in individuals and societies. The mass media can play an important role in reshaping societal attitudes. Political activism can promote legislative changes favoring nondiscriminatory practices. Children can learn to appreciate racial diversity if they are taught the value of human variation early in life. Individuals can overcome prejudice by associating with members of other racial groups on a regular basis.

*James L. Hayward*

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SEE ALSO: Anti-Semitism; Apartheid; Bigotry; Civil Rights movement; Genocide and democide; Oppression; Racism; Segregation.

## Racism

**DEFINITION:** Racial prejudice that is overtly or covertly supported by institutional power structures

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** Racism became a justification for slavery in the Western Hemisphere and for the subsequent denial of human and civil rights to people of color.

The concept of race is an invention of the early modern world. The ancient and medieval worlds did not identify persons by race. Individuals were recognized during these earlier periods in geographic terms. Hence, an African would be called Ethiopian or Egyptian as opposed to being called black or "Negro."

**ORIGINS**

Racial emphasis came into use as a support for imperialism and its accompanying institution of slavery. Although the origin of the word "race" is obscure, experts believe that it began as a loose description of similar groups. This description originally was not restricted to biologically similar people. For example, in 1678, John Bunyan in *Pilgrim's Progress* wrote of a "race of saints."

The first English record of the use of the word "race" was in 1508. In that year, William Dunbar in a poem spoke of "bakbyttaris if sindry racis" (backbiters of sundry races). However, it was not until 1684 that the term "race" was used to designate skin color and other distinguishable physical features. It was then used by the Frenchman François Bernier, who used his experiences as a traveler and physician to employ such an application.

It appears, however, that such classifications did not become commonplace immediately. It was only after science adopted the concept of race as an explanation for human variation that it became a broadly accepted means of classification.

Some scholars, such as Winthrop Jordan and Joseph Harris, have documented evidence of racial prejudice all the way back to the earliest contact between whites and nonwhites. These actions appear to be based more on geographic differences than on color differences. For example, fantastic fables about Africans circulated among Europeans. Equally preposterous stories about some Europeans, however, circulated in the ancient and medieval world among other Europeans. Thus, such views seem to be the products of encounters between different peoples in an age that was characterized by superstition and fear of the unknown.

**SCIENTIFIC APPLICATIONS**

The year 1798 has been cited as marking the beginning of scientific racism. This later form of racism was not restricted to skin color alone. It was used to slight Jews and Catholics as well as nonwhite people.

In its earliest use, scientific racism was employed mainly as a justification of economic inertia. Thus, it was said that human deprivation could not be relieved through charitable donations. According to the proponents of scientific racism, government volunteer agencies or individuals would simply be throwing money away if they were to spend it on the segment of humanity that was hopelessly and irretrievably at the bottom of the social and economic status of society.

This employment of a pseudoscientific justification for racism was expanded with the introduction of Social Darwinism during the late nineteenth century. Purveyors of this doctrine imported Charles Darwin's theory of evolution from biology and placed it into a social context. Whereas Darwin himself had only theorized about species, the Social Darwinists declared that one race was superior to another because it had evolved further and faster than had the inferior group. A chain of evolutionary progress was created that placed the black race at the bottom and whites of the Nordic pedigree at the summit of humanity. Thus, black people were portrayed as animalistic, subhuman, and therefore incapable of higher thought, while Nordic Europeans were said to be natural leaders.

The use of science to prop up racism has probably been the most pernicious development in the history of racism. When zoology, anatomy, and other fields of scientific study advanced explanations of human differences, they were given serious hearings. Consequently, the layperson has accepted the scientist's word as authoritative in spite of its theoretical and unproved claims.

### RELIGIOUS APPLICATIONS

From the beginning of the European enslavement of Africans, religion was an element in the process. As early as 1442, Pope Eugenia IV granted absolution to Portuguese seamen who, under the direction of Prince Henry the Navigator, took African "souls" and sold them. Within ten years, however, it became unnecessary to ask for absolution, because Pope Nicholas V gave the king of Spain his blessing to enslave "pagans." Christopher Columbus's writings show that he used this same justification for the enslavement of Native Americans.

Chapels were included in most of the slave factories, also known as "castles," which were erected

along the west coast of Africa. Their presence was indicative of organized Christianity's approval of slavery.

At first, the Spanish provided for enslaved Africans to be manumitted upon their conversion to Christianity, since it was considered wrong for one Christian to hold another Christian in bondage regardless of the bondsman's race. As conversions to Christianity became commonplace among African slaves, however, manumissions became uncommon. At least by the middle of the seventeenth century, Europeans began to identify black skin with a lifetime of slavery.

The Bible was used to "prove" that blacks were a cursed people. A favorite scriptural citation for this purpose was Noah's curse upon his grandson Canaan because his father Ham had mocked his own father Noah (Genesis 9:20-27). This scripture was given a racial interpretation by the slavocracy's hermeneutists. They declared that Ham was the father of the black race and that Noah's specific condemnation of Canaan should be expanded to include all black people. Thus, religious justification for the enslavement of blacks evolved from the belief that it was immoral for a Christian to enslave another Christian, regardless of race, to the nineteenth century idea that the African was eternally condemned to be a servant of others. By the nineteenth century, proponents of slavery declared that it simply was the natural order for the African to be "a hewer of wood and drawer of water" for the more advanced races.

This progression is illustrative of slavery and the resulting racism's evolving ethics. As the "peculiar institution" became more prevalent, the argument to legitimate it—especially from a religious perspective—became more vindictive toward nonwhite lands.

Sermons were preached to both slaves and their masters regarding the merits of African chattel property. Especially in the southern United States, both whites and blacks were taught that anyone who espoused any form of equality between the races was actually guilty of violating the divine order of nature. Such indoctrination was extremely effective, and people's attitudes did not change when laws were passed stating otherwise. Religious justifications for racism have continued to be employed by individuals and by such hate groups as the Ku Klux Klan in the United States long after the passage of the Emancipation Proclamation, the Thirteenth Amendment to the Constitution, and even the Civil Rights Act of 1964.



**CULTURAL APPLICATION**

Both slavery and imperialism used cultural arguments to control other races. The doctrine of the “white man’s burden” said that Europeans had a moral responsibility to expose deprived nonwhites to the superior culture of the whites. Thus, Africans who were kept on a plantation were thought to benefit from their close association with their masters. It was said that Africans, if left alone, would languish in retrogressive ignorance and backwardness.

This paternal view was not unique to American slavery. Both Europe and the United States used the concept of the white man’s burden to justify the usurpation of the lands of nonwhite people. In each territory, the indigenous people were characterized as savage and uncivilized. Only exposure to the white man’s superior culture would save such people.

This attitude of superiority legitimated the takeover of others’ lands. It was believed that the white man knew best what to do with those lands. His takeover therefore not only helped the real estate to be put to better use but also better served the native people. This view reflected the belief that many whites held during the age of imperialism. They saw themselves as God’s gift to humanity. Officially, this concept came to be known as “manifest destiny.” This meant that the imperialists believed that they had a mission to expand beyond others’ borders to uplift those people to the imperialists’ level.

This view of a neglected or minimal culture among nonwhite people was predicated upon a Eurocentric view of history. This meant that unless Europeans were leading and shaping a culture, it was not worthy of study. This attitude was arrogant and discriminatory in its highlighting of historical contributions. Anything of note that had been done by nonwhite people was ignored, while every important aspect of human civilization was always in some way considered a product of white genius. Such a polemical view of culture helped to solidify white supremacy and the existence of racism.

**ECONOMIC APPLICATION**

Similar to the use of culture was the introduction of economics as a prop for racism. During slavery, the argument was advanced that the institution was necessary for the benefit of black people. It was declared that they were childlike and incapable of self-support. As long as they remained on the plantation,

they had a haven that protected them from want. Slavery’s defenders in the face of abolitionists’ demands used this argument to portray slavery as being quite advantageous to the slaves. Even after the U.S. Civil War, many southern historians continued to use the economic argument to show that slavery was an economic boon to blacks. They pointed to postbellum vagabondage and government dependency among freed slaves as proofs that black people were better off on the plantation, where they were given food, clothing, and shelter.

Such writers never considered that it was the years of exploitation and neglect on the plantation that had contributed to the freed slaves’ deplorable condition. Also, they never addressed the freed slaves and antebellum free blacks who, in the face of tremendous difficulties, still managed not only to support themselves and their families but also to become entrepreneurs, landowners, and employers, sometimes even of whites.

In the twentieth century, economics was used as a defense for South Africa’s apartheid policy and the continued business transactions carried on there by American and European corporations. In the wake of an international call for divestiture, these companies argued that their continued operation in South Africa was for the good of the blacks and colored people at the bottom of the economic ladder. Divestiture would deprive these two groups of a livable wage. Therefore, it was prudent for nonwhite people to continue to work for these corporations while the corporations used their influence to effect change.

The South African argument was as paternalistic as the American slaver’s position. In both instances, the true benefactors of exploited labor declared that they had a higher mission than that of simple selfishness. Instead, they declared that their activities were for the good of nonwhite workers, who could not fend for themselves without white paternalism.

**SOCIAL APPLICATION**

After the American Civil War and Reconstruction, Jim Crow laws were instituted throughout the southern United States. These laws segregated society on the basis of race in practically every area of life. Except in menial jobs, African Americans could not enter white restaurants, hotels, schools, or any other “white only” public facility. When they were allowed in the same buildings as whites, they had

separate, well-defined places such as balconies or basements to occupy.

Most southern states reinforced their segregation policies with laws that prohibited interracial marriages. Propagandists repeatedly warned that having one drop of African blood meant that one was a “n-gro.” To the racist, amalgamation was a deadly sin.

Resulting from such hysteria was a negrophobia that frequently manifested itself in the worst imaginable forms of brutalization. During the late nineteenth century and the first half of the twentieth century, it was common for African Americans to be lynched. The most common offense leading to lynching was the violation of white women, real or imagined. Frequently, it was the latter. A celebrated case of this sort occurred when fourteen-year-old Emmett Till was murdered in Money, Mississippi, in 1955. Apparently, his only offense was that he called a white woman “baby.”

### A Lynching Case That Cannot Be Forgotten

In May, 2004, the U.S. Justice Department announced that it was reopening its investigation into the notorious murder of teenager Emmett Till, who was lynched in Mississippi in 1955 for allegedly whistling at a white woman. The two men originally tried for Till’s murder had been acquitted of all charges and had since died. However, evidence remained implicating other, still living, men in Till’s lynching. The five-year federal statute of limitations had long since lapsed, but anyone charged with the murder could still be tried in a state court. R. Alexander Acosta, the Justice Department assistant attorney general for civil rights leading the Till investigation, said, “We owe it to Emmett Till, we owe it to his mother and to his family, and we owe it to ourselves to see if, after all these years, any additional measure of justice is still possible.”

### INSTITUTIONAL APPLICATIONS

With the massive urbanization of African Americans in the United States in the twentieth century and the resulting residential segregation in cities, the stage was set for the emergence of institutional racism. This form of racism was more covert than was individual racism, which was emotional and blunt. Institutional racism resulted in a denial of equal ac-

cess to goods and services by predominantly black sections of the cities. For example, higher prices and less-desirable products were more often found in the predominantly black and Hispanic inner cities than in the white suburbs.

Since this type of discrimination manifested itself through institutions and was not individually accountable, many people were simply oblivious to its existence. In addition, because of diminished interracial contact in urban areas, many suburbanites, as a result of ignorance of the ways in which societal institutions discriminate, are prone to blame deplorable living conditions within inner cities on the residents’ lack of initiative and concern rather than on institutional biases.

Nevertheless, institutional racism can at least help to explain a disproportionate number of nonwhites being unemployed, underemployed, and incarcerated in prisons. Despite affirmative action policies

and legal gains that have taken place during the twentieth century, African Americans and other minorities are excluded and ignored by many institutions, such as employers, lenders, and investment agencies. A prime example is the absence of stockbrokers’ and other investment advertisements in African American-oriented media.

### EXPANSION

Although racism had been sporadically applied to various groups from its inception, its primary application had been toward blacks of African ancestry. In their role as America’s permanent bondpeople, African Americans were ridiculed and ostracized in a way that condemned everything associated with them. In the post-World War I world, however, racist attitudes began to be manifested toward others on a systematic basis. By the 1920’s, the Ku Klux Klan had begun campaigns against not only African Americans but also Asians, Jews, Catholics, and all persons born outside the United States. The hatred that had originally been primarily aimed at African Americans overflowed to such an extent that it found other victims as well. Anyone who was not Anglo-Saxon and Protestant was susceptible to racism’s venom.

The following decade of the 1930's saw this expansion reach global proportions. The rise of Adolf Hitler's Nazi regime in Germany was based upon the concept of Aryan supremacy. All other groups were considered inferior and unfit. Unfortunately, this form of expanded ethnic bigotry reached such an extent that 6 million Jews perished at the hands of the Nazis during World War II.

### NEW CONFLICTS

Many African American leaders have argued that it is impossible for black people to be racist. They believe that they can be prejudiced, but not racist, because they lack the power to enforce their prejudice.

While this position has been advanced by the African American left, the white right has charged that group with reverse racism. Some white conservatives contended that government affirmative action programs and the preferential treatment accorded minorities since the passage of civil rights legislation victimize whites in the same way that nonwhites previously were discriminated against by white supremacists.

Persons of goodwill have seen the wisdom in freeing humanity of racial bigotry. Although racism has been opposed since its inception, the most celebrated and concentrated efforts began with the modern Civil Rights movement, which began with the bus boycott in Montgomery, Alabama, in 1955. Under the nonviolent leadership of Martin Luther King, Jr., racism was exposed as morally wrong. King's philosophy accentuated the brotherhood of humanity and love for one's neighbor, regardless of race, nationality, or ethnicity.

By developing an integrated coalition and marching peacefully under King's leadership, King's followers erected a workable model of human cooperation that could be emulated throughout the world. In contrast, those who brutalized these nonviolent protesters with police dogs and fire hoses convinced many people throughout the world that racism was an insidious evil that should be stamped out.

As a result, people have become more reluctant to be known as racists. Instead, racially sensitive issues have been adopted as code words to describe positions. Racism continues to flourish, but it has become more institutional than individual.

*Randolph Meade Walker*

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SEE ALSO: Anti-Semitism; Apartheid; Bigotry; Ethnocentrism; Hate crime and hate speech; Human rights; Lynching; Racial prejudice; Reverse racism; Slavery.

## Rain forests

**DEFINITION:** Large wooded areas characterized by more than one hundred inches of rainfall annually and tall evergreen trees that provide a high canopy

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** The potential destruction of the rain forests by humans became both a symbolic issue and a grave practical concern for the environmental movement of the late twentieth and early twenty-first centuries.

The rain forests provide indigenous peoples and the world with a rich source of actual and potential benefits. In their natural state, the rain forests act as filters for the global atmosphere, provide habitats for animal and plant species, and provide food for humans. The rain forests are also harvested as a source of fuel, with the resulting cleared land providing a rich soil for farming. Finding a balance between altering the rain forests for temporary benefit and using them in their natural and sustainable state is the heart of the rain forest debate.

In their naturally occurring state, the rain forests of the world act as watersheds for the surrounding land. The rich soil and dense foliage of the forests act as a natural sponge, capturing rainfall and runoff. These trapped waters are slowly released, recharging aquifers, streams, and natural reservoirs. It is this trapping and slow releasing of water that controls both flooding and erosion in the forests and surrounding areas. When the rain forest is clear-cut and removed, streams, lakes, rivers, and other natural waterways are quickly filled with runoff sediment and lost.

Along with playing an important role in the water cycle, the rain forest is critical in the conversion of carbon dioxide into oxygen. The loss of one of the earth's natural air filters cannot be replaced in any manner. This loss threatens not only to affect local areas but also to have global air-quality effects. With the removal of rain forests, the local area immedi-

ately is affected by an alteration in the moisture content of the air and a disturbance in the water cycle. The long-term effects of this disturbance could be the development of arid savanna or desert.

Although the rain forests cover only slightly more than 7 percent of the land masses of the world, they provide habitats for more than 50 percent of the animal and plant species found on the planet. The destruction of plant life in the rain forest not only threatens the water cycle and the planet's carbon dioxide/oxygen cycle but also removes plant species that may provide important medical benefits. This loss of potential medicines is another example of local action's having worldwide effects. Rain forest plants have already contributed aspirin and many other pharmaceuticals, some of which are used in the treatment of leukemia and Hodgkin's disease. The loss of this rich pharmaceutical research possibility is not recoverable in any way.

### DEPLETION

The reasons for rain forest destruction are myriad; primarily, however, it is a matter of economics and survival. Nearly half of all the trees cut in the forests are used for fuel to cook and heat homes. The vast majority of rain forests are found in less-developed countries where alternative fuels such as fossil fuels, solar power, or hydroelectric power are not available in remote and isolated areas. Yet while the forests provide a rich supply of fuel, local people nevertheless are not able to cut and secure adequate fuel supplies to meet their basic survival needs. Although globally there exist several other fuel sources, local people lack the economic strength to secure these sources of fuel. As a result, the forests are cut and sold for timber products, providing poor communities with a bit of economic freedom.

The newly cleared land, with its rich and fertile soil, is used for farming until it is depleted of all nutrition—usually, within five years. Although the agricultural use of the land is limited to such a short duration, it again provides the community with much-needed economic benefits. After the soil has been used to exhaustion, the farmer cuts more of the forest, sells the timber, and farms the new land until it also is depleted. When the trees have been cut and the soil has been depleted, the forest on that land is gone and the soil can no longer support the life that existed upon it six or seven years earlier.

Clearly, the economic benefits derived from using the forests in such a destructive short-term manner are enough to drive the process on. It is important to present to local people a means of using the forest in its natural and sustainable state that will provide them comparable economic benefit for the long term. There are several possibilities, such as harvesting and selling fruits and nuts from the forests, tourism, and a tax for the use of the rain forests for medical research.

It is the resolution of this dichotomy—the forest in its natural state providing water, oxygen, medicine, and habitat versus the economic and existence needs of local peoples—that must be effected. It is estimated that one tree, over a period of fifty years, provides \$196,250 worth of benefits by producing oxygen, reducing erosion, recycling water, and creating habitats. The same tree, when sold for lumber, is worth approximately \$600. The \$600 is actual and usable currency, however, while the nearly \$200,000 value exists in the form of benefits. It is the need for hard currency that must be addressed if preservation of the rain forest is to occur and continue. This economic need must be addressed not only by world leaders but also by indigenous peoples. Ultimately, the entire world will suffer the consequences of rain forest destruction; however, it is the local people who will be the first to suffer, and the local people have little economic capability to adjust.

Tod Murphy

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SEE ALSO: Deep ecology; Deforestation; Ecology; Endangered species; Environmental ethics; Global warming; Greenhouse effect.

## Rand, Ayn

IDENTIFICATION: Russian American novelist and philosopher

BORN: Alisa Rosenbaum; February 2, 1905, St. Petersburg, Russia

DIED: March 6, 1982, New York, New York

TYPE OF ETHICS: Modern history

SIGNIFICANCE: An important philosopher and advocate of rational egoism and libertarianism, Rand expressed her philosophy in both fictional and nonfictional works, including *The Fountainhead* (1943), *Atlas Shrugged* (1957), *The Virtue of Selfishness: A New Concept of Egoism* (1964), and *Capitalism: The Unknown Ideal* (1966).

Rand advocated an ethics of rational self-interest. The hero of her best-selling *Atlas Shrugged* states, "I swear—by my life and my love of it—that I will never live for the sake of another man, nor ask another man to live for mine." The moral purpose of anyone's life is his or her own happiness; he or she exists to serve no other individual or group. The moral standard by which one guides one's actions is set by the objective requirements of human life. Thus, Rand rejected two common theses in ethical theory: that selfless sacrifice is moral and that acting in one's self-interest means doing whatever one feels like. She rejected as "moral cannibalism" any form of altruism—that is, any claim that the selfless sacrifice of some humans for the benefit of others is moral. She also argued that, since feelings are not tools of cognition, they are not reliable guides to action; hence, one must rationally define the principles of action that will allow one to achieve the values necessary to sustain one's life.



Rand extended her ethics to politics. In a social context, an individual's achievement of values requires freedom from coercion. Hence, every individual has a right to his or her own life, liberty, and property, and these rights provide a moral foundation for free enterprise and constitutionally limited government.

*Stephen R. C. Hicks*

SEE ALSO: Altruism; Capitalism; Consequentialism; Egoism; Free enterprise; Libertarianism; Objectivism; Selfishness.

## Rape

**DEFINITION:** Nonconsensual sexual intercourse imposed on one person by another

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Sometimes euphemistically referred to as a "fate worse than death," in some cultures forcible rape is considered the ultimate transgression. Despite this judgment, rape remains a pervasive crime in modern society, one which is rendered all the more difficult to combat by the shame often experienced by its victims and by the public distrust they often encounter if they decide to report the crime.

Rape is legally defined as any form of sexual intercourse forcibly imposed by one or more persons upon another person without the consent of the victim or victims. Mary Koss and Mary Harvey consider rape to represent the end point of a continuum of sexual victimization that includes attempted rape (the attempt to use force or the threat of force to have sexual intercourse without the victim's consent), sexual harassment (nonconsensual sexual intercourse obtained through the abuse of power or authority by the offender in a job or school setting), sexual imposition (the use of force or threats to obtain sexual acts other than intercourse, such as kissing), and sexual contact (nonconsensual touching of the victim's intimate body parts).

Koss and Harvey distinguish five types of rape: stranger rape (the rapist is unknown to the victim), acquaintance rape (the rapist is recognized by the victim), date rape (rape occurs during a consensually

agreed upon social encounter), marital rape (one spouse is sexually assaulted by the other), and child sexual abuse (sexual contact that occurs to a child as a result of force, threat, deceit, or the exploitation of an authority relationship).

### INCIDENCE OF RAPE

In the vast majority of cases, rapists are men and the victims are female. The Federal Bureau of Investigation's definition of rape specifies that the victim is female, and according to Koss and Harvey, 100 percent of reported rapes involve a male offender and female victim. Consequently, almost all the rape literature focuses on female victims, although the dynamics of rape are similar when the victim is male.

Rape is a persistent, serious, and frequently occurring social problem. The number of reported rapes in the United States increased more than five-fold from 1960 to 1989 (from 16,680 to 94,504); and in 2002 the number approached 248,000 rape victims. However, the number of reported rapes is undoubtedly significantly lower than the true number, because most occurrences are never reported. Koss and Harvey did a number of studies that revealed much higher rates than those officially reported. For example, in one study, 44 percent of the interviewed sample reported rape or attempted rape, and the report rates for other forms of sexual victimization were less than 1 percent. A study of female adolescents between the ages of eleven and seventeen in 1976 and 1977 revealed that 1 to 2 percent reported sexual assault by peers. Two percent translates into 540,000 sexual assaults nationwide. If children are considered, Koss and Harvey cite data that one-fifth to one-third of all women have had a sexual encounter with an adult male during childhood.

The incidence of rape is geographically influenced. Larry Baron and Murray A. Straus found significant differences in the frequency of rape among individual U.S. states. The states with the highest incidences of rape had five to ten times as many cases of rape compared to the states with the lowest incidences. Although the incidences of reported rapes have increased dramatically in all states over the years, this incidence ratio of five to ten has remained quite constant. Rapes occur much more frequently (rapes per 100,000 population) in the West, followed by the South, the North-Central region, and the Northeast. Within each state, rape occurs more frequently

Image not available

*In a manifestation of growing public awareness of the problem of rape, an Alabama state politician joins members of a state antirape organization addressing rape issues in March, 2004. (AP/Wide World Photos)*

in urban than in rural areas, and states with a high ratio of males to females show higher rates of rapes. Rape rates were not related to the degree of income inequality in a state or to the percentage of a state's population that is black, the percentage of individuals aged 18 to 24, the percentage of single males aged 15 or older, or the level of unemployment.

#### **CHARACTERISTICS OF RAPISTS**

Susan Brownmiller made the interesting observation that when other crimes of violence are compared to rape, the rapist falls midway between aggravated assault and robbery—the rapist is “the man in the middle.” The typical rapist has the following characteristics: He is slightly younger than the assaultive offender and slightly older than the robber; uses less physical force than the assaulter but more than the robber; drinks less prior to the rape than the assaulter but more than the robber; and is less likely to commit rape in his neighborhood than assault, but does not commit robbery. Rape is also more frequently committed against a total stranger than is assault but less

frequently than is robbery. Brownmiller believes that rape “borrows” from these two other crimes; rape is an act of sexual assault and robbery (the rapist “acquires” the woman’s body).

Brownmiller also pointed out that the rapist has the least sharp image, and generalizations about rapists are difficult to come by. Rape is committed primarily by young poor men, and its victims tend to be young poor women. Otherwise, research comparing rapists to other groups (such as convicts, other sex offenders, and college males) has not supported significant psychological differences between these groups. In fact, along almost every dimension examined with sophisticated psychological tests, rapists are not significantly different from other males. This fact, combined with their wide variety of backgrounds, prevents making any sweeping generalizations.

Ann Wolbert Burgess’s review of her and others’ research suggests that a more meaningful way of typing rapists may be in terms of their motivation to commit rape. Burgess distinguishes four motivations for rape.

(1) *Aggression*. Rape is an aggressive activity that enhances the rapist's sense of power, masculinity, or self-esteem, or permits him to express feelings of mastery and conquest. He tends to be manipulative and impulsive, maintains unstable interpersonal relationships, and lacks a sense of empathy. (2) *Anger*. Rape is committed out of anger and contempt toward women and allows the rapist to hurt, humiliate, and degrade his victim. He may also, however, feel some concern for his victim and may even attempt restitution. (3) *Sadism*. The sadistic rapist is sexually aroused in response to violence, and the act of his assault, which is very brutal, may be bizarre. (4) *Impulsivity*. Rape is but one part of a pervasive exploitative, predatory, and antisocial lifestyle in an individual with an extensive criminal history.

### THEORIES OF RAPE

On the face of it, it might seem that the frequency with which rape occurs is perplexing. There are easier, often perfectly legal and less risky, ways to satisfy motives of aggression, anger, sadism, and impulsivity. Why then do women so frequently become the objects of these motives? A number of theories have been developed, and these are now briefly reviewed.

The psychiatric theory of rape has dominated explanations of rape since the 1930's. (This is not to say that the theory is correct; vehement objections have been raised against it, which will be discussed.) Diana Scully and Joseph Marolla state that psychiatry explains rape as being caused by, singly or in combination: (1) irresistible impulse, (2) mental disorder, (3) momentary loss of control caused by use of alcohol and drugs, and (4) victim precipitation. In the irresistible impulse, rape is seen as an expression of an urge beyond the rapist's self-control, without logic or reason, and is experienced as a strong and overpowering drive to rape.

To view rape as a mental disorder is to explain it as a significant impairment in normal personal and social functioning. The impairment is most probably caused by faulty upbringing that produced an abnormal childhood; in particular, a sadistic personality and a hatred of the rapist's mother. The basis of the sadistic personality is a combination of the motives of sex and aggression, the two key motives in Sigmund Freud's psychoanalytic theory. Sexual intercourse becomes bound to aggression. The rapist's mother, to whom the rapist was sexually attracted as a

child as part of his oedipal wish, is simultaneously seductive and rejecting. The rapist never resolves his oedipal wish and grows up sexually attracted to his mother but also has strong feelings of aggression toward her. The offender displaces his aggression upon a woman via the act of sex. Symbolically, the rape forces his seductive but rejecting mother into submission. Additionally, some psychoanalysts believe the rapist to be a latent homosexual, which contributes to his hostility toward women.

The use of alcohol or drugs by rapists prior to the rape has been mentioned frequently in the literature. Consumption of alcohol presumably removes or reduces social restraints, allowing the sexual-aggressive drive to overwhelm rapists and lead them to commit rape. Alternatively, the rapist may claim that, although he was not under the influence of drugs, his victim was, thus inviting the rapist to take sexual advantage of her.

Victim precipitation refers to the rape victim's being functionally responsible for the rape by behaving in a way that provokes the rapist to rape her. Commissive behavior would actively encourage the rape by, for example, encouraging but then denying a sexual advance at the last possible moment or by voluntarily agreeing to drink with or ride in a car with the rapist. Omissive behavior involves failing to use preventive measures, such as failing to react sufficiently strongly to sexual overtures or dressing in a sexually suggestive way so as to attract attention and encourage sexual advances. All these acts to invite the rapist are, according to psychoanalysis, expressions of a universal, unconscious, masochistic wish on the part of women to be raped and humiliated.

The evidence to support these psychiatric-psychoanalytic theories is flimsy at best and in most cases nonexistent. The great majority of rapes are premeditated rather than the result of an irresistible impulse. The relationship between rape and alcohol or drugs as a releaser of sexual inhibitions has not been empirically demonstrated. There is also no evidence whatsoever firmly linking rape to latent homosexuality or the family dynamics described by psychoanalysis.

### BIOLOGICAL THEORIES

According to Randy Wilsen, Nancy Wilsen Thornhill, and Gerard Dizinno, rape is a behavior that is performed by men who are relatively unsuccessful in competing for the status and resources necessary to at-

tract and successfully reproduce with desirable mates. Rape is a category of sexual conflict in which males seek to control female sexual behavior and therefore is placed squarely in the purview of comparative biology and evolutionary theory. Rape is an evolved mating strategy used by those males (“big losers”) who otherwise would not be able to compete with more successful males. What once may have been an adaptive behavior is now maladaptive, however, since the adaptive costs of reproduction exceed its benefits.

The authors base their theory on a comparative study of forced sexual intercourse in animals and certain statistical data about rape—that it is directed primarily at young (hence fertile), poor women primarily by young, poor (“big losers”) men. This evolutionary theory is interesting. The authors have made predictions from their theory that have been supported. The theory is very new, however, and needs to be tested further. Also, making analogies between human and animal behaviors and selecting certain data on rape that support the theory are open to criticism. For example, that rapists are mostly poor young men may not necessarily mean that they rape because they are “big losers”; it may be that they rape because it is a safe way of displacing antagonism and resentment at their social status onto women or as a way of asserting their masculinity as a substitute for their lack of economic success.

### **SOCIETAL AND CULTURAL THEORIES**

It was noted previously that there are large differences in the rates of rape among individual states and between regions of states. Through complex statistical analyses, Baron and Straus accounted for these differences in terms of three sociocultural variables: gender inequality, pornography, and social disorganization. Specifically, the lower the status of women relative to men, the higher the rate of rape. Gender inequality is part of a social milieu that is conducive to rape. Also, the higher the circulation of pornographic literature, the higher the rate of rape. The authors interpret this finding to suggest that pornography is more likely to be part of “a hypermasculine or macho culture pattern” that condones violence and force, believes in male supremacy, and degrades women. The level of social disorganization is directly related to the level of rape. The social forces that control violent behavior are weakened. In a sociocultural milieu

characterized by sexism and violence, loss of social controls permits easier outlets for rape.

Baron and Straus have identified important social contributors to rape that suggest that rape is more than simply a psychiatric problem confined to the individual male and his upbringing or a biologically based behavior.

### **FEMINIST THEORY**

This theory stands in stark contrast to psychiatric theory and is, in part, a reaction against the psychiatric explanation of rape. According to Burgess and Maggie Humm, rape is an act of social control as well as a social institution that perpetuates the patriarchal domination of women and functions to keep women in their place through sexual degradation, violence, and assault. Rape is viewed as the logical conclusion of sexism and is an especially pernicious form of social control and coercion because it constantly reminds women of their vulnerability to men. Rape is a cultural and social behavior that is institutionalized in law and custom and is the symbolic expression of a white male hierarchy. Rape is an extension of normal sexual aggression acted out within the context of male sexual expectations and hostility toward women.

Feminist theory thus views rape as normative rather than deviant, as does psychiatric theory. Traditional male socialization encourages males to associate dominance, strength, virility, and power with being masculine, but submissiveness, passivity, weakness, and inferiority with being feminine. Thus women are viewed from legal, social, and religious contexts as male property to do with what they will.

Accompanying this attitude is the development by males of what Scully and Marolla refer to as a “vocabulary of motive” to diminish their responsibility and justify and excuse rape. For example, the psychiatrist Benjamin Karpman stated that rapists were sick but were not responsible for their behavior. They did not *consciously* and deliberately rape. Rather, they were victims of a disease from which they may suffer more than their victims. Therefore, since the rapist is “sick,” he cannot be held responsible for his behavior. As another example, linking rape to latent homosexuality serves to place rapists in a group of deviant outsiders. By segregating rapists from “normal” men, the label of latent homosexuality serves to protect the interests of males.

Feminist theory has been criticized for a lack of data to support its contentions. Rather, it is supported by no more than “ideological furor.” For example, if rape is normal, socially sanctioned behavior, then it would be predicted that rapists should be equally represented in all walks of life and age categories. The data show, however, that rapists are mostly young, poor males.

However valid feminist theory eventually proves to be, it has been of critical importance in the consciousness raising of males (or at least some males) concerning how they regard and act toward women. For example, in their 1984 textbook *Abnormal Psychology*, David L. Rosenhan (a psychiatrist) and Martin E. P. Seligman (a clinical psychologist) state:

Rape is a major crime, an act for which it is imperative that society hold the individual responsible, punishing him accordingly. If we were to include rape as a *disorder* . . . , there would be some tendency to excuse the act and lighten the burden of the rapist’s individual responsibility—even if there was not a shred of evidence other than the rape itself that indicated psychological abnormality. The acts of murder, assault and theft are not automatically thought of as psychological disorders unless there is additional evidence of abnormality, and we believe rape should be thought of in the same way. The expression “only a sick man could have done that,” when applied to rape . . . seems to us deeply and insidiously confused.

### ETHICAL ISSUES

Ross Harrison observed that “Rape is obviously bad, indeed a horrific thing. It belongs to the real world in which people are hurt, humiliated and abused . . . it is unproblematic that rape is a bad thing.” A 1983 study of rape in New Zealand stated, “Rape is an experience which shakes the foundations of the lives of the victims. For many its effect is a long-term one, impairing their capacity for personal relationships, altering their behavior and values and generating fear.”

The symptoms and signs of rape trauma are well documented: physical (injury, disease), emotional (anxiety, fear, depression, shame, anger), cognitive (flashbacks, memories, impaired concentration), psy-

chological (lessened self-esteem, disruption in social relations, withdrawal, isolation, aggression), and sexual (sexual attitudes, impaired sexual functioning). Rape, then, represents a total assault on the very being and essence of what it is to be a person. Rape is horrifying and is not to be tolerated, and the rapist must be held responsible for his act.

Laurence Miller

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SEE ALSO: Abuse; Aggression; Incest; Pornography; Rape and political domination; Roman Catholic priests scandal; Sexism; Sexual abuse and harassment; Victims’ rights; Violence.



## Rape and political domination

**DEFINITION:** Use of rape and other sexual crimes to keep women politically, socially, and economically subordinated in society

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** As a weapon of political domination, rape violates the ethical principles of gender and race equality, sexual autonomy, and bodily integrity.

Rape has traditionally been seen as a crime, not as an act of political domination. The women's movement of the 1970's and 1980's redefined rape as a social act of white male dominance in a sex- and race-unequal society. In this view, rape is an injury of gender and race inequality that has little or nothing to do with

sexual anatomy or biology as such. The view that rape is implicated in women's second-class civil and economic status remains central to feminist ethics, grounding efforts to change norms and laws concerning rape, sexual harassment, dating, marriage, prostitution and other sex work, and pornography.

### ETHIC OF EQUALITY

Rape violates the ethical principle of race and gender equality. Most rape victims are women or girls. One in four women in the United States reports subjection to a completed rape (the Federal Bureau of Investigation contends that 90 percent of rapes are not reported). Forty-four percent of women in the United States report having been subjected to rape or attempted rape at least once in their lives. African American women are subjected to an even higher in-

Image not available

*A woman protesting for peace in Liberia in September 2003 cries out in front of the United Nations headquarters in Monrovia, begging for an end to the killing, rape, torture, and looting by soldiers during Liberia's bloody civil war. (AP/Wide World Photos)*

### A Legacy of Rape

According to a United Nations report released in 1996, between 500,000 and one million Tutsi women had been raped in the Rwanda genocide two years earlier. Many had been repeatedly gang-raped. Not immediately known, however, was the fact that tens of thousands of the surviving rape victims were carrying the human immunodeficiency virus (HIV). In 2004, Amnesty International estimated that of 100,000 Rwandans in need of antiretroviral drugs, only two thousand were receiving them. Moreover, many of the people who were receiving the drugs were Hutu perpetrators of the genocide and mass rapes then serving time in prison; most of the surviving rape victims were receiving no treatments at all. This human rights crisis was magnified by the fact that many rape victims facing imminent death from acquired immunodeficiency syndrome (AIDS) were indigent widows with children who were the progeny of rape.

cidence of rape than white women. Men who are convicted of raping black women typically receive more lenient sentences than men who rape white women. That rape disproportionately and unfairly falls on women and women of color is evidence of women's continued second-class citizenship in that it continues the state's greater regard for the interests of men over those of women.

Women's rights advocates contend that the state is implicated in the reality of rape as political domination in at least two important ways. First, women's injuries from rape are often trivialized and rendered invisible by political and legal institutions. Most reported rapes are not prosecuted, most prosecuted rapes do not result in convictions, and sentences for convicted rapists are often short. The vast majority of rapists are never held to account for their crimes in any way. Second, widespread restrictions on marital rape prosecution constitute a denial of the Fourteenth Amendment's equal protection of its law. They also express women's unequal citizenship and the diminished personhood of wives.

Criminal law has failed to take the social context of sex inequality into account in defining and adjudi-

cating rape. That rape may be a form of political domination, its injury a harm of gender group membership, remains relatively unexplored in law.

### BODILY INTEGRITY AND SEXUAL AUTONOMY

A core constituent of human freedom and personhood is sexual autonomy. Rape violates women's ability to control their own bodies and sexuality. Without physical and sexual security, women's public contributions and their private lives are stunted, not only by personal fears but also by public knowledge of women's legal and physical vulnerability.

Women's rights lawyers argue that existing rape law, which focuses on force and nonconsent as the most significant components of rape, should be reconfigured. In this view, nonviolent abuse or sexual cooperation resulting from extortion, economic threats, and deception impair women's sexual autonomy as much as, if not more than, violent rape. According to Catherine MacKinnon, women experience commonalities between what is legally defined as rape and what is considered normal sex. The legal dividing line between rape and sex does not correspond with women's experience of violence. MacKinnon contends that the pervasive effect of male dominance makes it impossible to say definitively that some of women's sexual relations with men (called sex) are "free" and others (called rape) are "coerced." How the law should identify, within this context of political domination, which sexual acts are criminal and which crimes deserve more severe punishment remains undecided.

Susan L. Thomas

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SEE ALSO: Lynching; Pogroms; Pornography; Rape; Scottsboro case; Sexual abuse and harassment; Violence.

## Rawls, John

IDENTIFICATION: American philosopher  
 BORN: February 21, 1921, Baltimore, Maryland  
 DIED: November 24, 2002, Lexington,  
 Massachusetts

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Rawls was widely regarded as the most important political philosopher of the twentieth century. His *A Theory of Justice* (1971) presented an egalitarian theory of justice, based on social contract theory.

John Rawls taught at Harvard University from 1962 until his retirement following a stroke he suffered in 1995. He is best known for *A Theory of Justice* (1971). In that book, Rawls defended a theory of justice that sought to strike a compromise between the democratic ideals of equality and liberty. The theory was in the social contract tradition associated with John Locke and Jean-Jacques Rousseau, but Rawls introduced the idea that the contract would establish abstract principles of justice rather than specific laws or arrangements. Rawls's contract was a hypothetical one involving agents who have been idealized in certain ways to create what he called an "original position."

Rawls argued that the agents in this original position should be ignorant of their own abilities and prospects in order to ensure that the principles they choose will be fair ones. The result, he argued, would be egalitarian principles that would maximize the position of the worst-off persons rather than maximize overall utility and that would protect certain basic liberties. Rawls is also known for the idea that any theory should be judged on the basis of whether it is the result of a process of "reflective equilibrium" in which one considers competing theories and their implications, testing these against one's intuitions about general principles and cases.

*Eric H. Gampel*

*Updated by the editors*

SEE ALSO: Consent; Corporate compensation; Deontological ethics; Distributive justice; Fairness; Ideal observer; Kantian ethics; Minimum-wage laws; Nozick, Robert; Poverty; Social justice and responsibility; *Theory of Justice, A*.

## al-Razi

IDENTIFICATION: Arab philosopher and physician  
 BORN: c. 864, Rayy, Persia (now Iran)  
 DIED: c. 925, Rayy, Persia (now Iran)

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: As a trained philosopher and a practicing physician, al-Razi epitomized the man of knowledge devoted to both the ethical aspects of medicine and metaphysical speculations concerning life itself. He produced a comprehensive medical encyclopedia in twelve volumes; *The Book of Spiritual Physick* (c. 920), his principal ethical treatise; and the apologetic *The Philosopher's Way of Life* (c. 920).

Early in his life, al-Razi was educated in the fields of traditional Arabic literature, mathematics, astronomy, and philosophy. In the formation of his religious ideas, it is probable that a distinctly nonorthodox teacher, Iranshahri, played a major role. As a physician, al-Razi displays in his medical treatises the careful, methodical temperament of the empiricist, though a sense of genuine empathy is always present. According to al-Razi, some humans have been endowed with divine reason to awaken their souls to ultimate spiritual return with the Creator; others have not. Just as the Creator never seeks to harm humans, people too ought to seek only their own and others' betterment. Al-Razi believed in the transmigration of souls, the sacredness of all life, and the universal possibility of salvation through reason and philosophy, the latter position being fiercely opposed by religious scholars of his own day.

*Craig L. Hanson*

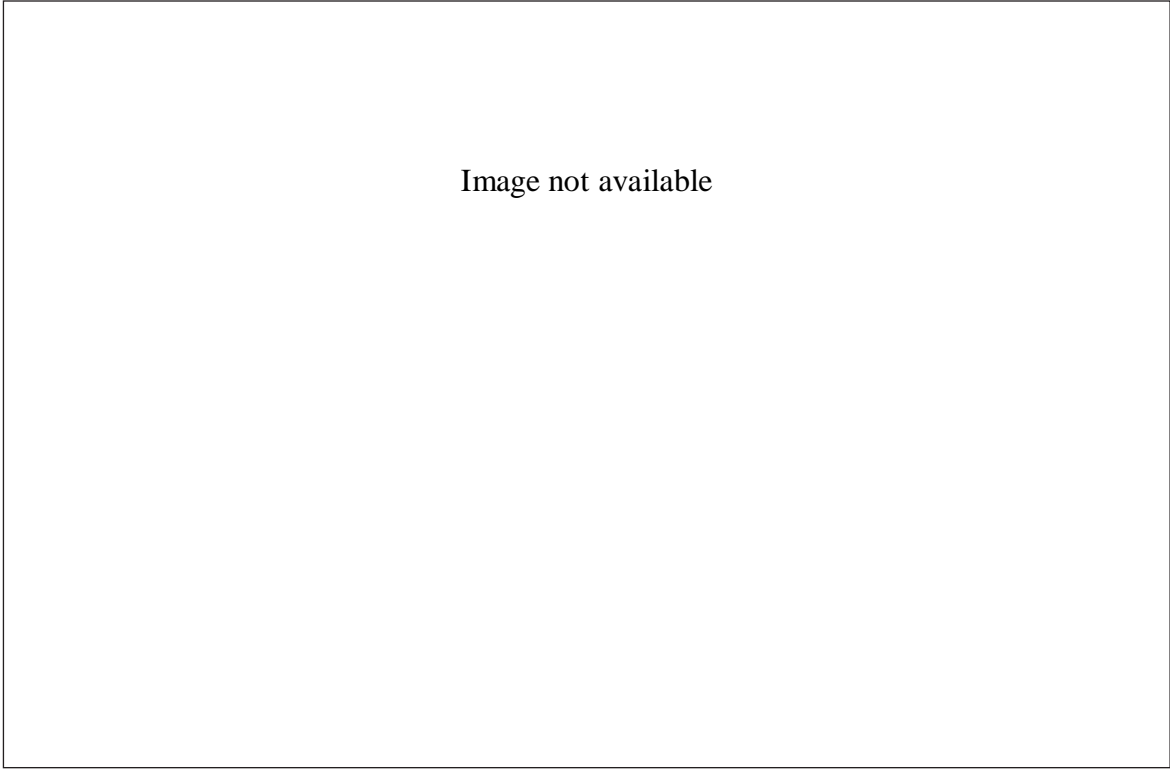
SEE ALSO: Bioethics; Medical ethics.

## Reality television

DEFINITION: Television programs that involve real-life people engaging in contrived nonfiction situations

TYPE OF ETHICS: Media ethics

SIGNIFICANCE: Much of reality television consists of programs that encourage subjects to compete in actions that might be deemed as violating common social norms.

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*Members of the cast of Survivor: Pearl Island pose with Mark Burnett (center), the creator of the popular reality show, when he accepted the People's Choice Award for the best reality-based television program of the year, in January, 2004. (AP/Wide World Photos)*

During the early twenty-first century, reality television programs emerged as a staple of American television network programming because they were comparatively inexpensive to produce and often attracted large audiences. So-called reality programs might be subdivided into four genres: competitive game shows, such as *Survivor*, *Big Brother*, and Donald Trump's *The Apprentice*; romantic or sexually oriented competitions such as *ElimiDATE*, *Who Wants to Marry a Multi-Millionaire?*, and *For Love or Money*; talk shows such as *Jerry Springer* and *Maury*; and crime dramas such as *Cops* and *America's Most Wanted*. Beyond depicting real-life people, what many reality television shows have in common is that their main theme is to portray subjects engaging in behaviors that tend to violate social norms.

Like traditional competitions, reality game shows generally pit contestants against one another, but with a fundamental difference: Their contestants are

encouraged to engage in devious, unsportsmanlike conduct that frequently crosses common moral boundaries, in exchange for success—which is typically measured in large cash prizes. Romantic and sexually oriented competitions are often similar in nature, requiring participants to change or violate loyalties or social contracts, or engage in morally compromising behaviors, in order to win.

Reality talk shows take a different approach, depicting subjects who have allegedly already violated some form of social contract or norm—such as those against marital infidelity, abuse, or abandonment—and confronting them with their victims. Just as critics have assailed reality game and romance shows, critics have contended that ubiquitous portrayals of inappropriate behaviors on reality talk shows tend to normalize or glamorize misconduct.

Reality crime dramas depict real-life criminals or suspects by reenacting or documenting actual crimes. Similarly, some shows, such as *Cheaters*, act

as on-air private investigators. While supporters claim that such shows may serve as deterrents to inappropriate behaviors, other critics argue that such shows depict society's "tawdry underbelly," and like reality talk shows, tend to normalize or overemphasize morally ambiguous or contradictory behaviors, leading the public to believe that crimes occur more frequently than they actually do.

*Cheryl Pawlowski*

SEE ALSO: Accuracy in Media; Advertising; Children's television; Media ownership; Skepticism; Tabloid journalism; Televangelists.

## Realpolitik

**DEFINITION:** Doctrine holding that governments should eschew abstract moral codes and instead follow whatever course of action will most effectively protect and achieve their own practical interests

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** Realpolitik is a starkly materialistic theory of international and domestic politics. Adherents to this philosophy deny that considerations such as human rights and safeguarding the environment, or even honesty and justice, should enter into political decision making or international affairs.

To a practitioner of realpolitik, the end always justifies the means. Lying, cheating, stealing, murder, and war are perfectly acceptable means to achieve the desired results. Historians and political scientists often associate the term realpolitik and its underlying tenets with Otto von Bismarck, chancellor of Germany from 1870 to 1890.

### THEORY OF REALPOLITIK

The realpolitik theory rests on several premises, including strategic interests, geographic realities, mutually exclusive goals, and competition and conflict over these goals. According to this theory, states have strategic interests upon which their relative securities depend. The most basic of these interests is the security to continue to exist as independent states,

which requires that they achieve power. Leaders must pursue policies that will ultimately increase the power of their state or decrease the power of real or potential enemies. Without power, there can be no true security, because the state's continued existence would rest on other states' lack of interest in destroying it, rather than on its ability to defend itself. Therefore, states must constantly attempt to increase their power relative to the power of competitors. Increasing power may take the form of expanding their armed forces, developing revolutionary new weapons, or expanding their industrial production capacity.

Political leaders also have attempted to increase the power of their nations through imperialistic expansion in order to gain access to markets and raw materials, and to acquire areas into which the excess population of their nations may expand. Power also may be increased through alliances and international agreements. Attempts by political leaders to increase the power of their states and to limit the power of other states resulted in the explosion of imperialistic expansion during the late nineteenth and early twentieth centuries. Most major Western European states, the United States, and Japan became involved in a race for colonies. Imperialistic competition became a primary factor in the massive world wars of the twentieth century, as did the complex web of entangling alliances that virtually guaranteed that any minor conflict between nations would escalate into a global war.

According to the precepts of realpolitik, leaders of states must attempt to increase the power of their state based on strategic interests and geographic realities. For example, if the state's industrial growth depends on a commodity not present within the area it controls, its leaders must attempt to secure access to areas where that commodity is present. Any means necessary to achieve that strategic interest, including war, must be pursued. Geographic realities determine most strategic interests. For example, a completely landlocked nation cannot compete in global trade, and thus increase its power, unless it secures access to a deep-water port. Its leaders may secure such access through negotiation, treaty, or international agreement. If attempts at negotiation fail, the leaders of such a nation may resort to war. Human lives mean nothing to the practitioners of realpolitik, as long as the desired end is achieved.



### DOMESTIC DIMENSIONS

Realpolitik also has a domestic political dimension. Since security is the primary goal of all state policies, politicians must suppress what they conceive to be internal threats to the state, which they often interpret as any threat to their continued exercise of power. Political leaders in many different countries frequently have disregarded the constitutional rights of their citizens in suppressing political, religious, and social movements they consider subversive. Political leaders have also eliminated or neutralized individuals whom they considered dangerous to the state, often violating the laws of their nation in the process. Political leaders in all countries, including the United States, often have resorted to the use of realpolitik in domestic affairs.

Political leaders have been practicing realpolitik since the beginning of recorded history. The principles of this essentially amoral political philosophy have contributed to, if not caused, every war in human history and all the suffering associated with those wars. Political leaders have used those principles to justify murder, tyranny, slavery, and injustice.

Cynics argue that the basic premises of realpolitik continue to dominate the international and domestic policies of most twenty-first century world leaders. They maintain that politicians care nothing for issues such as human rights or protection of the global environment; instead, politicians use those issues as tools to gain advantage over real or potential enemies. Constitutional guarantees, the cynics say, are ignored by politicians in their pursuit of security and power. Certainly, many events in the 1990's and the early twenty-first century have suggested that the cynics are not entirely wrong.

If the cynics are correct, humanity would seem to be doomed to the recurrent cycle of war and tyranny that has marked history from its beginning. Unless informed citizens insist that their political leaders base foreign and domestic policies on principles such as justice and human rights, those leaders will continue to follow, consciously or unconsciously, the amoral philosophy of realpolitik.

*Paul Madden*

*Updated by the Editors*

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SEE ALSO: Cold War; Intervention; Just war theory; Machiavelli, Niccolò; Nationalism; Private vs. public morality; Sovereignty.

## Reason and rationality

DEFINITION: Faculty that comprehends and makes sense of the world through the application of logic

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Reason is often opposed to emotion and intuition, and the relative importance of each to ethics is a matter of debate. Some philosophers have asserted that reason is the only possible basis for objective moral judgment. Other thinkers believe that logic falsifies a fundamentally irrational world and that the imposition of reason upon reality is itself an immoral act.

Common sense holds that being reasonable is a good thing. Being reasonable means taking account of all relevant evidence when deciding what to believe and do, and when establishing principles by which to live. It means settling disagreements by appeal to evidence, which involves being willing to change one's mind based on the evidence. If one is rational, one will discover what is true and false, and if one discovers what is true and false, one will be able to act so as to live the good life. In short, reason is commonly held to be the primary method of learning truths, including truths about morality; accordingly, rationality is held to be a virtue.

Rational theories of morality are marked by several features. They hold that there are moral facts; that those facts are universal, or true for everyone; that reason is capable of identifying those facts; and that disagreements over moral issues are resolvable by rational investigation.

Such accounts of morality, however, face challenges by accounts that hold that morality is not fundamentally rational.

### IRRATIONALISM

One problem is the seeming interminability of debates about moral issues. If moral truths are rationally verifiable, why are moral disagreements so rampant? In genuinely cognitive disciplines, such as mathematics and science, methods exist with which to settle disagreements rationally, but it seems that no such methods exist in morals.

A second problem is the emotionalism that moral issues evoke. Since many people cannot be swayed from their moral beliefs by appeals to reason, perhaps morals are based on some nonrational source.

### THE IS/UGHT PROBLEM

A third consideration is the famous “is/ought” problem. David Hume argued that normative (“ought”) conclusions cannot be deduced from descriptive (“is”) premises. In a valid argument, terms cannot appear in the conclusion that do not appear in the premises. Therefore, if morality is concerned with facts, then normative conclusions must be deduced from fundamental statements of fact that contain “ought” terms. Sensation is the only fundamental source of factual information, however, and people do not seem to sense goodness and badness, merely colors, sounds, and so on.

Following Hume’s reasoning, G. E. Moore argued that any attempt to derive moral statements from physical, biological, or psychological facts commits the “naturalistic fallacy.”

While irrationalists agree that morality is not fundamentally rational—that, at most, reason helps to figure out how to satisfy moral commitments made on a nonrational basis—they disagree about the fundamental source of moral commitments.

Religious irrationalism holds that God’s commands are the source of morals. Many religions hold that ethics is a matter of obeying divine commands, whether one understands them or not. The story of

Abraham in the Hebrew Scriptures (Genesis 22) is an example. God commands Abraham to sacrifice his son Isaac. From a rational perspective, obeying would be immoral: It would mean murdering an innocent boy, and it would cause Abraham and his wife great emotional suffering. Yet all Abraham believes that he needs to know is that God has commanded, so he is prepared to kill. Hence, morality for Abraham means obeying without question commands that do not necessarily make sense.

Secular irrationalism comes in several varieties. According to emotivists, such as Bertrand Russell and A. J. Ayer, moral statements express attitudes that are based on subjective emotional states. According to existentialists, such as Albert Camus and Jean-Paul Sartre, moral attitudes are based on arbitrarily chosen commitments.

Irrationalism is thus strongly linked with moral relativism—the thesis that moral values are not universal. If morals are not rationally based, then consistency is not necessary. If morals are based on subjective emotions, faith, or arbitrary commitments, then, since these are highly variable, morals will be highly variable.

### REASON’S ROLE

For rational theories of ethics, then, the challenge is to find and validate a rational source of ethics. The history of ethics contains four major types of attempts to do so.

Intuitionists hold that good and bad are properties of external things themselves, in the same way that colors, textures, and sounds are properties of things. Just as people have sense organs to detect color and sound properties, they have a moral sense to detect moral properties. Moral properties are therefore independent of subjective states, they can be identified accurately, and thus they provide data for rational moral reflection and action.

Hedonists hold that moral properties are based on facts about human nature itself: Humans are born with pleasure/pain mechanisms. What causes sensations of pleasure and pain is not a matter of subjective choice. Sensations of pleasure and pain provide the data for rational moral reflection and action. Morality is a matter of calculating which actions will maximize pleasures and minimize pains.

Kantians hold that morality is based on the nature of reason itself. Noumenal reason projects a

priori laws to one's phenomenal self. Since one is human, one should act in accordance with one's distinguishing feature: reason. Since reason demands consistency, morality means using one's reason to determine which maxims of action are consistently realizable, and then acting according to those maxims.

Objectivists hold that morality is based on relational facts about human nature and its environment. Human beings are organisms of a specific nature, and their nature and their environment jointly specify requirements that must be satisfied for them to survive. Good thus is identified fundamentally with what is necessary for survival, and bad with that which leads to death. Reason is a capacity whose function is to identify those survival requirements and to direct the actions of the organism in ways appropriate to fulfilling them.

*Stephen R. C. Hicks*

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SEE ALSO: Deconstruction; Emotivist ethics; Intuitionist ethics; Kant, Immanuel; Metaethics; Nagel, Thomas; Passions and emotions; Rand, Ayn.

## Reconciliation

**DEFINITION:** Restoration of relationships between wrongdoers and the wronged persons or parties

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Reconciliation is a central concept in the network of moral and ethical transactions having to do with how individual persons or groups respond to wrongs done to them.

Forgiveness is one's setting aside of feelings of indignation or resentment directed toward another person who has done one a moral injury. As such, forgiveness is a matter of how one feels about the wrongdoer, rather than how one treats that person. In this respect, it differs from the moral transaction of mercy. To show mercy is to treat a person with less harshness than he or she deserves. Justice is treating a person with the appropriate measure of punishment for the offense done. A person may be treated both justly and without mercy and yet be forgiven. For example, if someone used another person's credit card without permission, the owner might forgive that person while still insisting that the other person repay the money needed to cover charges made on the card. The wronged person in this instance would put aside personal resentment and thereby forgive the thief, while not showing mercy by relieving the wrongdoer of responsibility for making good the loss. In contrast, the owner of the charge card account may absolve the thief of any obligation to repay the funds, thus showing mercy while continuing to resent the thief, thereby show that no forgiveness has taken place.

Reconciliation, unlike these other interactions, is a restoration of the relationship between the wrongdoer and the wronged. Such an interaction may be based on forgiveness but does not necessarily require it. Reconciliation may or may not include the showing of mercy. Reconciliation occurs when the relationship between the injured person and the wrongdoer becomes one of substantive moral mutuality. It is not merely a restoration to the previous position between the persons, as it imposes responsibilities on both the person wronged and the wrongdoer. Reconciliation requires that moral work by both parties.

It is possible that forgiveness will not lead to reconciliation. Indeed, reconciliation can be brought about without forgiveness, although this is difficult. Neither forgiveness nor mercy necessarily requires

the cooperation of the wrongdoer, although a confession, apology, or restitution by a wrongdoer may make reconciliation easier. However, reconciliation can be reached only through the mutual commitment and cooperation of both the wronged party and the wrongdoer.

Reconciliation is a community-building activity. It depends on the interconnectedness of persons and reinforces the sinew that binds persons together. It is integrally related to the performance of good deeds to the benefit of each party. When positive benefits are enacted mutually between wronged and wrongdoer, these good deeds are reconciliation, they are not merely a means to it.

*Ronnie Littlejohn*

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SEE ALSO: Forgiveness; King, Martin Luther, Jr.; Mercy; Parole of convicted prisoners; Revenge; South Africa's Truth and Reconciliation Commission.

## Redlining

**DEFINITION:** Systematic exclusion of residents of certain areas, especially low-income, inner-city neighborhoods, from home mortgage lending and property insurance coverage

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Critics charge that redlining is an unjust practice, because it denies opportunities to those who could qualify for financial services simply because they reside in particular areas; it results in *de facto* discrimination. Practitioners of redlining defend the practice on the grounds that

it is based on what they claim to be objective economic science.

In looking for an efficient way to screen out high-risk applications for home mortgages, rehabilitation loans, and home and auto insurance, banks and insurance companies adopted the practice of "redlining," which involves excluding entire low-income neighborhoods from consideration or charging excessively high prices in these areas. Predictably, the burden of these practices fell most heavily on poor African Americans, and civil rights organizations charged that this amounted to systematic discrimination.

The U.S. Congress passed the Community Reinvestment Act in 1977, followed by the Home Mortgage Disclosure Act, to deal with redlining and the more general problem of directing loans and insurance coverage to low-income areas. The former requires banks and thrifts to make a certain proportion of their loans in the areas where their depositors live, and the latter requires them to report their mortgage lending by census tract. The question remains, however, how much responsibility banks should take for providing loans to low-income borrowers as a matter of social policy, especially if such loans conflict with sound business practice.

*D. Kirk Davidson*

SEE ALSO: Civil rights and liberties; Discrimination; Economics; Fairness.

## Refugees and stateless people

**IDENTIFICATION:** Persons uprooted from their places of origin—usually as a result of wars or other violent civil disturbances

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** In a world of international conflicts, civil wars, and repressive regimes, the plight of refugees and others driven from their homeland poses an ethical challenge to the ability of the more fortunate to ease the suffering of growing millions.

Refugees have fled war zones ever since the losers were routinely put to death or enslaved. History is replete with tales of vulnerable stateless peoples. Jews and Gypsies, for example, were frequently expelled

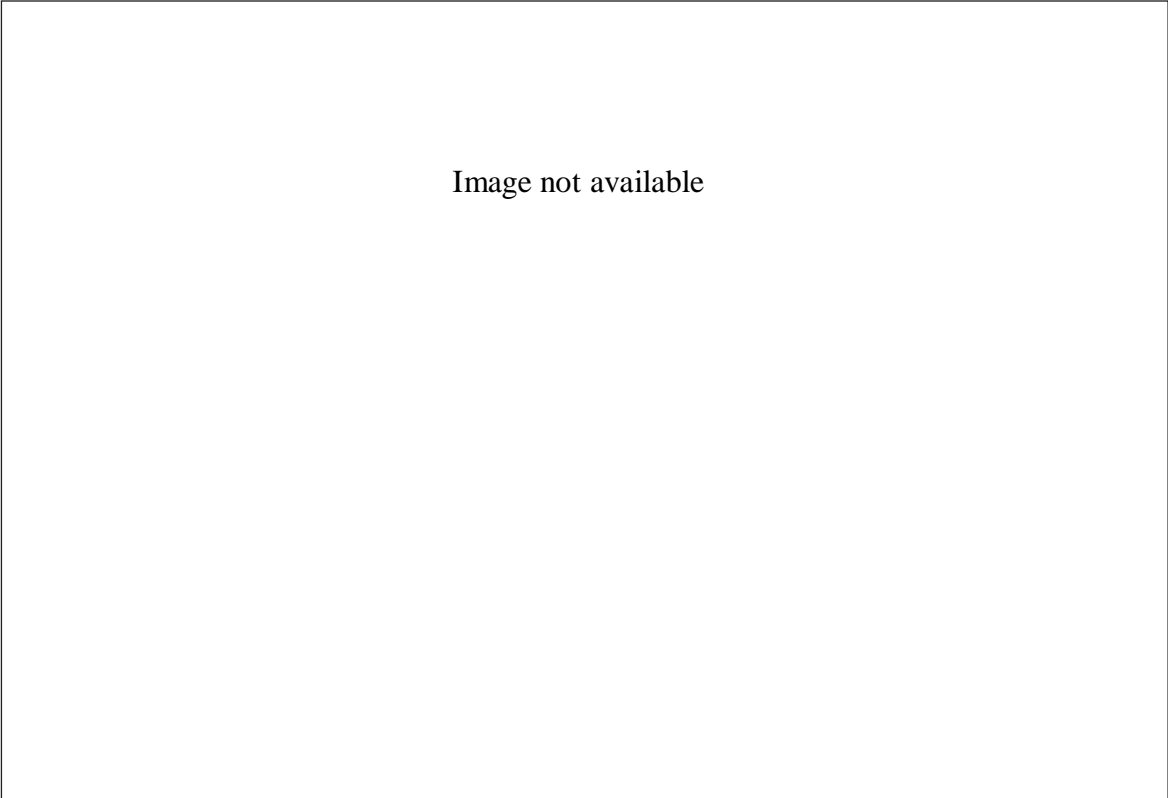


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*Refugee camp that housed about eighty thousand of the estimated two million Afghans living in Pakistan in September, 2001. After the United States began retaliating against Afghanistan's Taliban regime for its support of al-Qaeda, which launched the September 11, 2001, terrorist attacks on the United States, even more Afghans fled their homeland. (AP/Wide World Photos)*

*en masse* from medieval and post-Renaissance states in Europe. In modern history, however, the numbers, visibility, and suffering of the displaced have significantly increased. In part, these developments reflect the modern world of global news networks, which have carried images of the powerless victims of warfare into the living rooms of developed societies. They also reflect the greater destructiveness of modern warfare, with its widespread use of mortars and antipersonnel land mines. Above all, these trends have reflected the artificial nature of and tensions within so many of the newer states in today's world.

During the colonial era of the early twentieth century, European nations drew boundaries within their empires with little regard to the presence of the diverse communities living within their colonial realms. In many instances, the colonial powers widened the differences separating the diverse groups

present by economically advancing some communities more rapidly than others. On some occasions, they imported diversity, as in the case of the Asians whom Great Britain brought to Uganda to provide what the British regarded as "industrious" labor. At independence the populations of most of the new states in Asia and Africa contained groups with little in common with one another and often with pre-colonial histories of mutual animosity. Civil wars, the repression of ethnic minorities, and even massacres subsequently ensued, all ejecting streams of refugees into neighboring areas.

Until the violent breakup of Yugoslavia during the early 1990's, the problems of refugees and those internally displaced in their countries of residence were primarily perceived as humanitarian issues limited to developing states. That image was rudely shattered by the reports of "ethnic cleansing," mass



graves, and atrocities committed by all of the parties involved in the conflicts in the new states that separated from Yugoslavia: first Croatia, then Bosnia, and finally Kosovo during the 1990's.

The plight of these unsettled peoples has not gone unattended. Nongovernmental organizations, the United Nations, and other international bodies and individual countries have tendered humanitarian aid and, in some instances, have militarily intervened to halt conflicts generating large numbers of refugees and internally displaced persons. However, those needing assistance have multiplied faster than the funds available for their relief, and the political problems of returning them to a safe and normal life have often proven insurmountable. Thus, for example, three years after the Kosovo conflict ended, fewer than three hundred of the more than 230,000 Romany and Serbian refugees generated by that conflict had been returned to their homes.

*Joseph R. Rudolph, Jr.*

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SEE ALSO: Citizenship; Ethnic cleansing; Human rights; Immigration; Israeli-Palestinian conflict; Kosovo; Land mines; Peacekeeping missions; Vietnam War.

## Relativism

**DEFINITION:** Belief that there are no absolute or universal moral standards and that what is morally right or wrong is relative to an individual, group, or culture

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Relativism represents a rejection of both absolutism and pluralism. It eschews the notion that moral judgments can be grounded or ver-

ified in any way, so that moral reasoning becomes a completely subjective endeavor.

Ethical relativism is related to but distinct from general philosophical relativism and epistemological skepticism. According to this position, the human mind is incapable of attaining any genuine or objective truth. Hence, knowledge is subjective and "relative" to the knower.

The ethical relativist is skeptical of determining some truth about moral matters. This position can be traced to the Greek sophists, who were the objects of Socrates' criticism in Plato's famous dialogues. Thus, sophists such as Callicles and Gorgias contended that morality was relative and that what was right for one person or group was not necessarily right for another. They rejected ethical universalism, the notion that what is morally right and wrong is basically the same for everyone, viewing ethical or moral judgments as matters of convention or personal taste.

In contrast to the sophists, most philosophers, such as Plato, Aristotle, Thomas Aquinas, Immanuel Kant, and G. W. F. Hegel, have decisively rejected this extreme position and embraced the equally extreme idea that there are universal, moral absolutes transcending time and place. Some modern thinkers, however, have resurrected the position of moral skepticism and relativism.

#### TYPES OF ETHICAL RELATIVISM

In general, it is possible to distinguish between two types of ethical relativism: cultural relativism and the more extreme individualistic relativism. The latter represents the viewpoint that moral values or norms differ among individuals within a society or culture. In other words, moral judgments are purely subjective; they are simply a matter of one's personal tastes or an individual's conscience. If someone believes that euthanasia is morally permissible, one's judgment in this regard must be considered valid and tenable. Likewise, if someone else considers euthanasia to be wrong, that too is a reasonable judgment. Thus, extreme relativists accept that valid ethical judgments can be inconsistent with one another.

This notion of extreme relativism is expressed in the work of modern ethicists such as John Mackie. In *Ethics: Inventing Right and Wrong* (1977), Mackie argues that there is nothing truly good or bad or right

or wrong. Rather, these categories must be “invented” in order to have any ethics. Mackie believes that the seeds of this position could be found in the works of his predecessors, such as David Hume and Thomas Hobbes. For Mackie, moral language, with its reference to “right” and “wrong,” creates the illusion of objectivity, but in reality objectivity in the realm of ethics is impossible.

Cultural relativism represents the more moderate viewpoint that moral values differ from one society or culture to another. It admits that within a society some valid moral standards are possible, but those standards will sometimes differ from one culture to another. As a result, principles that are considered central and vital in one society might be on the periphery of another culture’s value system. Moreover, the cultural relativist proclaims that there are no fixed or immutable standards that can serve as the ultimate guide to a society’s moral code. All moral norms are conditional, completely dependent on time, place, and circumstances.

Cultural relativists also differentiate between descriptive cultural relativism and normative cultural relativism. The former version of relativism is summed up in the incontrovertible proposition that moral beliefs and practices differ from one culture to another. It affirms the findings of anthropologists and historians who have discovered that different peoples have different values. For example, while some societies practice polygamy, others prohibit the practice. Similarly, a society’s moral values may evolve over the course of time. Slavery was once legal and was commonly accepted in American society, but now it is regarded as offensive and grossly immoral. The descriptive relativist simply uncovers and “describes” this cultural diversity, along with a society’s evolving standards.

### **NORMATIVE CULTURAL RELATIVISM**

Normative cultural relativism represents the philosophical position that there are no transcultural, universal moral norms and that prevailing moral judgments in different cultures are equally valid. Thus, the moral judgment “bribery is wrong” in one culture is just as valid as the judgment “bribery is right” in another culture. According to normative ethical relativism, each moral judgment must include a qualifier such as the following: “Bribery is wrong *in society X*.” To a certain extent, the normative relativist re-

gards moral values as equivalent to customs in that both have only local validity instead of universal validity. The normative relativist adheres to the dictum “when in Rome do as the Romans do” when it comes to matters of custom and morality.

On the surface, normative cultural relativism seems to be plausible, especially since it is quite apparent that different societies do have different moral codes, but there are some salient difficulties with this position as well as with the more extreme view of individualistic relativism. For philosophers who believe in objective truth, if there is no absolute standard of some sort and all moral codes are valid, it becomes impossible to criticize other cultures or contend that the morals of some societies are inferior to those of other societies. Ironically, relativists would have no problem criticizing other cultures, since they would merely be expressing their equally valid judgment of that culture. But they would recognize that there is no way to ground or render objective such judgments. Similarly, if one embraces cultural relativism, the notion of objective moral progress becomes unintelligible. Progress implies improvement, but if there is no general, independent, transcultural standard, the only people qualified to measure a given culture’s progress are the people inside that culture who share its evolving values.

Finally, and perhaps most significantly, the idea of cultural relativism depends upon the belief that there are distinct cultures with identifiable boundaries between them. Globalism and multiculturalism have rendered this view less and less tenable, however. As cultures mix and come mutually to influence one another, the ability of relativists to demarcate the zones in which a given set of values does or does not operate breaks down. In postmodern society, it becomes impossible to tell where one culture begins and another ends. Ironically, this may mean that postmodernism, often attacked as synonymous with moral relativism, may be the moral relativists’ greatest enemy.

*Richard A. Spinello*  
*Updated by the editors*

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SEE ALSO: Absolutism; Anthropological ethics; Diversity; Ethics/morality distinction; Morality; Pluralism; Postmodernism; Prescriptivism; Russell, Bertrand; Sophists.

## Religion

DEFINITION: Faithful devotion to a divine or supernatural entity, pantheon, or principle

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Every modern religion both professes and serves as the foundation for a specific set of ethical values. The observable behavior of a religion's followers, however, is not always consistent with that religion's ethics.

The relationship of religion to ethics is controversial, especially in cultures influenced by Islam, Christianity, or Judaism. The range of opinion is wide. For some, religion destroys ethics. For others, ethics depends upon religion. For still others, religion and ethics are the same.

Religion might destroy ethics in two ways. Perhaps an omniscient God makes morality pointless, since it does away with the freedom of persons to do other than God has foreseen. A loving, forgiving deity may render obedience to moral laws optional from a practical point of view. Ethics might depend upon religion because religion provides the only effective motivation for persons to obey moral law, as opposed to pursuing their own self-interest. Perhaps

God's will determines legislatively right and wrong action, in which case religion and ethics are identical.

Ethics and morality will herein be considered synonymous. Influential persons have argued for a sharp theoretical distinction, claiming that ethics is the broader notion, including much that falls outside morality. The distinction is not so much theoretical as historical, serving unnecessarily to separate ancient and modern ethical work.

### DIFFERENCE ARGUMENTS

That religion and ethics are not co-identical can be shown in at least four ways. The first way is to note that connections between religion and ethics in any particular society are matters of convention. Greek polytheism and Christianity may be used to illustrate this point.

In Plato's dialogue *Euthyphro* (399-390 B.C.E.), a priest of Apollo in Athens suggests to Socrates that piety is what is loved by the gods. This is the conventional answer to the question "What is piety?" in fifth century B.C.E. Athens. Socrates then asks whether piety is pious because it is loved by the gods or is loved by the gods because it is pious. The difference is enormous. Something carried is so because someone carries it, not vice versa. The priest, Euthyphro, becomes convinced that piety is loved by the gods because it is pious. Socrates points out that this communicates that the gods love piety, but not why they love piety or what piety is. Euthyphro is thrown into confusion, not knowing how to cope with the consequences of admitting criteria for piety that are not religious. Piety is a Greek virtue. The difference between this virtue and what the gods love shows at least that arguments separating ethics and religion were known to Plato, though Athenian convention considered them identical.

The argument in *Euthyphro* is generalizable. In a Jewish, Christian, or Islamic context, it involves the awareness that answering the question "Why should I obey God's commands?" with "Because He is good" involves a vacuous circularity unless the word "good" is defined in terms other than those of obedience to God. Therefore, criteria of goodness must be independent of an awareness of divinity. Also, if people possess such criteria, they are in a position to judge good and evil on their own, without consulting divine commandments. This does not mean that the divine commands do not embody norms that are in

fact good according to human criteria. They may embody such norms, which raises the second difference argument.

A second way to show that ethics and religion are different is to recognize that all nonprimal world faiths accept the Mosaic decalogue's ethical prohibitions against lying, stealing, murder, and adultery. The "nonprimal world faiths" include Islam, Christianity, Judaism, Buddhism, Confucianism, and Daoism. Clearly, these religions do not share religious doctrines or beliefs. Nevertheless, the different religions embrace the same basic codes of ethics.

Huston Smith, in his influential book *The World's Religions* (1991), refers not only to these ethical prohibitions as common denominators of world faiths but also to their shared endorsement of three basic virtues: humility, charity, and veracity. There are three common aspects of traditional religious vision as well: Things are more integrated than they seem, better than they seem, and more mysterious than they seem. Smith uses the phrase "wisdom tradition vision" rather than "traditional religious vision" in order to include Western philosophy up to René Descartes in his analysis of commonalities. This shows that ethics is much more stable in its content than is religion and is therefore different from religion.

P. H. Nowell-Smith states that cultural relativism is based on the failure to recognize this distinction between religion and ethics. "If these are lumped together, it is easy to pass from the true premise that religious rules are everywhere different to the false conclusion that moral rules are different too."

A third way to separate religion and ethics is to note that connections between them are generally absent from primal, or pretechnological, societies. The ideas that primal peoples derived their beliefs concerning right and wrong from shamans or holy people who spoke for the gods, and that religion and ethics were separated only in later, more complex and secularized stages of development in those societies, are clearly mistaken. One might use the Australian Aborigines as an example to undergird this point, but one might as easily use the ancient Greeks and Romans, the Vikings, the Druids, the Japanese (Shintō), or any of a dozen Native American tribes.

#### AUSTRALIA'S ABORIGINES

The Australian Aborigines use a word that means, so far as anyone can tell, "everywhen." Everywhen is

the time an individual spends engaged in activity that is central to the survival or flourishing of the clan-grouping. The essential things are food, shelter, procreation, and such. When I, as an Aborigine, build my house according to the ancient plan, or hunt, or fish, or produce children, I become the first person ever to accomplish these acts successfully, and therefore one of a number of first persons. First persons are not gods to be imitated. The time difference between myself and the first persons is gone when I enter everywhen, as my children will, and their children after them. In these sacred, eternal acts, I overcome the accidents and misfortunes that occur as the normal seasons pass. This is my religion.

The native Australians are quite aware of linear time. Their notion of everywhen accomplishes the same religious work for them that the last judgment of God accomplishes for Muslims and Christians: the domination of linear history. Linear, causal history contains much injustice, accident, disease, and disaster. In it, good things happen to bad people and bad things happen to good people. Religion must offer hope in the form of an understanding that dominates these facts, or it is not a successful religion.

The critical thing to note regarding any connection between ethics and religion for the Aborigines is that judgments concerning where I am entitled to build my house, where I can hunt or fish, and with whom I produce children are not related to everywhen. These are ethical decisions made among humans, by humans, and for humans. No one speaks for the archetypes on these matters. Religion proper has nothing to say about them, and only points to the necessity of the acts themselves.

Thus, primal societies do not exhibit the kind of connection between religion and ethics that some developmental views present. They also do not subsume ethical commandments under religious teaching, as the nonprimal world faiths do. This is obscured in nonprimal religions by the fact that all but one (Hinduism) were founded by some individual. Such an individual is, of course, an integrated human being, usually highly so. He exhibits ethical as well as religious integration in his expressions, judgments, and so on, clouding the fact that religion and ethics are different.

A fourth way to show ethics and religion to be different is to consider the problem of saying just what ethical system is required by any specific religion;

for example, Judaism and/or Christianity. The Judeo-Christian religion has operated, and operates today, as a religious basis in vastly different societies or cultures. Any such religion will offer behaviors that are relatively independent of particular, specific forms of social life. It will also exhibit enormous flexibility regarding moral standards in different cultures and at different times. Historically, Judeo-Christianity has served as the religion of Hebraic tribalism, Hellenistic aristocracy, Roman imperial monarchy, Constantinian bureaucracy, the Third Reich, and American republican capitalism. As Alasdair MacIntyre says, "it will perhaps come as a relief to consider that the whole problem of Christian morality is to discover just what it is."

It is perhaps worth noting that the comparative stability of ethical norms as opposed to religious beliefs pointed out in the second difference argument above can be rendered inconsequential by classifying a group as nonhuman, as the Third Reich did in the case of the Jews, in order to kill them without violating the prohibition against murder.

Taken together, the difference arguments make identity claims hard to defend. This does not mean that individuals who recognize the difference do not themselves integrate religious and ethical beliefs and norms. Plato presents Socrates as not accepting the conventional wisdom, or the institutional understanding of a priest, regarding piety. Just as clearly, Socrates accepts piety as a personal virtue. Plato's Socrates also exhibits religious beliefs when speaking for himself and not engaged in dialectic, particularly in *Phaedo* (388-368 B.C.E.).

### DEPENDENCE ARGUMENTS

One need not stray from Plato for a model for arguments that render ethics dependent upon religion for motivation. Plato entertains this line of thought in *Republic* (388-368 B.C.E.), his utopian rendering of the ideal state.

The religion of the Greeks was contained in the narratives and poetry of Homer, Hesiod, and others. These stories were considered by Plato as unsuitable subject matter for the education of the young in *Republic*, because they present the divine as capricious, immoral, and even cruel. The divine nature must be, for Plato, good, not a source of evil. This brings to the fore Plato's attitude toward the truth. It should be noted that the Greek word *pseudos* need not have the

deprecatory connotations of "false" or "lying." The stories (*mythoi*) told to children are in general fictitious (*pseudoi*). What Plato insists upon is that these stories be "true" by not misrepresenting the divine character.

In *Republic* there is a discussion to the effect that, although outright lying is despicable, "spoken falsehood" may be useful; for example, militarily or to save a friend from himself or herself. This passage ends with an analogy to medical practice: As medicine should be administered by a physician only for the good of the patient, so also falsehoods should be employed by rulers only for the good of the state. Plato then passes into a myth for his own purposes. His practical, ethical purposes in this myth are to bind persons to both their land and one another. The myth has it that the rulers, guardians, and workers sprang full-grown from Mother Earth, who nurtured, formed, and educated them.

This sequence of passages has long been used to question or condemn Plato's ethics. Such condemnation has prompted heartfelt defenses also, such as that of Francis Cornford, who despises those who would "suggest that he [Plato] would countenance the lies, for the most part ignoble, now called propaganda." These reactions are extreme because Plato is toying with the controversial notion that a religious creation story is necessary to provide a level of solidarity and fellow-feeling that might serve to glue humans together in community, actual or utopian, and motivate them to follow ethical norms.

Plato is *not* here countenancing propaganda of any crude sort, since he clearly intends for both the guardians and rulers to be convinced of the truth of the myth. Neither group is particularly credulous, and Socrates does not express much confidence in his ability to secure their belief.

This argument and others like it concern motivation, not ethical content. Ethical content is fairly constant between religious cultures. Dependence arguments harp on motivating persons through religion to observe ethical content. Some say that only religion will work, while others say that religion is unnecessary or irrelevant. It is in this standoff that destruction arguments become relevant.

### DESTRUCTION ARGUMENTS

Some who claim that religion is unnecessary for or irrelevant to ethical motivation are neutral about or



committed to a religious point of view, but others are not. Some are convinced that religion is the cause of most ill will and violence between persons in the world. They catalog the historical abuses of secular power by ecclesiastical authorities. They cite the enmity in Northern Ireland between Protestants and Catholics. They cite fanatical acts by Christian or Islamic fundamentalists. They are morally nauseated by these facts. Their nausea motivates them to mount arguments that religion destroys ethics, such as those mentioned at the beginning of this article. Quite naturally, such persons react strongly against any suggestion that ethics is dependent upon religion, because the two tend in opposite directions in their minds.

The two sides of this conflict will never touch. One side clings to direct experience with the divine. The other clings just as tenaciously to the trouble caused by organized, and therefore politically effective, religious groups, not to mention clinging to objections to the metaphysics of religious beliefs. Intelligent religious folk are not motivated to refute claims that religion has been the cause of all manner of evil in the world, because it does not threaten the status of their direct experience with the divine. For religious folk, the fact that such experience becomes perverse when constituted as a conflict-producing political platform is a manifestation of human corruption, not divine corruption. This response sometimes incenses those who want religious people to take responsibility for the carnage their religious organization causes, presently or historically. But this is heat, not light. Closed religious people hide behind their belief that without God, all is permitted. Closed humanists hide behind their belief that all religious people have been lobotomized. The two groups never speak directly to each other.

### THOMISM

Is there any hope for resolution, anything better than this heated darkness? Some religious persons and humanists think there is a positive answer: Thomism. Although Thomas Aquinas was a Roman Catholic theologian, open, secular persons are not put off by Thomism. MacIntyre says, "Aquinas' theological ethics is such as to preserve the nontheological meaning of the word good." This is true, for Thomas Aquinas defines good as "that toward which desire tends." MacIntyre allows Thomas Aquinas's faith because, in it, calling God good is naming him as the object of

desire. This means that God and good are not defined in terms of each other. Therefore, "'God is good' is a synthetic proposition, and to cite God's goodness is to give a reason for obeying his commandments."

This reason, the nature of goodness, is naturally desired and as available to nonbelievers as believers, so both groups have access to accurate beliefs about goodness. Believers must regard unbelievers as possessed of natural reason, because of, not in spite of, their own faith. God created this natural reason, acknowledged or not, in every person. Believers and unbelievers are even in terms of practical rationality and can learn from each other in making ethical decisions. MacIntyre, in turn, does not consider religious folk ethically irrelevant; only their religious beliefs are ethically irrelevant.

Clearly it matters more, regarding ethics, whether a religious person is open or closed than whether he or she is religious or nonreligious. The same is true of a nonreligious person. MacIntyre goes as far as to say, "Thomist Christianity . . . exhibits more of a kinship with certain kinds of secular rationalism than with certain kinds of Christian irrationalism."

Thomism is Thomas Aquinas's version of Aristotle. Neither of these thinkers separates virtue from happiness, acting well from doing well. Modern ethicists, religious and nonreligious, have separated virtue and happiness. Modern ethics texts take the crucial issue to be the reconciliation of altruism with self-interest. This presupposes that to be virtuous is not to be happy, if "happy" means satisfying one's natural desires, and that to be happy is to be not virtuous. The invention and acceptance of modern individualism by Martin Luther, Niccolò Machiavelli, Thomas Hobbes, and Immanuel Kant was necessary to accomplish this separation. Modern individualism presupposes that basic opposition between self-centeredness and virtuous behavior that prompts requiring virtuous behavior to be motivated by the power of religion. According to Hobbes and Luther, humanity is depraved by nature. Thomas Aquinas and MacIntyre refuse to allow this presupposition.

Thomism cannot be expected to solve much in Islamic or Jewish cultures unless it is properly translated. Such translation and synthesis await an appropriate time or champion. It is difficult, however, to ignore a sophisticated, open theology in a time of oppression and violence caused partly by closed religion. The significance of Thomism is underrated in

the academy's postmodern reflection in proportion to the overrating of the necessary demise of religion and/or closed humanism.

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## Religion and violence

**DEFINITION:** Relationship between religious ethics and acts of violence carried out in the name of religion

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** From its earliest conception, religion has been linked with violence. Because religious violence is a pronounced aspect of contemporary societies and international politics, exploring the ethical connections between religion and violence is critical.

Religion and violence are intimately linked. The earliest archaeological records show evidence of apparently religiously motivated animal sacrifices and, later, human sacrifices, as in Mexico's Aztec culture. The biblical story of Abraham and Isaac is the repudiation of human sacrifice in Judaism, but animal sacrifice remained. In Christianity, the central symbol, the cross, is related to an act of violent sacrifice. Likewise, the historical and mythological stories of the world's religions are steeped in war and violence, from Hinduism's *Bhagavadgītā* to the conquest of the Holy Land in Judaism.

There are many explanations for interconnections between religion and violence. Religion involves human responses to the ongoing struggle between life and death. Primal religions saw all life as interconnected. For life and generation to continue, the forces responsible for the continuance and renewal of life had to be appeased. Sacrifice was seen as necessary for the continuance of the life cycle. A second explanation focuses on the social animosities that develop in any culture. To maintain social stability, animosities are focused on a sacrificial “scapegoat.” The act of violent sacrifice defuses social tensions, guaranteeing continued social cohesion.

As human societies evolved into urban-based cultures, religion became a legitimization for both violent forms of punishment and warfare. The laws of the state were presented as the laws of the gods. To break a law was to insult the sacred. Violent punishment was required to appease the gods and set right the moral order. Jesus’ death on the cross was presented as such a sacrifice.

Warfare was also given divine sanction under the rubric of “holy war.” Nation states were representatives of particular gods. In the name of those gods, urban civilizations made war on each other. To kill or to die in the service of a god was seen as a great honor and brought the promise of great rewards. The use of war, having a common enemy, is also viewed as an extension of the scapegoat theory, a means for creating social cohesion. These dynamics are still current in many modern conflicts.

### **STRUCTURAL VIOLENCE**

Religion has also legitimated various forms of structural violence, violence that is a product of social laws and institutions. Religion has been used to justify caste systems, such as that in India, which left those in the lowest class (the untouchables) destitute and powerless. In Western Protestant societies, aid for the poor was withdrawn, as their poverty was viewed as God’s punishment for their immoral behavior.

Religions also justified racial oppression and discrimination. Most notable was the claim by Europeans that the blackness of Africans was a sign of God’s punishment, thus justifying slavery. Whiteness was also equated with purity and being God’s chosen people. A similar theology was expressed in apartheid concepts in South Africa.

Likewise, women have been oppressed, often quite brutally, in all cultures. Such oppression has been justified by religious myths and teachings. In traditional India, widows were sometimes burned alive, along with their dead husbands, as part of funeral services. Some African groups practice female genital mutilation. In most societies, until recently, women could not vote, own property, or hold public jobs. Such restrictions based on religion continue in many countries and cultures.

As the twentieth century progressed, there was a widespread belief that religion was diminishing in terms of its social influence and so would cease to be a contributing force for violence (secularization theory). In reality, religion has become increasingly prominent in many societies and in the realm of international politics. Most early twenty-first century international conflicts have religious components. Examples include Hindus versus Muslims in the India-Pakistan conflict, Christians versus Muslims in the United States-Iraqi conflict, and Jews versus Muslims in the Israel-Palestine conflict. Religion has also become a source of violence inside many countries as conflict between religious groups has intensified and religious extremism has become more prominent, most notably in Northern Ireland, the Sudan, and the “ethnic cleansing” in Serbia and Bosnia.

### **RELIGIOUS FUNDAMENTALISM**

Increasing religious violence in the world has several sources. In some cases conflicts arise over disputed sacred territories, such as Jerusalem and the site of the former Babri Mosque in India. In others it is a continuance of religious legitimization of certain forms of structural violence such as racism and the oppression of women. More pronounced, however, has been the rise of various forms of religious fundamentalism that have come to be part of many cultures and most religious traditions.

While most religious fundamentalists do not engage in violent activity, fundamentalism presents a worldview that encourages and legitimates violence. Religious fundamentalism develops in reaction to aspects of modern culture and politics, and its adherents define themselves oppositionally. In addition, religious fundamentalists typically claim to have precise understandings of God’s will and see themselves as God’s “chosen” agents. Additionally, fundamentalists view the world dualistically: as a battle be-

tween forces of good and evil. The opposition is by definition evil and so becomes a religiously sanctioned target of violence. This is evident in events such as the 1995 bombing of the Oklahoma City Federal Building and the September 11, 2001, terrorist attacks on the Pentagon and the World Trade Center.

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SEE ALSO: Christian ethics; Hate crime and hate speech; Holy war; Israeli-Palestinian conflict; Jihad; Nonviolence; Pacifism; Religion; Secular ethics; Violence.

## Reparations for past social wrongs

**DEFINITION:** Compensation, typically in money, for injuries or damage done to members of groups or their ancestors

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** The concept of paying reparations for past social wrongs involves such ethical issues as justice and fairness, and the moral obligation to atone for wrongs committed.

International law firmly dictates that the victims of human rights violations have a right to compensation. In recognizing this right, several nation-states have provided reparations to members of groups

whose human rights were violated. The two most recognized cases are those involving the provision of reparations to the Jewish people by the German government for crimes committed against them during the Holocaust, and the provision of reparations to Japanese Americans by the government of the United States following their internment in World War II.

The most highly debated case for reparations involves African Americans. While it is generally agreed that slavery was morally wrong, several unique ethical issues are involved. The reparations issue is complicated by the fact that slavery happened so far in the past. In the cases of victims of the Holocaust and Japanese American internees, many of the perpetrators of the violations were still alive when the reparations were offered, as were many victims. In the case of slavery, both the original perpetrators and the original victims are long dead. Who, then, should be the recipients of reparations for slavery? Who would be responsible? Can crimes committed so long ago be judged in terms of modern standards of morality?

From a relativistic perspective, human rights violations that were committed in the past cannot be judged by the moral standards of the present day. Thus, while contemporary moral standards hold slavery to be a crime, relativists argue that it is unfair to judge past behavior by current standards. However, others argue that human rights are universal; they transcend time and space. Therefore, successor nations have a moral obligation to compensate the victims of crimes that were committed long ago. Actions by the U.S. government in the late 1990's supported this latter perspective. For example, the Sand Creek Massacre National Study Site Act of 1998 provided reparations for an 1864 attack on a Cheyenne village.

#### THE VICTIMS OF SLAVERY

The injuries sustained by slaves are unquestioned. Slaves were denied freedom, treated as chattel property, physically punished, killed, denied their own cultures and languages, denied marriage rights, and made to suffer other abuses. The slaves provided their owners free labor. While former slaves were promised compensation at the end of the slavery (for example, the Southern Homestead Act of 1866 promised "forty acres and a mule"), that promise was never realized. Therefore, a case for former slaves can be made quite easily. However, those who served

as slaves are deceased. Who, then, would be the beneficiaries of reparations?

Essentially, there are two possible beneficiaries in this case. First, the direct descendants of slaves could receive reparations. Proponents argue that the legacy of slavery has been sustained by a number of factors, one of which is a lack of wealth. Wealth is generally passed down from one generation to the next. Since slaves were unable to obtain wealth, they had almost nothing pass along to their descendants, thereby handicapping their descendants by making it more difficult for them to compete fairly in the economic market. This option is criticized on the grounds that it is unjust, since the descendants were not slaves themselves. It is also criticized on the basis that it encourages African Americans to view themselves as victims, denying them self-esteem and dignity.

The other possible beneficiary could be African Americans as a group. The system of slavery was jus-

tified by negative stereotypes of blacks as a whole. Since stereotypes are applied to groups and tend to be sustained over long periods of time, all African Americans may be regarded as having to suffer the negative consequences of slavery. Also, the Jim Crow system of discrimination that existed after slavery affected all members of the group, not merely former slaves. Even when legalized discrimination ended, institutional discrimination remained. The counterargument is that all African Americans have not suffered equally. By the early twenty-first century many African Americans were doing quite well. The conditions of African Americans as a group have improved substantially over time. By providing reparations to all African Americans, it is argued, the beneficiaries would be treated on the basis of race as a primary characteristic. This is, by definition, racist. This option, like the first, may also encourage African Americans to view themselves as victims.

Image not available

*Andrew Robinson-Gaither, a Los Angeles pastor, speaking at a Washington, D.C., demonstration in favor of reparations for slavery in August, 2002. (AP/Wide World Photos)*



A final criticism of this approach is based on the primacy of individual rights over those of groups. Since the Enlightenment, notions of justice have been based on individual rights. Therefore, it would be unjust to pay reparations to those who are not the direct descendants of slaves. However, justice was extended to groups through civil rights legislation. Contemporary justice includes group rights.

### WHO IS RESPONSIBLE?

The perpetrators of slavery are deceased. Who, then, should be responsible for paying reparations? Again, there are two primary options. One group that could be held responsible is those who inherited the wealth produced by slaves. The descendants of slave owners would be included, as would corporations that significantly increased their assets during the slavery era. However, these descendants were not directly involved in slavery, and it is argued that it would be unfair to hold them directly responsible.

The federal and state governments are the other possible option, since they allowed the human rights violations to occur. This option would, in essence, hold the whole nation accountable. It is argued that white Americans, as a group, have benefited from slavery and the ensuing discrimination and therefore have a collective responsibility to compensate the victims. Just as negative stereotypes hurt black Americans, they advantaged white Americans. The main argument against this approach again deals with an individualistic notion of justice. Not all white Americans living in the time of slavery participated directly in slavery, nor did any of the immigrants who arrived after slavery ended. In addition, it is argued that judging all whites simply on the basis of skin color is racist in itself, and therefore unjust.

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SEE ALSO: Anti-Semitism; Apologizing for past wrongs; Collective guilt; Developing world; Holocaust; Japanese American internment; Native American genocide; Relativism; Slavery; South Africa's Truth and Reconciliation Commission; Victims' rights.

## Republic

IDENTIFICATION: Book by Plato (c. 427-347 B.C.E.)  
DATE: *Politeia*, wr. c. 388-368 B.C.E. (*Republic*, 1701)

TYPE OF ETHICS: Classical history

SIGNIFICANCE: *Republic* is arguably the single most influential work of ancient Greek philosophy. It is a dramatic meditation on the nature and value of justice and on the social structure best suited to achieve it.

*Republic* consists of a lengthy discussion of the advantages of choosing justice rather than injustice. In order to persuade his interlocutors, Socrates, the protagonist of *Republic*, uses every rhetorical device available to him, blending images and arguments into a whole that is worthy of the name "cosmos." Included in the work are fictional regimes, noble lies, an analogy of the good, allegories exposing human ignorance, geometrical explanations of knowledge, an image of the soul in speech, and a myth. The interlocutors, however, remain skeptical. They see no reason to believe that the soul has conflicting powers that are in need of intelligent governance, and they doubt that a philosopher-king would rule the city more successfully than would a greedy tyrant who might agree to satisfy the interlocutors' own greed.

Framed among the most refined set of images available to philosophy, Socrates' failure to persuade is also a success. So rich is Socrates' ability to demonstrate the truth of his claim that it has provoked innumerable commentaries. The power of the dialogue lies in its drama. Captured at the end of a religious festival, Socrates is forced to argue the merits of justice and the disadvantages of injustice. Under the tyrannical rule of Cephalus, who believes that justice is good only for those whose appetites have become dull with time, Socrates gives in to his craving for arguments and must find a way out of his own injustice.

Cephalus leaves the discussion and hands his power to his son Polemarchus, who claims that justice is good for collecting debts. Thrasymachus, a guest, believes that justice proves advantageous for strong persons who can use justice to subdue the weak.

### SOCRATES ON JUSTICE

Aware that justice has been shattered and that each speaker has taken from it what suits his preference, Socrates does justice to justice. Since justice requires the ordering of many parts into a unity governed without tyranny and with concern for the well-being of both the parts and the whole, the philosopher must attempt to educate his interlocutors. The hardest to persuade are Thrasymachus and Adeimantus, who are men of appetites; like the appetites that govern them, they are insatiable unless they are restrained but are also fragile and can be destroyed easily by excessive discipline. In respect to the city, the larger picture of the soul, this is tantamount to saying that Socrates must convince the artisans, or the masses, to accept the rule of the philosopher-king. Appetites and artisans respond to whatever appears to be pleasurable. The philosopher, therefore, must carefully select images that are simultaneously appealing and restraining. The story of Gyges and the tale of Er meet this need, awakening desire for the pleasures of justice and rejection of the pain that follows injustice.

Spiritedness, in turn, receives a strong dose of fiction. Intelligence thrives on the divided line. In order to educate whole souls and entire cities, one must use didactic devices that function as a whole. *Republic* itself is that whole. It should be kept in mind, however, that this whole is not available to the *dramatis personae* of the work. Therefore, the fact that the interlocutors are not persuaded by Socrates does not diminish the power of the drama. *Republic* is written in the first person and is presumed to be Socrates' recollection of past events. In fact, only the unnamed audience must be truly persuaded.

Socrates' instruction relies on two parallel triads, each of whose parallel terms are presumed to share a common virtue. The intelligence of the soul corresponds to the ruler of the city, and their common virtue is wisdom. The spiritedness of the soul corresponds to the guardians of the city, and their common virtue is courage. Finally, the appetites of the soul correspond to the artisans of the city, and their com-

mon virtue is moderation. Justice is the virtue of the city and the soul taken as a whole. Training into moderation proceeds through imitation, courage comes about through fictions, and wisdom (rational thought) arises from the study of music and geometry. Geometry satisfies intelligence's desire to look into the nature and structure of things, and music prepares intelligence to govern the many, forming a beautiful unity that never neglects the well-being of its parts. Justice, then, is learned through music. Presumably, music keeps intelligence in touch with the whole soul, for "someone properly reared in rhythm and harmony would have the sharpest sense of what has been left out or what is not a beautiful product of craft or what is not a fine product of nature." When intelligence matures in reason, or *logos*, music takes the form of dialectic. This claim makes good sense if one recalls that Greek is a language with pitch and rhythm.

Dialectic harmonizes. If one analyzes the divided line musically, one notices that its center is a continuous note that is interrupted by pauses marked by the lines that divide images from sensations and thoughts from truths. At the end of sensation, one sees a longer pause that is analogous to the rest that is inspired in the soul by the trust that seeing an object causes. When the object that is being observed causes a contrapuntal sensation, the soul, which is provoked to think, continues the melody. The sensation in question provokes thought by "tending to go over to the opposite." Seeing the index finger, the middle finger, and the little finger, one is satisfied to call them fingers. One pauses. Their relationship, however, gives mixed messages, calling the index finger both large and small.

What is required is a measure, a gathering of the parts into a harmonious whole that is analogous to the organization that is required by the parts of the city and the powers of the soul. The dialectician is the one who grasps the explanation of the being, or *ousia*, of each thing and unifies the many according to their nature. He provides a melody, conducts the orchestra, and hears and cherishes every note that is played, but never imposes an interpretation on the players. He governs by minding his own business. That minding of one's own business precisely defines what justice is. It should not surprise one then, that the best ruler of both the city and the soul is the philosopher-king.

Anne Freire Ashbaugh

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SEE ALSO: Constitutional government; Excellence; Idealist ethics; Justice; Plato; Platonic ethics; Public interest; Religion; Socrates; *Utopia*; Virtue.

## Responsibility

**DEFINITION:** Legal or moral liability for one's acts or omissions

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Responsibility is a precondition for moral regard. People are usually judged morally praiseworthy or blameworthy only if they are responsible for their actions.

The concept of responsibility is a focus of long-standing dispute in metaphysics and moral philosophy. There is widespread disagreement about whether and in what sense persons are morally responsible for their actions. Some philosophers believe that to be morally responsible an agent must be free. Others think that responsibility obtains independently of the question of free will. Among those who regard freedom as essential to responsibility there are various theories about whether and in what sense persons are free. To understand the philosophical background of dispute about the concept of responsibility, it is nec-

essary to sketch out the main lines of controversy and evaluate the strengths and weaknesses of some of the most influential positions.

**FREEDOM AND RESPONSIBILITY**

It is commonly said that people can reasonably be held responsible for what they do only if their actions are done freely. In moral evaluation and legal decision making, persons are usually excused from responsibility for their actions if the evidence suggests that they acted without the ability or opportunity to choose to act differently.

People with severe mental disabilities or mental illness and those under extreme duress are routinely exempted from moral responsibility. The law similarly draws commonsense distinctions between murder in the first degree and manslaughter, in which an agent is said to have acted in the heat of passion. The idea is that under circumstances of extraordinary confusion or stress, the average person is not capable of acting freely; therefore, moral responsibility is at least temporarily diminished or suspended. A victim coerced by threat of violence to commit a moral offense in conditions in which most persons would find they have no choice but to comply is often seen as a mitigating circumstance absolving the agent of moral responsibility.

The same reasoning applies to the exclusion of severely mentally retarded or insane persons from the category of moral responsibility. Persons with such disorders are usually judged unable to reason about their actions and the consequences of those actions. They are thought not to act freely or to act with such limited freedom that they cannot be considered moral agents, and their actions are not judged morally right or wrong. More morally and legally controversial cases concern substance abuse addicts and others under the influence of biochemical compulsions who may be involved in wrongful actions but who seem to lack the necessary self-control to be considered responsible.

**DETERMINISM**

If these examples prove that responsibility entails freedom, then moral responsibility for action is problematic. There are scientific and philosophical reasons for doubting that humans are free enough in a deeper metaphysical sense to support the traditional concept of moral responsibility. The freedom to

choose to act or to refrain from acting is challenged by causal, logical-semantic, and theological kinds of determinism. These theories maintain, on different grounds, that persons cannot act otherwise than they in fact do. Logical-semantic determinism holds that agents are determined in what they do by the eternal abstract truth conditions of propositions describing their future actions.

Theological determinism makes similar claims from the assumption of God's perfect omniscience of what agents will do and how they will choose to act. Since causal determinism is thought to pose the most serious threat to free action, however, it is convenient in what follows to limit discussion to it. Causal determinism arises from the conception of human beings as physical systems, subject, like other macro-physical entities, to deterministic natural laws. If persons are determined by the laws of physics, then they are no more free to choose and act than nonliving things are. If moral responsibility entails causal freedom, then persons are not morally responsible.

There is a spectrum of degrees of freedom and responsibility in the ordinary, nonphilosophical, sense. It begins, on the low end, with nonhuman animals and severely retarded or insane persons, who are believed to have no moral responsibility at all. Then come addicts and persons under the direction of psychopathological compulsions; they are intermediate cases, who are typically thought to have some, but less than normal, moral responsibility. Finally, there are normal human adults, who, other things being equal, are usually regarded as morally responsible agents. If nonhuman animals, the severely retarded, and insane persons lack responsibility, and if addicts and compulsives have diminished responsibility because they cannot exercise sufficient self-control, the same reasoning coupled with philosophical arguments for determinism suggests that no one anywhere in the spectrum is morally responsible.

If human beings are merely complicated physical systems, then even normal human adults are not freely in control of what they do. They cannot do other than what they do, but are merely manipulated through body chemistry and the environment by the same cause-and-effect relations that govern all other natural phenomena in the universe. If this is true, and if moral responsibility entails causal freedom, then no person is morally responsible, and there is no justification for regarding normal human adults as more

morally responsible than nonliving things, nonhuman animals, the severely retarded or insane, addicts, or compulsives.

Accordingly, to preserve moral responsibility in the light of the challenge of determinism, some philosophers have argued that freedom is not necessary for moral responsibility. They interpret responsibility as mere accountability. By this they mean that to be morally responsible is to be the person causally responsible for a certain event, capable of explaining one's reasons for acting, and perhaps able and willing to accept approval for a good result and accept blame for or rectify an unwanted outcome. It is in this pragmatic sense that airlines are held responsible for damage to a passenger's luggage, and it is at this level that legal responsibility generally functions, without raising deep metaphysical issues about whether airline employees act freely in the sense of being causally undetermined.

#### **METAPHYSICS OF RESPONSIBLE ACTION**

There are two main types of theories of moral responsibility, which can be referred to as compatibilist and incompatibilist. Compatibilist theories of responsibility hold that responsibility is independent of the problem of freedom, or that responsibility is logically compatible with causal determinism, so that agents can be responsible in the pragmatic sense even if they are not free. Incompatibilist theories insist that whether agents are morally responsible logically depends on whether and in what sense they are free, and that responsibility is logically incompatible with causal determinism. Incompatibilism further divides into responsibilist and nonresponsibilist theories. Responsibilist incompatibilism is the position that responsibility is incompatible with determinism but that agents are responsible precisely because they are not causally determined. Nonresponsibilist incompatibilism is the view that responsibility is incompatible with determinism, but since agents are causally determined, they are not responsible. Nonresponsibilist incompatibilism implies that an agent's feeling of responsibility, sometimes manifested as pride, guilt, or stirrings of conscience, is illusory.

The distinction is reflected above in cases involving compatibilist responsibility, such as an airline's collective accountability for a passenger's luggage, and the incompatibilist judgment that if agents are not causally free in a deeper metaphysical sense, then

they are no more responsible for what they do than are nonhuman animals or even nonliving physical things. The advantage of compatibilism is that it assumes no burden of challenging the modern scientific world outlook according to which all natural phenomena are supposed to be reductively causally explainable by the laws of physics. Yet it preserves a pragmatic sense in which it is intelligible to hold normal human adults responsible, while morally excusing and excluding from responsibility nonhuman animals, the severely retarded or insane, and related commonsense and legally recognized exceptions.

The advantage of responsibilist incompatibilism, if it can be convincingly defended, is that it accords with traditional moral thinking about the dignity of mind and the difference between human beings and other natural systems, and especially with the conception that an agent in acting responsibly could have chosen to act differently. From the standpoint of responsibilist incompatibilism, compatibilism offers an intellectually unsatisfying diluted sense of responsibility that is insufficient to sustain moral judgment and justify the social mechanisms of praise and blame, reward and punishment. From a nonresponsibilist incompatibilist standpoint, such judgments and practices cannot be justified, because they are based on false assumptions about the freedom of action.

To resolve the metaphysics of freedom and responsibility requires an investigation of concepts in philosophical psychology or the philosophy of mind. The freedom of the will is accepted by substance dualist theories of mind, in which the mind or soul is said to be a spiritual substance distinct from the body's material substance. If the mind is immaterial, then it is causally free and undetermined by causal necessity. Unfortunately, substance dualism cannot satisfactorily explain causal interaction between body and mind. If mind and body are causally independent of each other, and if only the body is subject to causation, then the mind cannot be causally responsible, and hence cannot be morally responsible, for actions involving body movements. If, however, mind and body are identical, and if the body, like other purely physical systems, is subject to causal determinism, then so is the mind; therefore, the problem of the causal determinism of action remains on incompatibilist assumptions to threaten moral responsibility. The dilemma is that if the mind is part of the body's causal nexus, then it is causally deter-

mined and therefore not morally responsible for its actions; if the mind is not part of the body's causal nexus, then the mind is not causally responsible, and again therefore not morally responsible for its actions.

There is another theory of mind that allows both mind-body causal interaction and incompatibilist freedom of will and moral responsibility. Instead of regarding mind as a spiritual substance distinct from but somehow interacting with the body's physical substance, persons can be understood as physical substances with both physical and nonphysical aspects, or properties. This alternative to classical substance dualism is known as aspect, or property, dualism. If the mind is not an immaterial substance, then the problem of its causal interaction with the material body does not arise. If mental properties are irreducible to purely physical properties, then there is a sense in which persons are not merely physical entities. The nonphysical or physically irreducible properties of persons constitute an aspect of persons by virtue of which they do not fully fall under deterministic causal laws. The difference between the mind and ordinary purely physical systems postulated by this kind of theory permits minds to be causally undetermined in the contracausally free ethical decision making for which they are morally responsible.

#### **ACCEPTING RESPONSIBILITY**

There are social as well as metaphysical dimensions of the concept of responsibility. To be judged morally responsible for the consequences of an action, an agent must intend to act, intend that the action result in the consequences for which the agent is responsible, and be aware of or remember having done the action when held accountable for it. A shared sense of values in taking responsibility and holding others responsible is also presupposed. These factors impose additional intentional conditions on the concept of moral responsibility.

The importance of these additional conditions can be illustrated by a commonsense example. Suppose that an agent freely decides to turn on a light switch. The agent is responsible for the immediate action of turning on the light but not necessarily responsible for its further unforeseen consequences. If turning on the light enables a killer to see a victim in the room, then the agent's turning on the light may in some sense be causally responsible for the victim's murder.



If the agent has no knowledge that the killer is present or that the person in the room might be a target for murder, however, and has no acquired responsibility to act as the victim's guardian, then the correct judgment seems to be that the agent is at most partly causally responsible, but not morally responsible, for the victim's death. This condition can be formulated by saying that an agent must intend the consequences of an action in order to be morally responsible for it. The agent in the example intends to turn on the light and is, as far as moral considerations are relevant, morally responsible for doing so. The agent does not intend that the victim be killed, however, and therefore is not morally responsible for the fact that this occurs in part as a consequence of turning on the light. The killer intends to murder the victim and is morally responsible for that action, for which the light's being turned on merely affords an opportunity.

#### **AWARENESS OF CONSEQUENCES**

A related though more controversial condition is that the agent recognize or be aware of doing an action or of its effects at the time when held responsible for it. Persons who have committed what would otherwise be regarded as a moral offense are sometimes acquitted of responsibility by the consideration that they have no memory of having so acted. If an agent acts and then suffers amnesia permanently affecting memory of the action, it may be inappropriate to hold the person morally responsible thereafter, even if at the time the agent would have been rightly judged morally responsible. It seems pointless to praise, blame, reward, or punish persons for actions they have no memory of doing.

It may be equally pointless to hold persons morally responsible, in the sense of morally praising, blaming, rewarding, or punishing them, if they do not share at least some of the relevant values of those judging them. This is a normative condition that can be explained as the agent's intending to do an action in a certain way, as a morally good, bad, or indifferent act. The light switcher may intend to turn on the light as a morally indifferent act. The killer presumably intends to murder the victim as a morally wrong act.

If, however, the killer has values so different from those of the persons who judge the murder that the act is not intended to be something morally wrong, but instead something morally good or indifferent, and if there is no prospect of altering the killer's behavior or

values by moral censure or punishment, then, regardless of legal proceedings taken against the person for the safety of others, it may be inappropriate to regard the killer as morally responsible. A more realistic example concerns the incompatible attitudes of those persons who value the private possession of property and those who share all things in common. If members of two such opposite cultures meet and the sharers take and use a possessor's property, it is arguably unjustified to hold the sharers morally responsible for committing an act of theft. The fact that moral responsibility is seldom overridden by normative considerations testifies to prevailing agreement among human cultures at least about the most basic moral values. The normative element is nevertheless an important part of the complete philosophical analysis of the concept of moral responsibility.

#### **LIMITS OF RESPONSIBILITY**

If there are some things for which agents are morally responsible, there are still others for which they clearly are not responsible. Some existentialist philosophers maintain that each person is morally responsible for the state of the entire universe, including its past history and future.

The exact meaning of this extravagant thesis is obscure, but the claim seems to be that in accepting the fact that the universe exists, the individual participates in the fact of its existence in such a way as to comply with and constitute the universe as existent. The individual's acceptance is an intentional mental act, involving the person as agent in adopting a certain attitude toward the world. The consequence of the act is that the universe exists and would otherwise not exist for the individual who accepts the fact. If persons are morally responsible for the intended consequences of their acts, then an individual who accepts the existence of the universe becomes morally responsible for it.

The existentialist argument seems confused. Agents are morally responsible only for intended events for which they are causally responsible, provided that memory and normative conditions are also satisfied. Accepting the fact that the world exists does not make the agent causally responsible for its existence, and the agent certainly cannot be causally responsible and hence is not morally responsible for any part of the world's past history. Assuredly, no human agent correctly remembers having caused the

universe to exist. In the present analysis of moral responsibility, there is no sound basis for existential guilt, despair, and anxiety about the state of the world as the burden of one's personal responsibility. By the same token, no person can be morally responsible for what another does, except insofar as an agent acts as an instrument of another's will. This is not an exception to the analysis, but an application of the definition of moral responsibility by which a person is indirectly but still ultimately causally responsible for an event undertaken by another person acting as delegate.

*Dale Jacquette*

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SEE ALSO: Accountability; Bad faith; Conscience; Determinism and freedom; Dignity; Existentialism; Freedom and liberty; Future-oriented ethics; Intention; Moral responsibility; Social justice and responsibility.

## Resumés

DEFINITION: Written summaries, or inventories, of job-seekers' qualifications and experiences

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Accurate and honest resumés are valuable tools for job applicants; not only can they influence applicants' current and future employment, they also reflect the ethics and integrity of the applicants.

Ethical principles define behavior as good, right, and proper. An ethical person uses these principles when making personal and professional decisions. Making ethical decisions leads to self-esteem and respect from others. However, many obstacles can intrude on ethical decision making. One obstacle is self-interest,

by which every decision a person makes is based on a risk-reward calculation: Is one willing to do the right thing even when it is not in one's self-interest to do so?

Life is full of choices and an important aspect of choice is intent—why one engages in a particular action. The answer is that one's actions matter. Individuals are morally—and often legally—responsible for the outcomes of their decisions. Responsible people are in charge of their own choices and can be held accountable. One area in which ethical issues may arise is in the writing of a resumé. A resumé is a concise summary of a person's work history, education, skills, and experience. Because of its value to the employment process, accuracy and honesty are important features of a resumé. Accurate, honest and ethical resúmes can influence their writers at three moments: When they are written, during the job applicants' interviews, and after the applicants take up their new employment.

People tend to compartmentalize ethics into occupational and private categories, and when it comes to resúmes they often underestimate the cost of lying. Many people think that ethically questionable behaviors are justified when they see other people doing them, when no one appears to be hurt, or when the misbehavior seems to be trivial. However, since ethical decisions generate and sustain trust and demonstrate respect for societal rules, any ethical violation can have serious consequences. Thus, regardless of qualifications, many employers want to be sure they are hiring applicants whom they can trust.

There are many examples of people who have lost their jobs after it is discovered that they had lied about their experiences or are found to have presented false credentials. Examples include people who have gotten their degrees from diploma mills or who claim to have earned college degrees when, in fact, they have not. Other examples include people who fail to report criminal convictions or lie about their past employment records to cover gaps in their employment history.

Ethical decision making plays an important role in the development and use of resúmes. Employers spend time and money checking the accuracy of resúmes. Inaccuracies can lead not only to a loss of trust but also to an applicant's loss of employment.

*Janice G. Rienert*

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SEE ALSO: Cheating; College applications; Drug testing; Hiring practices; Honesty; Identity theft; Lying; Merit; Self-interest; Self-respect.

## Retirement funds

**DEFINITION:** Savings that individuals invest in stock markets and other places in the expectation that their investments will steadily grow and provide them with secure income after they retire from working

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** When working people invest funds for their retirement, they understand the risks but also expect to be treated fairly and count on government agencies to regulate the ethical practices of the security firms in which they place their investments.

Until the Great Depression of the 1930's, American security firms regulated themselves, and the result was that influential investors received preferential treatment and had access to information not made available to the general public. However, after the collapse of the New York Stock Exchange in 1929, it became painfully clear to the public that the stock market was effectively rigged to favor certain investors over others. Those who had inside information about the impending collapse of stock values sold their shares before the crash occurred, while average investors lost their investments. Although investors lost much of their faith in the stock market, President Herbert Hoover was philosophically opposed to government regulation of security markets. Things changed, however, after Franklin D. Roosevelt's inauguration in March, 1933.

Roosevelt realized that the federal government needed to regulate the stock market in order to save capitalism by restoring public trust in the market. During his first two terms, he signed three important bills that imposed ethical values on the security industry and created a Securities and Exchange Commission (SEC) with the power to regulate the security industry and to punish violators with fines and jail terms. These laws were the Securities Act of 1933, the Securities Exchange Act of 1934, and the Investment Company Act of 1940. Among other things the new laws made fraudulent financial reports, insider trading, unequal treatment of investors, and deceptive selling techniques federal crimes. The SEC also created the National Association of Security Dealers (NASD) to regulate securities representatives.

### **RESPONSIBILITIES OF SECURITIES REPRESENTATIVES**

Candidates for certification as securities representatives must pass a qualifying examination that tests their understanding of what a representative can and cannot do. About one-quarter of the examination deals with ethical issues. For example, when securities representatives advise investors, they must propose stocks, bonds, or mutual funds that are appropriate to the specific investors' needs. For investors who are opposed to risks or who are elderly, appropriate investments might be government bonds or conservative bond funds.

By contrast, significantly younger investors who are willing to accept higher risks in the hope of reaping high returns in the future might be directed toward such riskier investments as growth or international mutual funds, junk bonds, or stocks in unproven new companies. In all presentations to their clients, securities representatives must make appropriate recommendations and repeatedly remind investors that investments in stock markets are not guaranteed and that they might even lose their principal.

### **MANAGING RETIREMENT FUNDS**

Investment companies and security companies must also behave in an ethical manner in managing retirement funds. Many investors choose to invest in mutual funds and not in individual stocks because they wish to spread out risks over the many different companies in which individual mutual funds invest their members' money. The federal Investment Com-

pany Act of 1940 requires that mutual funds establish the values of their shares right every day, immediately after the closing of stock markets. This regulation was designed to prevent insider trading and to make sure that all investors receive equal treatment.

Mutual fund managers must also adhere to the philosophies announced in their prospectuses. For example, a mutual fund that states that its intention is to invest 70 percent of its funds in blue-chip American companies and 30 percent in government guaranteed bonds cannot suddenly decide to invest its funds in foreign companies or in junk bonds. If managers of such funds do not respect their announced approaches, the SEC can bring criminal charges against them, and investors can sue such managers for losses caused by investments that contradict the announced goals and philosophies of a specific fund.

These ethical and legal protections are important because they give investors legal rights and remedies. A scandal that became public in 2003 illustrates the importance of such protection. Managers of several mutual funds, including the Putnam and Strong funds, made illegal trades after the 4:00 P.M. closing time of the New York Stock Exchange that gave them profits that were not shared by other investors. Not only were these managers and their investment companies forced to pay large fines to state and federal regulators, but individual investors in the funds also had the legal right to sue the mutual fund companies and their managers for real losses and punitive damages.

Some investors oppose investments of their retirement funds in industries that may conflict with their ethical beliefs. Many people, for example, do not want their money used to support the production and sale of alcoholic or tobacco products because of their opposition to tobacco and alcohol for personal or religious reasons. Many investment companies offer such mutual funds, which are often called "social choice" funds, that do not invest any funds in tobacco or alcohol companies. In this way, investors can be sure that their retirement funds are not being used to promote activities that are incompatible with their ethical beliefs.

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SEE ALSO: Ageism; Gray Panthers; Income distribution; Insider trading; Profit taking.

## Revelation

**DEFINITION:** Communication or disclosure of absolute truth to humans by a divine being

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** If instances of divine revelation have in fact occurred, they establish the existence of God and of an objective moral law. They do not, however, guarantee that God's law is known or knowable on Earth, because it may not be possible for the human mind to encompass or comprehend divine truth.

While the earliest reflections on the nature of ethical conduct were rooted in religion, the philosophical treatment of ethics has led many people to assume the autonomy of ethics. This is the idea that ethics is not in any way dependent on revelation. Thus, a wedge has been driven between moral philosophy and theological or revealed ethics. There are, however, interesting and persistent questions about a possible relationship between the two.

Since revelation means, at the highest level of generality, divine disclosure, questions about the relationship between revelation and ethics are part of a larger network of more general questions about the relationship between God and morality. Those questions that focus expressly on the significance of revelation for the moral life arise for any religious tradition that holds that God has revealed himself in some way that bears upon the human moral situation, but revelation may be understood in different ways.

## THE MEANING OF REVELATION

First, revelation may take the form of general information about divine reality gleaned from the pattern of the natural world order created by God. Here, divine truth is disclosed indirectly through the effects of divine activity—especially the activity of creation. This is often called “general revelation.” Some philosophers, such as Thomas Aquinas, have argued that general revelation is an ample source of knowledge about the foundations, principles, and sanctions of ethics. This view is known as the natural law tradition in ethics.

Second, revelation may refer to an intersubjective encounter between God and humanity that is entirely lacking in the overt transmission of any truths. The propositional content of what may be called “personal revelation” is at most implicit in the divine-human encounter. The possibility of basing ethics on revelation depends on what is concretely implied by the character of one's religious experience. It would be difficult to justify the universalizability of moral principles derived in this fashion since religious experience is in principle a very private matter.

Third, revelation may be understood as the direct divine disclosure to humans of truths in propositional form. The great “revealed religions”—Judaism, Christianity, and Islam—hold that their respective scriptures are a deposit of divine revelation. Theologians have called this sense of divine revelation “special revelation” to distinguish it from general revelation. It is special revelation that is usually in view in discussions about the relationship between revelation and ethics.

## ETHICS AND REVELATION

There are at least three views about the general relationship between revelation and ethics. First is the view that a system of ethics must be based on (special) revelation. This claim is defended by a developed account of the implications of divine sovereignty and of human sinfulness and by the attempt to refute all secular systems of ethics. The sovereignty of God implies that the content of morality is determined by the will of God. Moreover, human depravity involves rebellion against the will of God, resulting in a failure even to know the will of God. Finally, all secular theories of ethics provide empirical evidence of the corruption of human thought about ethics.



A second approach affirms the complete, or nearly complete, autonomy of ethics. Goodness cannot be determined by the will of God, for it can be meaningfully asked: Is the will of God itself good? Those who define goodness in terms of God's will are no better off than those who define goodness in terms of some natural property such as pleasure. To define goodness, which is an irreducible property, in terms of something else is always a mistake.

The suggestion that ethics is autonomous must be qualified, for, as British philosopher G. E. Moore observed, one's metaphysics will have a bearing upon the practical question "What ought I to do?" "If, for example, Metaphysics could tell us not only that we are immortal, but also, in any degree, what effects our actions in this life will have upon our condition in a future one, such information will have an undoubted bearing upon the question what we ought to do. The Christian doctrines of heaven and hell are in this way highly relevant to practical Ethics." Since revelation might provide the sort of metaphysics that Moore refers to here, one cannot strictly rule out the bearing of revelation upon ethics, even if goodness is a non-natural and unanalyzable property.

In any case, there is an important difference between that which makes an action right or wrong and the way in which one is to know that the action is right or wrong. One is an ontological problem; the other is an epistemological question. Even if the moral quality of an action is not ontologically determined by the will of God, God, if he is omniscient and wills the goodness of humans, may elect to reveal the nature and content of that morality which does not strictly depend upon his will.

According to the third view, ethics enjoys a limited range of autonomy from special revelation, though ethics is supplemented or completed by special revelation. Natural law theories are typical examples of this approach. To be sure, they envision a link between revelation and all correct ethical thinking, but much of the content of a true ethical system can be known without the aid of special revelation, since general revelation is also an important source of moral knowledge.

### THREE ADDITIONAL QUESTIONS

Does moral experience establish a need for revelation? Background knowledge about the existence and nature of God, together with an awareness that

humans are faced with a complex set of moral difficulties, may be thought to justify the expectation of some further revelation from God that would address the moral needs and concerns of the human community.

This raises a second question: Is God a member of the moral community? If God exists, then it is quite possible that God himself is a member of the moral community, and that human persons have moral obligations toward God as well as toward other humans. It may even be that God has moral responsibilities toward humans about which it would be useful for humans to know. Suppose, for example, that God should make a promise to act in a certain way on behalf of humans and thus obligate himself to them. How should humans know of his promise apart from revelation, and what would be the force of a promise of which humans were not aware? Suppose, further, that the promise takes effect only if humans act in a particular way. In that case, the conditions must be revealed as well.

Finally, it needs to be asked, What effect might revelation have upon moral theory? If it turns out that there is a good argument for the need for revelation given the quality of human moral experience, then people can expect that any revelation answering this need will deeply inform, perhaps even overturn, much of human moral theory. The supposition of a revelation that addresses human moral experience implies that morality may be deeply affected by revelation.

H. Richard Niebuhr has noted four changes to the moral law caused by divine revelation: the prescriptive force of the moral law is discovered to be absolute in that humans are revealed to be beholden to the sovereign of the universe; the application of the moral law is discovered to be wider ranging than any secular ethics and timelessly in force; the moral law is discovered to be unexceptionable, providing an external corrective to any corruptible human system of morality; and the eventual transformation of human persons into freely loving agents is discovered to be a real possibility.

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SEE ALSO: Christian ethics; Divine command theory; Epistemological ethics; Ethical monotheism; God; Jewish ethics; Moore, G. E.; Muhammad; Naturalistic fallacy; Religion; Ten Commandments.

## Revenge

**DEFINITION:** Response in kind for a wrong done to oneself; punishment inflicted in retaliation for an offense

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Many moral codes, including Jewish and Christian ethics, consider revenge to be wrong. Social philosophers have questioned whether systems of criminal justice are genuinely interested in rehabilitation and deterrence, or whether they are actually state-sanctioned systems of revenge in disguise.

Pietro Marongiu and Graeme Newman proclaim in *Vengeance* (1987) that “Vengeance has the power of an instinct. The ‘lust for vengeance,’ the ‘thirst for revenge’ are so powerful that they rival all other hu-

man needs.” Revenge is a form of the universal motive of aggression in which reciprocity is sought to avenge injuries to oneself or to restore a sense of equality.

Revenge is often considered to be neurotic, aberrant behavior. In the words of the psychoanalyst Karen Horney, “Every vindictiveness damages the core of the whole being,” implying resentment, spite, malice, or righteousness. Revenge is the basest of human motives. At the other end of the continuum stands forgiveness, the act of pardoning another person for any unpleasant or hostile behavior committed against oneself. In contrast to revenge, forgiveness is good and represents the noblest manifestation of human nature.

### THE FUNCTION OF REVENGE

The dichotomy between revenge and forgiveness obscures certain facts about the place of revenge in the human psyche, according to Susan Jacoby (*Wild Justice*, 1983). If revenge is a universal human need, then to forgive requires conscious suppression of the need to make others suffer as one has suffered. Humanity’s long history is characterized by injury being inflicted on and sustained by others. That humanity seems to prefer revenge to forgiveness gives revenge a certain importance.

In fact, both Jacoby and Marongiu and Newman argue that revenge is not abnormal or aberrant behavior but a legitimate human need. Underlying this legitimacy is, as Jacoby says, “the profound sense of moral equilibrium impelling us to demand that people pay for the harm they have done to others.” Revenge serves both moral and utilitarian roles. It is an example to society and a means of dealing with an offender. By making an example of an offender through revenge, society demonstrates to its members that certain behaviors are serious violations of the social order, are morally repugnant, and will produce unpleasant consequences for the perpetrator. Thus, revenge has deterrent, exemplary (it shows the public that society’s well-being is being addressed), and moral aspects. In 1976, the U.S. Supreme Court legitimized the death penalty by proclaiming that revenge was an acceptable legal objective. That capital punishment was appropriate under certain circumstances reflected society’s belief that some crimes are so terrible that the only adequate penalty for them is death.

### THE DOCTRINES OF POLLUTION AND PROPORTIONALITY

The use of the term “revenge” may produce a disquieting sense of unease and discomfort. “Revenge” seems to be pejorative. If the words “justice,” “restitution,” “punishment,” or “retribution” are substituted for revenge, however, the pejorative connotation disappears. Looked at in this way, the issue is not whether revenge is aberrant or evil behavior, but the establishment of a just and proper relationship between the nature of the act and the severity of the revenge. Finding such a relationship has been an ongoing matter of concern in literature, religion, and law since antiquity.

The two key concepts in striking this appropriate balance are the doctrines of pollution and proportionality. In ancient times, revenge was carried out as an individual vendetta or at the tribal level. The religious and political doctrine of pollution that developed among the ancient Greeks and Hebrews viewed certain acts, such as murder, as offenses against the whole society. This doctrine was an important point of transition between tribalism and written law. By means of this doctrine, the primacy of the state and of its gods and laws over the individual and tribe in enforcing punishment for acts of pollution was established.

The doctrine of proportionality states that the revenge extracted for an act of pollution shall be neither excessive nor trivial but shall match or be proportional to the seriousness of the act. This statement establishes a distinction between constructive revenge and destructive revenge. Limits are placed on the imposition of extreme forms of legalized revenge for lesser transgressions by forbidding penalties greater than the original crime and making the punishment fit the crime. “If men strive, and hurt a woman with child, so that her fruit depart from her . . . and he shall pay as the judges determine . . . thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe” (Exodus 21:22-25).

### REVENGE AS A QUANDARY AND A DILEMMA

The doctrines of pollution and proportionality establish that certain acts shall be met by revenge meted out by the state and that this revenge shall be proportional to the offending act. Pollution is relatively straightforward in that there will be a relatively high

level of agreement among people regarding what acts pollute. Proportionality is often very difficult to determine, however, as is indicated by the wide variation in prison sentences handed out for the same crime in different states and the controversy surrounding the issue of capital punishment. Thus, the pollution aspect can be viewed as a quandary (a question for which no single undisputed answer or consensus can be attained), but the proportionality aspect is often a dilemma (in which more than one ethical position is possible). Since revenge seems to be inherent in the human condition, these issues will have to be faced continually.

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SEE ALSO: Criminal punishment; Forgiveness; Justice; Mercy; Reconciliation; Violence.

## Reverse racism

DEFINITION: Racial prejudice directed by a minority group that lacks institutional power toward the racial or ethnic majority; or, pejorative term for institutionally sanctioned racial preference systems, such as affirmative action, designed to counteract the effects of racism

TYPE OF ETHICS: Race and ethnicity

**SIGNIFICANCE:** Reverse racism is often used as a term of disapprobation for a politically controversial set of practices, including affirmative action and consideration of race in college admissions. Debate continues over whether such practices are just or unjust.

Reverse racism is a term for government-supported programs designed to remedy past injustices caused by racial discrimination. It is a term employed only by people who disagree with such programs. Remedies such as hiring quotas and affirmative action favor one race at the expense of another to make up for privileges that the second race has traditionally enjoyed at the expense of the first. In the simplest terms, such policies have been questioned on the basis of whether two wrongs can make a right. The term “reverse racism” has also been used to attack racial consciousness-raising methods among minority groups that use the denigration of the majority racial group as a means of attaining intraracial solidarity. These methods are practiced by minority political and religious figures such as the Nation of Islam’s Louis Farrakhan and academics such as Leonard Jeffries, head of the African American Studies Department of City College of New York, who has told his classes that the lack of melanin in the skin of whites has rendered them inferior to blacks.

*William L. Howard*  
*Updated by the editors*

SEE ALSO: Affirmative action; Political correctness; Racism.

## Revolution

**DEFINITION:** Overthrow of an existing ruler or political system and replacement with a new ruler or political system, accomplished by or in accordance with the will of the governed

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The term “revolution” carries a strong connotation of a popular or majority movement. The sudden and violent overthrow of a government by a minority, or of one ruler by another, is usually referred to as a *coup d’état*. Unlike a coup, revolutions usually involve the transformation of

the entire social order and of the society’s central values.

During the late twentieth and early twenty-first centuries, the term “revolution” was invoked so frequently as to lose its currency. The word has come to be used to describe dramatic changes in virtually any area of human activity. Thus, one may read about a “revolution” in fashion, a “sexual revolution,” a “women’s revolution,” or a “revolution” in the arts. While revolution in its traditional sense may involve change in any or all of these activities, it is a term whose classical application is properly limited to a few events of enormous political and social magnitude. It is not to be confused with a rebellion, a revolt, or a *coup d’état*, in which only political power is transferred from one group to another. While it includes a shift in political power, its transforming effects are not limited to politics. They involve rapid and enduring social, cultural, and economic change as well as political change.

In its original sense, the word “revolution” had nothing to do with politics or with violent or rapid social and political change. Rather, the word was part of the scientific vocabulary and meant to return to a proper, prescribed course. Therefore, for example, in 1543, a posthumously published book by the Polish astronomer Nicholas Copernicus was titled *The Revolutions of the Celestial Spheres*. Copernicus was using the word “revolution” in its accepted sense—something proceeding according to a proper, prescribed course. The planets, he contended, proceeded according to such a course around the sun. Revolution, then, meant literally revolving. In retrospect, Copernicus’s book was revolutionary in a more modern sense—it transformed the human view of the world by postulating a theory of a heliocentric universe in place of the geocentric universe that was dominant until that time.

The association of the term “revolution” with the political events of the seventeenth century began to transform the term’s meaning. Even then, the word continued to retain its earlier meaning of persisting in a prescribed course or returning to a designated course from which there had been a departure. The events of 1688-1689 in England provide an example of this usage. They were called the Glorious, or Bloodless, Revolution, by which was meant that, after the improper actions of King Charles II and



James II, England returned to its proper, designated course with the replacement of King James II by William and Mary.

In this sense, revolution was political but conservative; that is, the revolutionaries were restoring things, returning them to a proper course. The American Revolution was also sometimes justified in this way. Americans thought that they were deprived first of the “rights of Englishmen”—then of the “rights of man.” They were restoring something that they claimed they already had but that King George III had allegedly taken from them. Insofar as war for American independence was not accompanied by a radical social transformation, some historians argue that it was not a revolution in the classic sense.

### THE FRENCH REVOLUTION

The French Revolution, which began in 1789, became the model for revolution, not only for historians but also for later revolutionaries of the nineteenth and twentieth centuries. They would try to emulate the French Revolution. Even the Chinese, who began

their revolution in the second decade of the twentieth century, thought first in terms of the French example, and the French Revolution was only later displaced by the model of the Russian, or Bolshevik, Revolution of 1917.

The French Revolution, even in its early stages, was characterized by Edmund Burke, its harsh critic, as a social revolution, “a revolution in sentiments, manners and moral opinions.” It challenged and overturned the values of society. What was most appalling to Burke was that the French Revolution rejected the past. The French Revolutionary generation rather quickly adopted the phrase “old régime” to designate the society that it was rejecting. The revolutionaries were sweeping away the old order of privilege and inequality and were replacing it with something new and, presumably, better. The best example of this repudiation of the past was the attempted institution, however unsuccessful, of a new calendar. The French Revolutionaries established the year 1 to be dated from the beginning of the Republic in 1792. History was starting over. Religion and the Church



*Bolshevik soldiers during the Russian Revolution. (Library of Congress)*



were repudiated. The social order of the old society was abolished. Even established fashion changed, as with the *sans culottes* (those who wore no britches), who repudiated the dress that was associated with the corrupt aristocracy.

### REPUDIATING THE PAST

The extent to which the past is repudiated may differ with different revolutions, but it is not only the political order that is transformed. Along with their repudiation of the past, revolutionaries need a vision of a future, however vague. They must be convinced that they are building a better world. The vision of the future may be drawn from the writings of a generation of social critics, as the French Revolutionaries drew upon the *philosophes* of the eighteenth century, or from a more systematic theory of society, such as that of Karl Marx and Vladimir Lenin, whose work influenced the Bolshevik revolutionaries in Russia in 1917. Although they are influenced by theories developed in the past, revolutions are future oriented, insofar as they are ordinarily conceived as inaugurating a period of enduring progress, equality, and justice.

In this connection, revolution is related to the humanism of the Western tradition, since revolutionaries assume that humankind can improve the human condition. This optimism and fervor are evident in the sense of passion and zeal that is displayed by revolutionaries and even those nonparticipant contemporaries who are transported by the intensity of their times. So, for example, William Wordsworth could write of 1789, "Bliss was it in that dawn to be alive/ But to be young was very heaven."

Revolutionaries have often been aware of the importance of their own times and instilled with a sense of the righteousness of their actions. Accordingly, their deeds are often accompanied by eloquent justifications, such as the American Declaration of Independence or the French Declaration of the Rights of Man and the Citizen.

Revolution has been a modern phenomenon, insofar as it requires an organized state against which to rebel. While it was also a Western phenomenon, it has in the twentieth century been transported to other areas of the world, such as China. Given their dimensions and their transforming effects, revolutions are relatively rare. Many historians would include the English Revolution of the 1640's along with the American and French Revolutions in the following

### Time Line of Major World Revolutions

1688	England
1776	United States
1789	France
1804	Haiti
1848	Europe
1910	Mexico
1917	Russia
1949	China
1959	Cuba
1979	Iran

century among the few pre-twentieth century revolutions. In the twentieth century, after the Russian Revolution, the upheavals in China and Cuba qualify as revolutions given the magnitude of the social changes that they generated. The Iranian Revolution appears to be unique in that it was not future oriented. It rejected the immediate past, which had been influenced and supposedly corrupted by the West, in order to return to a more purified condition that ostensibly obtained before Western influence was exerted.

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SEE ALSO: Anarchy; Burke, Edmund; Civil disobedience; Class struggle; Communism; Declaration of Independence; Marxism; Political liberty; Social contract theory; Socialism.

## Right and wrong

**DEFINITION:** Right: in accordance with the ethical values of justice and goodness—moral; wrong: violating or transgressing those values—immoral

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Perhaps the oldest and most central of all ethical questions is how best to determine the difference between right and wrong.

Since the days of the ancient Greek philosophers Socrates, Plato, and Aristotle, thinkers have searched for a way to distinguish between right and wrong. One twentieth century thinker who adopted and further developed the Aristotelian position was William D. Ross. He made the case for intuitionism, arguing that the moral convictions of well-educated, reasonable, and thoughtful people were the data of ethics, just as sense perceptions are the data of the sciences. He rejected both ethical subjectivism and utilitarianism, arguing instead that duty was the key to ethics. For Ross, right and good had distinct objective qualities. The former had to do with acts, while the latter had to do with motives.

Another modern philosopher who accepted Ross's argument was James Rachels, who added that morality—the attempt to discern right from wrong, good from bad—must be guided by reason. One should do whatever one has the best reasons for doing while keeping in mind the worth and interests of all those people who will be affected by one's actions. When considering a course of action, the conscientious moral individual will analyze the possible choices, measuring the implications of certain choices. After

such deliberation, the moral individual will take the best possible course of action. Not all thinkers, however, agree with the above appeal to reason.

### THE PROBLEM OF ETHICAL SUBJECTIVISM

Scholars such as Ross and Rachels refused to accept subjectivism, which holds that everything is relative. To a subjectivist, nothing is right or wrong. Rather, moral judgments about good and bad and right and wrong are simply personal opinions based on an individual's "feelings" and nothing more. Even "truth" to an individual is truth according to "feelings." Thus, subjectivists reject the role of reason in making moral judgments. Furthermore, cultural subjectivism or relativism addresses a similar point, arguing that morals and values vary from culture to culture. Thus, there is no one standard of right and wrong. Regarding both ethical and cultural subjectivism, Ross and Rachels responded that reason and reasons are central, for truths in morals are truths of reason; that is, moral judgments that are correct must be backed by better reasons than an alternative judgment. Subjectivists are right that feelings and opinions are important to an individual, but to consider only those factors in making judgments is, in effect, to opt out of moral thinking, for moral thinking must weigh the reasons for and consequences of potential actions.

### RIGHT, WRONG, AND RELIGION

In the United States, most laypersons would list ministers, priests, and rabbis if they were asked to name moral "experts." Unfortunately, such laypersons regard morality and religion as inseparable when, in fact, religious leaders appear to be no better and no worse judges than are people in other "walks" of life. Nevertheless, many people embrace what some theologians call the divine command theory, which holds that what is morally right is commanded by God and what is wrong is condemned and forbidden by God. A positive result of such a view is that it immediately solves the problem of subjectivism.

Atheists and agnostics reject the divine command argument. Even the noted Christian Thomas Aquinas rejected it. One reason why philosophers object to the theory is that it poses an unsolvable dilemma, for the following question must be asked: Is conduct right because God commands it or does God command it because it is right? To answer the question, one might take the example of truthfulness. The He-

brew God commands it in the book of Exodus; therefore, people should be truthful because God orders them to be so. It is God's command that makes telling the truth necessary, and without such a command, truth would be neither right nor wrong, neither good nor bad. This view makes God's commands seem arbitrary, meaning that God could have given another command (to lie, for example) that would then have been right. Such logic reduces the goodness of God to unintelligible nonsense, for believers think that in addition to being all-knowing and all-powerful, God is also all-good.

A second analysis of the divine command theory takes another path. God commands truthfulness, other virtues, and right action simply because they are right. Thus, he commands people not to lie, not to kill, not to steal, and so on because such actions are simply wrong, while their opposites are simply right. This view avoids the dilemma mentioned in the above paragraph. The goodness of God is maintained. Upon reflection, however, one sees that this second view abandons the theological definitions of right and wrong, for it is saying that there are standards of right conduct and right thinking that are independent of God and that rightness existed prior to God's affirmation of it.

Because of the above contradictions, most theologians do not stress the divine command theory. Instead, they embrace the theory of natural law, which holds that reason determines moral judgments of right and wrong. Were the natural law theory to end there, modern philosophers such as Ross and Rachels could likely accept the position. Theologians explain, however, that God is still involved, for he is a perfectly rational entity. He created a rational order in the universe and gave humans the power to be rational and to use powers of reason. Thus, in this view, moral questions of right and wrong still depend on God.

The natural law theory seems to hold up well in minor matters but appears to falter whenever moral dilemmas emerge. Since the 1970's, for example, an ongoing struggle has been waged on the issue of abortion. Good, sincere, reasoning people have disagreed on the subject. Many religious people are on opposite sides of the issue. Whither the natural law theory? It does not provide the answer. A further criticism includes the fact that if God gave humans the power to reason, he obviously did not give all people

equal reasoning skills. Simple observation demonstrates that not all people are equal when it comes to intelligence, skills, and so on.

### PSYCHOLOGICAL AND ETHICAL EGOISM

Any "system" of morality discerns rights and wrongs and also asks people to behave unselfishly. Before one acts, one must consider the consequences. Will anyone be hurt by the course of action? Unless one can answer no, a proposed action should be forestalled. Psychological egoism attacks the just-stated point. Once widely held by philosophers, psychologists, and others, the theory of human nature holds that, indeed, people will act selfishly as they pursue their own self-interest. Furthermore, the theory holds that it is unreasonable to expect people to act otherwise, for pure altruism has never existed except in myth.

Psychological egoism leads to a reinterpretation of motives for being right and good. For example, if a wealthy man or woman donates much time and money to charitable work that benefits hundreds or thousands of people, that person is really only showing his or her superiority, for he or she is publicly demonstrating how successful he or she is. The unspoken statement is this: "Look at me. Not only can I

### Egoism of Abraham Lincoln

According to legend, even Abraham Lincoln was a psychological egoist. Once, while riding a stagecoach, he remarked to a fellow passenger that he thought most men were motivated by selfishness. Just as the other passenger was collecting his thoughts to rebut Lincoln's statement, the coach passed over a bridge and the two men heard a sow below the bridge making horrible noises. Her piglets were mired in water and mud and were threatened with drowning. Lincoln called out to the driver to stop, then got out of the coach, ran down below the bridge, and pulled the young pigs to safety on a dry bank. As Lincoln climbed back into the coach, the other passenger asked him what had happened to the selfishness. Abe supposedly replied that had he not saved the pigs, he would have worried about it for days, so he had actually acted out of self-interest.

take adequate care of myself, but I have much left over and will share with those who are failures and who are therefore inferior to me.”

Perhaps another person, John Doe, also gives money to charity. His motive is likely selfish, for his religion teaches him that he will be rewarded in Heaven, and John is trying to buy his way in. Or, again, a hero saves several families from a burning apartment complex. Had it not been for her valor, all would have perished in a most horrible way. While the mayor gives the hero the key to the city, a psychological egoist points out that the hero acted not out of concern for the innocent families but to gain public acclaim.

It is actually the unselfish person who derives great satisfaction from helping others, whereas the truly selfish person does not. If one wishes for others to be happy (or fed, or given health care, or given a job, or saved from a burning building) and acts on that thought, then one is indeed unselfish and altruistic. Psychological egoism is only the act of reinterpreting “right” motives to make them seem “wrong,” while straining the English language and the meaning of its words.

A close cousin of psychological egoism, ethical egoism says that there is only one principle of conduct: self-interest. All questions of morality, of right and wrong, of good and bad must be subordinate to that principle. Occasionally, however, it might be that one cooperates with others, keeps promises, completes duties, and so on because one’s self-interest might be compatible with the self-interest of others. Furthermore, ethical egoism also sees a boundary between self-interest and self-indulgence. Indulgence might lead to a life of drug use, drinking, gambling, and so on; ethical egoists would frown on all such lifestyles, arguing that such vices are definitely not in a person’s true self-interest.

Ayn Rand was one thinker who embraced a form of ethical egoism. She argued that striving for one’s own self-interest is the only way one can make one’s life valuable. True altruism, she argued, would lead one to see that one’s own life was nothing but a “thing” to be sacrificed for the sake of doing good deeds for others. Altruism, she concluded, does not “teach” one how to live one’s life, only how to sacrifice it. Although Rand was not a trained philosopher, her ideas, which were most popular during the 1960’s and 1970’s, still have some force.

Among the problems of Rand’s view is the problem of extremism. In her writings, she pushed ideas to their absolute extremes. To her, altruism implied that one’s life had no value at all because one had to sacrifice everything upon any demand made by others; for example, when considering the starving poor, one would give all one’s food and all one’s money to those unfortunates and would then, of course, become one of them. Altruism does not necessarily push one to that extreme. One can help others within reason. Additionally, ethical egoism cannot be correct, for it cannot provide true solutions to the many different people whose self-interests are in conflict. In real conflicts, all cannot “win” unless moral rules are adopted, which Rand condemned.

#### UTILITARIANISM AND THE SOCIAL CONTRACT

Utilitarians in the mold of David Hume, Jeremy Bentham, and John Stuart Mill hold that one should follow the course that brings the greatest good to the greatest number; in other words, one should follow a course that will create happiness for the greatest number. The problem? Utilitarianism can soon lead to hedonism, a philosophy that accepts no moral rules whatsoever. Whatever feels good and makes one happy is all that counts.

With extreme utilitarianism, all moral rights and rules are tossed aside. Consider, for example, the case of Mr. X, who lives in a small town where everyone knows everyone else. All other adults in town hate Mr. X because he is always dirty, never takes a bath, and shows up for all occasions in tattered clothes; worse, there is always alcohol on his breath. What an awful example he is to the youngsters in the community, especially since the children love him, for he always has time to stop and tell them stories about elves, fairies, and leprechauns. One morning the police find Mr. X shot to death. A strict, no-exceptions utilitarian would conclude that the murder of X was right, for it brought happiness to the adults of the community and it saved the children from the influence of a degenerate. In this way, extreme utilitarianism can be used to condone murder.

Those who believe that they can find rules for right-wrong, good-bad in the social contract may be close to the mark in developing a moral ethical society. They hold that people are naturally social and want to live among their kind for mutual benefits such as group protection from danger, companion-

ship, a more interesting social and cultural life, and so on. When people enter the social contract, however, they agree that certain moral rules are necessary if the group is to survive and flourish. Personal violence and murder are not permitted, nor are untruthfulness, theft, child abuse, adultery, and so on. Those vices are not permitted because they would tear the group-society asunder.

### IMMANUEL KANT

Aspects of Kant's philosophy can, in a manner of speaking, be used to buttress the argument for the social contract theory of right and wrong. His categorical imperatives remain potent in this modern age. His imperatives are not relative and are unchanging over time. He held that people should say and do things that could be accepted as "universal" laws that could be followed by all people, everywhere. Thus, is it right or good to steal the goods of others? No, for society would revert to violent chaos if all stole from all. Can one be a habitually violent person, perhaps even a murderer? No, for if everyone behaved in that way, the war of one against all and all against all would commence as society collapsed. One should not lie because that would be an announcement that universal lying was permissible. Yet such behavior would be self-defeating, for if all people lied, no one would ever believe anyone again, including the first liar who started it all. Modern philosophers will not press Kant's views to the extreme, however, for they hold that exceptional circumstances may, if only rarely, mitigate any of his imperatives.

### CONCLUSIONS

There are many approaches to finding an answer to the question of moral right-wrong, good-bad, and several are complementary. Modern philosophers such as Ross and Rachels stress that ethics is a product of reason, not merely of feelings or opinions. Certainly, they are correct. Many voices call for less selfishness, holding that one must also think of others and their welfare if they will be affected by an action. Concern for others, then, is desired. Certainly, this, too, is correct. The utilitarian's belief in the greatest good for the greatest number can also be a guide, but one with limits—limits that must include concern for duty and justice. Equally, the social contract's view of moral rules for civilized living, rules that can hold a society together, are also valid. Finally, all of Kant's

categorical imperatives (with room for exceptions) could be interwoven with the ideas of reason, good, and the social contract to add more strength to the doctrine of right and wrong. Rejected then would be relativism of any kind, egoism in any form, and reliance on God, for God's true commands are unknowable.

James Smallwood

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SEE ALSO: Dilemmas, moral; Evil; Integrity; Morality; Sin; Virtue.

## Right to die

**DEFINITION:** Just or legitimate claim to be allowed to die rather than submit to necessary medical treatment

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Claims that terminally ill persons have a right to die are founded upon the notion of human dignity. Proponents claim that forcing someone to stay alive and to continue suffering against their will violates their dignity, whereas allowing them to die restores or preserves it. Opponents may assert that suicide, even passive suicide, is an absolute moral wrong, or they may point out that extremely ill people are often not in their right minds and may not be competent to make such a difficult and irrevocable decision.

“Right to Die” was the title of a debate in the journal *Forum* on legalizing euthanasia. Later, the term was used to refer solely to voluntary euthanasia. Viewed narrowly, the right to die is merely the application of autonomy-based legal principles of self-determina-

tion and informed consent developed in the nineteenth century: If treatment cannot be given without consent, even for the individual’s own good, then the individual must have a right to refuse treatment. During the 1970’s and 1980’s, the right to die was used in this sense, as a synonym for voluntary passive euthanasia.

### HISTORY

After World War II, several factors led to the recognition of the right to die. Medical advances and social prosperity reduced sudden deaths, resulting in a growing population of older people, greater incidence of senility, and greater incidence of death from degenerative diseases. Meanwhile, health care costs soared and smaller, more dispersed families led to increased institutionalization of older people. By means of respirators and other forms of technology, life could be continued indefinitely despite failing organs. Although the number of patients in “a limbo between life and death” had increased, these issues remained private as physicians discontinued treatment or withheld resuscitation for some hopelessly ill patients. With the advent of transplants, however, particularly heart transplants, the established definition of death became inadequate. Public debate began with a Harvard committee’s 1968 recommendation that brain death be included in the “definition” of death. Meanwhile, civil and human rights movements emphasizing self-determination, bodily integrity, and individual empowerment were reflected in a movement away from “mercy killing” to a focus on voluntary euthanasia.

Then, in 1975, the case of Karen Ann Quinlan galvanized the public consciousness in the battle for end-of-life decision-making control. The family sued to have Karen, who was in a persistent vegetative state (a coma with minimal brain function and no anticipated recovery of consciousness), removed from a respirator. The New Jersey Supreme Court held in 1976 that under the Constitution, acceptance or refusal of any treatment was to be made by the patient, or in the case of incompetency, by her guardians in accordance with her expressed desire. The Quinlan case also suggested that “ethics committees” could assist families and physicians in medical decision making. Such committees, staffed by physicians, ethicists, and lawyers, later became common.

Afterward, courts consistently found a “right” to

die in the common law or federal or state constitutions. In 1990, the U.S. Supreme Court confirmed a federal constitutional “liberty” basis for the right to refuse life-sustaining treatment, including possibly artificial nutrition and hydration.

### ETHICAL ISSUES

Society has long held legal and moral prohibitions against the taking of human life. Early discussions centered on whether allowing a human being to die when that death could be prevented or forestalled was tantamount to killing. In 1957, Pope Pius XII distinguished between permissible forgoing of treatment in “hopeless cases” and active euthanasia, which was killing or suicide, but who was to determine which was which? The pope intimated that the individual’s duty to accept, and society’s duty to provide, medical treatment extended to ordinary treatment but not to extraordinary (or “heroic”) measures. Although popular during the 1970’s, these categories were later dismissed as unworkable. Other attempts to distinguish killing from permitting “natural death,” distinguishing between withholding and withdrawing treatment and between acts and omissions, were also rejected as morally indefensible and tending to discourage the initiation of treatment. Committing suicide cannot be distinguished from refusing treatment on the basis of an action versus nonaction distinction. Thus, the fundamental question is whether an individual should ever be allowed to forgo life-sustaining treatment.

The right to die is often justified along utilitarian grounds and opposed on the basis of deontological, beneficence-based principles. Some utilitarians oppose any euthanasia, however, believing that the harms from potential abuse and from accepting incursions into the sanctity of life outweigh the benefits. Conversely, some deontologists support the right to die by defining “benefit” to encompass not only prolonged life but also freedom from suffering, or the protection of individuals’ liberty interests. Some suggest that autonomy cannot be overridden, others that decisions in extremis are not autonomous.

### OPPONENTS OF EUTHANASIA

Opponents of euthanasia often argue the “slippery slope”—that allowing some to die will lead to further “justified” endings of lives. Some cite various eugenics movements as evidence for this view. Pro-

ponents counter that all moral choices involve drawing lines with a potential for abuse. Another objection raised is that the slippery slope entails accepting a recognized evil, disregarding the autonomy, dignity, and suffering of the dying patient in favor of possible future evils.

Some argue that human life is inviolable and that acceptance of a decision to forgo any amount of life necessarily requires a societal recognition that some lives are not worth living. Others counter that this inviolability is negated by causes throughout history that have been deemed worthy of self-sacrifice. Some fear that passive euthanasia will insidiously change the treatment of older people and dying; individuals may be subtly coerced into dying because they perceive themselves as burdens to their families, or because they see others who are younger, healthier, or even in comparable positions refusing treatment.

Passive euthanasia for the terminally ill enjoys overwhelming societal and judicial support, though popularity in the polls does not foreclose the need to address the ethical concerns surrounding the issue. The public and the media characterize the issue as one of not unduly “prolonging life” or of allowing individuals to die “naturally” and “with dignity”; such characterizations beg the question of what is a dignified and natural death in the context of advancing medical technology.

Even if passive euthanasia is acceptable, a number of issues remain unresolved: Can the right be invoked on behalf of incompetent patients? For formerly competent individuals, treatment decisions can be made on the basis of previously expressed wishes. For the never competent (including children), recognizing an equal right to refuse treatment produces thornier questions of how to carry out that right without committing involuntary euthanasia.

Is a slow, painful, and lingering death or an indefinite existence under sedation dignified? Can artificially administered nutrition and hydration be withheld to hasten the end? Are feeding tubes or intravenous drips another form of medical treatment? Is it dignified to allow individuals to starve to death? Does the right to die include the right to assistance in suicide? Finally, should the right to die be extended to individuals suffering from painful chronic or degenerative illnesses?

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## Right to life

**DEFINITION:** Just or legitimate claim of an unborn child to be carried to term and allowed to live, rather than being aborted

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Another name for the pro-life movement, the right-to-life movement argues that abortion impermissibly violates the inalienable right of a fetus to be born. The term sometimes, but not always, implies an embrace of a consistent ethic opposed to killing under all circumstances, including abortion, capital punishment, warfare, and even the killing of animals for food.

Ethical conflict over abortion has faced humanity throughout history. On one hand, sociological prob-

lems, maternal health, woman's rights, and the fear of overpopulation have led many people to espouse abortion. On the other hand, religious and biological issues have led others to favor antiabortion (right-to-life) concepts. Finding sensible, ethical solutions to the problem of abortion is essential to society. Appropriate solutions must satisfy mothers, prevent the murder of humans still in the uterus, and avoid exploitation of individual population sectors while permitting abortions that are deemed acceptable.

**METHODOLOGY AND CONCEPTS**

Many nonabortive birth control methods are widely used. These include abstinence, coitus interruptus (male withdrawal), rhythm (intercourse during safe portions of the menses), pessaries (for example, condoms), birth control pills, and surgical intervention by tubal ligation or vasectomy. Despite these methods, many unplanned pregnancies present the moral dilemma of whether to abort.

Those favoring abortion argue that it is fitting during the time period when a fetus is not a person, though precisely when humanity occurs is uncertain. Many people argue that any abortion is correct when carrying a fetus to term will cause a mother death, severe psychological damage, or impinged human rights. Another point of view is that when a fetus is found to be severely physically or mentally damaged, abortion is merited. Still other abortion advocates note that abortion stops overpopulation.

The antiabortion viewpoint—right to life—also varies greatly. Some advocates preach that sexual abstinence is the only suitable birth control method and that conception always engenders the right to life. Others believe that once egg and sperm join, a human has been produced, and that the abortion of unborn people—they claim that tens of millions of such operations have been carried out—exceeds the worst planned race or religious genocide ever carried out. At the other end of the right-to-life group spectrum are those who espouse factoring into the decision the age—yet to be determined—at which a fetus becomes a person, potential problems for the mother, and societal aspects.

**HISTORY**

Many people believe that abortion is a product of modern medicine and that the debate—nowadays very antagonistic—regarding whether to abort and

why or when to do so is a modern phenomenon. This belief is the result of clashes between pro-choice and pro-life factions who espouse appropriate abortion and no abortion, respectively. In fact, the Greek, Roman, and Jewish philosophers of antiquity codified abortion and its use. For example, Plato and Aristotle favored abortion when it was for the good of society, and Aristotle defined human life as present forty or ninety days after conception for males and females, respectively. Neither philosopher, however, would have set those times as upper limits for abortion.

With the development of Christianity, strong anti-abortion sentiment arose (for example, Roman emperor Constantine outlawed abortion). As the power of Christianity grew, so did sanctions against abortion. Even among theologians, however, there were—and continue to be—various degrees of condemnation. Some declared that any abortion was murder, others saw it as murder beginning forty days after conception (a holdover from Aristotle?), and some believed that abortion was acceptable to save a mother's life.

In more modern times, English common law stated that abortion was legal until mothers felt movement in the womb—"quickening"—and this view persisted well into the eighteenth century throughout the British Empire and the nations that arose from it. Hence, in the colonial United States, quickening was viewed as the time when abortion became illegal. On this basis, despite the unchanged view of Christian ministers and priests, abortion became a common mode of birth control. The practice, which was so widespread that abortionists often advertised their services in newspapers, led to antiabortion sentiment. First, the American Medical Association (c. 1850) condemned it. Soon, feminist movements joined in, denouncing abortion as a tool of male domination.

This segment of the abortion debate was relatively mild and died out by the twentieth century. In fact, it was so quiescent that beginning during the 1950's, many abortions were made legal, a legality supported by the American Medical Association, the National Organization for Women, many states, and the federal government. Adding to the popularity of abortion legality was fear—fanned by the media—that population growth would soon cause the world to starve to death.

It was at this time, with most Americans in favor of therapeutic abortion, that the right-to-life move-

ment came into being. The polarization between pro- and antiabortionists has grown hugely, and the debate has become more and more radical. In 1973, the Supreme Court case *Roe v. Wade* assured women the right to decide whether to terminate pregnancy. Then, in 1989, in *Webster v. Reproductive Health Services*, the Supreme Court reversed its position. The attempts by Operation Rescue to stop legal abortions by picketing and by harassing those choosing abortion and physicians performing abortion have further confused the issue, polarizing public opinion even more.

### CONCLUSIONS

Two thorny ethical issues concerning abortion are whether it is ever appropriate to stop the occurrence of a human life and whether a woman should determine what happens to her body. Advocates of both issues propose that if their point of view is unheeded, the consequences, aside from unethical decision making, will cause horrible outcomes for society. Anti-abortionists state that the murder of fetuses will lead to other equivalent crimes (such as genocide). Those who favor abortion fear that following absolute criminalization will come restrictive legislation that will diminish human rights and produce a model of minority persecution. It seems possible that both these views are extreme and that ethical compromise could give both sides some of their desires, with much flexibility. One model for use could be that of Western Europe, which promises respect for every human life and permits abortion under conditions deemed appropriate in a well-thought-out, ethical fashion. Abortion programs also must be designed so that inequities (such as limitation to less-advantaged classes) are avoided and informed consent is guaranteed.

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SEE ALSO: Abortion; Bioethics; Birth control; Christian ethics; Family; Jewish ethics; Pro-choice movement; Pro-life movement; Right to die.

## Rights and obligations

**DEFINITION:** Concepts of what people are allowed to do or are expected to refrain from doing are rights, and concepts of what people should ought or should not do are obligations

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Ethics deals with moral judgments of the behavior of individuals and groups. Questions surrounding what the rights and obligations of these moral actors are lie at the heart of ethics.

Rights may be seen from several different perspectives. They can be seen as claims to perform or refrain from certain acts without interference by others, or they may be claims to have certain acts performed or refrained from by others, or they may be claims to have certain entitlements honored. The basis of such entitlements may be by law, such as legal rights or claims to state welfare benefits, such as health care. Likewise, rights may be claims made on moral grounds alone, such as the right to have an item of trifling monetary value returned that someone has been given with the understanding that it was not a gift but would be returned. In this case, the right has been created by an express or tacit promise.

Obligations are acts that one ought or ought not to perform. However, “ought” has more than one meaning. Consequently, there are various kinds of obligation. Moral obligations are those generally believed to deserve some degree of social condemnation when they are not kept. Such condemnation may be mild or strong, depending on public judgment of the act—or omission of the act—in question. In instances of

strong condemnation for violation of certain moral obligations, people believe serious consequences should follow. Those who violate certain primary or fundamental obligations, such as violating the right of others to life, are generally thought to be wicked or evil. Another way of saying this is that people generally believe that there should be serious social pressure brought to bear on those found violating moral obligations.

Other kinds of obligations include prudential obligations, which individuals are morally free to perform or not, as they please. If someone says that you ought to leave for the theater if you wish to avoid missing the last show, there is no suggestion that it is morally wrong for you to fail to leave. All “prudential” obligations can be put in an “if, then” format: If you wish to get top grades in school, then you “ought” to study hard. However, people who possess superior talent in fields such as music or sports that restrict their study time or people who choose to take some time away from their studies each week to perform charitable work are not usually considered to be morally worse than those who spent all their free time studying. General laziness, however, is usually condemned.

A final form of obligation to be considered is rational obligation. This form of obligation states that one must accept such propositions as the mathematical equation that “two plus two equals four.” Certain propositions of symbolic or ordinary logic, geometry, and similar disciplines also fall into this category. In the context of ethics, however, only moral obligation is relevant

### RECIPROCITY OF RIGHTS AND OBLIGATIONS

Most rights and obligations are interrelated in particular ways. Most rights, for example, involve what is called reciprocity. That is, one’s claim to certain rights necessarily involves recognition of an obligation to respect the same or similar rights of others. Failure to recognize reciprocal obligations places one in a situation of untenable self-contradiction or irrationality. Thus if one claims a right to one’s own wallet but refuses to respect the rights of other persons to their own wallets, such a person would be in a state of self-contradiction. For the claim of a right that everyone ought to respect necessarily involves recognition of a reciprocal right held by others. That is, claiming a right necessarily involves an obligation



to respects similar rights of others. Thus rights and obligations usually are intimately related in this way.

One class of rights, however, involves no such relationship. This class involves rights in certain cases of competition among individuals or groups, for example sporting competitions. Each team in a football game has a right to win the game, but there is no obligation on the part of either team to respect the right of the opposing team by allowing the other team to win. *Both* teams have a right to win. This is a situation of a right versus a right. However, such situations often involve obligations consisting of adherence to sets of rules. Each football team has a right to win, but not by any means. The teams are obligated to win in accordance with mutually agreed rules and not otherwise.

### SOURCES OF RIGHTS AND OBLIGATIONS

A principal source of both rights and obligations is law. Valid law is created by those individuals or bodies such as legislatures that are authorized to make law by politically organized societies. Such bodies must act in accordance with a rule of recognition that describes the procedures that a legal system has laid down as valid for creating law.

In Western societies, it is generally agreed that there are limits to the obligation to obey law. Such limits are usually said to be moral limits as determined by the concept of justice or other moral limits such as those set by religious doctrine. Moral limits based on strictly secular sources are also often recognized. Those refusing to obey military conscription laws obliging persons to join armies cite either religious doctrines or secular equivalents.

Among the most common sources of both rights and obligations is the institution of promising. Since the meaning of the word “promise” is a requirement that must be met, promises are universally accepted as sources of obligation. Those who make promises incur obligations by the act of promising. By the same token, those to whom promises are made gain rights—the right that the promise be kept.

Promising takes a variety of forms, some more formal and others less so. Everyone is familiar with informal acts of promising found in everyday life, such as agreeing to meet someone at a specified place and time. More formal acts of promising include varieties of contract, often written documents enforceable by courts. Contracts may be oral or written; written contracts (and some oral ones) tend to stipulate

the exact nature of the rights and obligations incurred by the agreeing parties. Creating new rights and obligations is something people do every day.

Another familiar form of promising is the institution of marriage. In some societies, the institution of marriage has even included formal marriage contracts. In modern American society, certain rights and obligations of many marriages are set forth in detail prior to the marriage ceremony through contracts known as prenuptial (premarital) agreements.

All acts of promising that create valid rights and obligations raise legitimate expectations on the part of those being promised that such expectations will be fulfilled. On the other hand, promises that raise no legitimate expectations create neither rights nor obligations. Thus if someone known not to be wealthy promises to give another person a million dollars, it is not reasonable that those promised (knowing the promisor lacks resources) expect to receive the money. Accordingly, recipients of such promises thus have no legitimate expectations, and the promises themselves create no rights or obligations.

Another aspect of understanding the institution of promising as a principal means of creating rights and obligations is the distinction between tacit and express promises, or consent to acquire obligations. Tacit consent is consent—that is, promising—that is understood from the context of situations or the implications of acts or statements. The idea that “silence is consent” expresses this idea.

Another common form of tacit consent occurs when one travels to another country. It is commonly understood that entrance of foreigners into the territory of a state entails the traveler’s tacit consent to obey the country’s laws. There may, indeed, be various exceptions to this idea based on moral rules that foreign laws may violate; however, the tacit consent to obey has been generally accepted for centuries.

### INTERNATIONAL LAW AND HUMAN RIGHTS

In addition to the domestic laws of a country and various forms of promises, two other sources of rights claimed in the modern world stand out. One is rights (with corresponding obligations) based upon international law. International law is based on several sources. One is treaties, conventions, and other kinds of formal agreements among states. In making such treaties, nations consent to follow them. In consenting they acquire obligations.

### Conflicting Obligations

During World War II, a member of the French Resistance approached philosopher Jean-Paul Sartre to ask his advice: Should he devote his energy to fighting against Nazi tyranny in Occupied France, or should he, an only child, care for his aged, invalid mother? Sartre replied, "Choose!"

Another important source of international law, and therefore of legal obligation, is custom. In that case, standard, certain well-established practices are recognized by many courts dealing with international law as valid law when not contradicted by positive (written) law, especially by international treaty.

A further source of obligation is human rights, which are rights said to be conferred upon human beings solely on account of their humanity, as opposed to rights gained from written laws. Human rights are modern versions of the "unalienable rights" of the Declaration of Independence. Such rights are said to be "natural rights," based on human nature and the nature of society. Their successor category, "human rights," have been recognized as legitimate since the Nuremberg Trials of Nazi war criminals after World War II.

Some Nazi actions, especially the Holocaust, in which an estimated eight million people—mostly Jews—were exterminated, were unprecedented in human history. Existing laws did not describe these acts; however, common decency and moral right cried out for their judicial condemnation. The concept of "crimes against humanity" was therefore created to deal with such colossal crimes. Soon afterward, in 1948, a Universal Declaration of Human Rights was issued by the newly established United Nations Organization.

Controversy, however, surrounds the concept of human rights. Not all philosophers agree that such rights exist or even make sense. Moreover, all rights, including human rights, are either negative—in the sense that people have the right to be protected against certain acts—or are positive—in the sense that holders of the rights have entitlements, such as the right to health care or housing. Some philosophers argue that positive rights give the state exces-

sive and dangerous power. Others insist that positive rights are legitimate.

### CONFLICTS AMONG RIGHTS AND AMONG OBLIGATIONS

Conflicts can occur among rights as well as among obligations. In the case of rights, the right to freedom of speech may conflict with a right of privacy, for example, or it may endanger rights to life and property if mob action is incited. Or the right to religious freedom can conflict with children's right to life, if parents withhold medical care on religious grounds. Numerous such conflicts exist.

Similarly, conflicts among obligations are common. On an everyday level, employees' obligations to their employers may conflict with their obligations to their own families. On another plane, obligations to perform military service may conflict with religious obligations; or obligations to enforce law may conflict with moral obligations to family members, and so on. On many occasions, processes of moral reasoning may satisfactorily determine which obligations are stronger, but not always.

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SEE ALSO: Citizenship; Civil rights and liberties; Custom; Deontological ethics; Human rights; Law; Natural rights; Promises; Universal Declaration of Human Rights.

## Robotics

DEFINITION: Science and technology of creating machines that mimic the ways in which humans perform tasks

DATE: Originated during the 1940's

TYPE OF ETHICS: Scientific ethics

SIGNIFICANCE: The existence of machines that are capable of replacing humans in various activities has a far-reaching impact on society and may eventually redefine humankind's role in the world

The word "robot" was first used in 1921 in *R.U.R., or Rossum's Universal Robots*, a play by the Czech writer Karel Čapek. In that dramatic work, the term was used to describe machines that performed the work of humans. The word itself is derived from the Czech word *robota*, which means slave labor. Čapek's play is a story of mechanical laborers who revolt against their human masters.

The science of robotics draws on two technologies: automatic machine control and artificial intelligence. Devices for automatic machine control, which are called servomechanisms, work by feeding information about a machine's location, speed, and direction back to a computer-based control unit that automatically makes adjustments.

By the 1950's, mathematicians began to explore the possibilities of emulating human logic and behavior in computer programs. In 1956, John McCarthy, then at Dartmouth College, gave this discipline its name—artificial intelligence. The first artificial intelligence researchers began to program computers to play games, prove mathematical theorems, and even play the role of ersatz psychologists. Later efforts focused on the building of robots. The first patent for an industrial robot was awarded to Joseph Engelberger in 1961. His machine, which was called the Unimate, used a feedback control system that was attached to a computer. The Unimate robots were first used to control die-casting machines.

### ROBOTICS DEVELOPMENT AND APPLICATIONS

Robotics has continued its development through two approaches to design. The first of these is the top-down approach, which focuses on a specific task to be done by the machine. Industrial robots that pick parts from a bin, paint auto body parts, or do welding, drilling, grinding, routing, or riveting from a fixed position on a factory floor are examples of top-down design. Computer programs called expert systems also employ the top-down approach to perform tasks focused in a narrow field—such as identifying mineral deposits or advising doctors about blood diseases—by consulting a body of knowledge in the form of rules.

A more difficult approach to robot design is the bottom-up approach, in which the goal is to build general-purpose machines. Robots of this type tend to be mobile, use camera systems to see the world around them, and employ electronic sensors for touch. They may be programmed to accomplish a variety of tasks. Computer programs for these machines simulate learning by adding observations and experience to their models of the world.

Reliable, quick industrial robots have become regular components of industrial processes. Some applications combine two conventional robotic arms to work together to perform complex assembly tasks, including maintenance operations for nuclear reactors, removal of toxic waste, and loading and unloading machine tools—tasks that are dangerous for humans to perform.

In the medical field, heart surgery is being performed without opening the patients' chests by using robotic arms that are inserted into the chest region

through three or four holes, each less than a centimeter in diameter. One robot has a camera for transmitting images to a computer console, while the others are fitted with operating instruments. The robotic movements are guided by a surgeon sitting at a computer, on whose monitor a magnified image of the operating area appears. Bypass surgery and repairs of heart murmurs and valve defects have been successfully performed with this alternative approach to conventional surgery. Similar applications are being used with brain and lung surgeries.

Much of the focus of robotics researchers is on the development of autonomous robots. In the first years of the twenty-first century, robotics researchers at Cardiff University in Wales were developing agile, versatile robots fitted with the latest Pentium-based

control systems, vision sensors, video links, and a Global Positioning System for navigation. One application allows farmers to use these robots to check on distant herds of animals, unload feed in selected fields, and inspect gates and fencing. Other applications include robotic wheelchairs and cleaning and security devices.

Another robot, a hexapod, is a two-foot long, six-legged, self-propelled machine that can avoid obstacles and negotiate rough terrain. This robot has sensors to monitor its position and a charge-coupled device camera and laser to generate a three-dimensional map of the surrounding terrain.

Numerous military applications for robotics are also being explored. An intelligent, mobile robot known as Rhino was developed at the University of

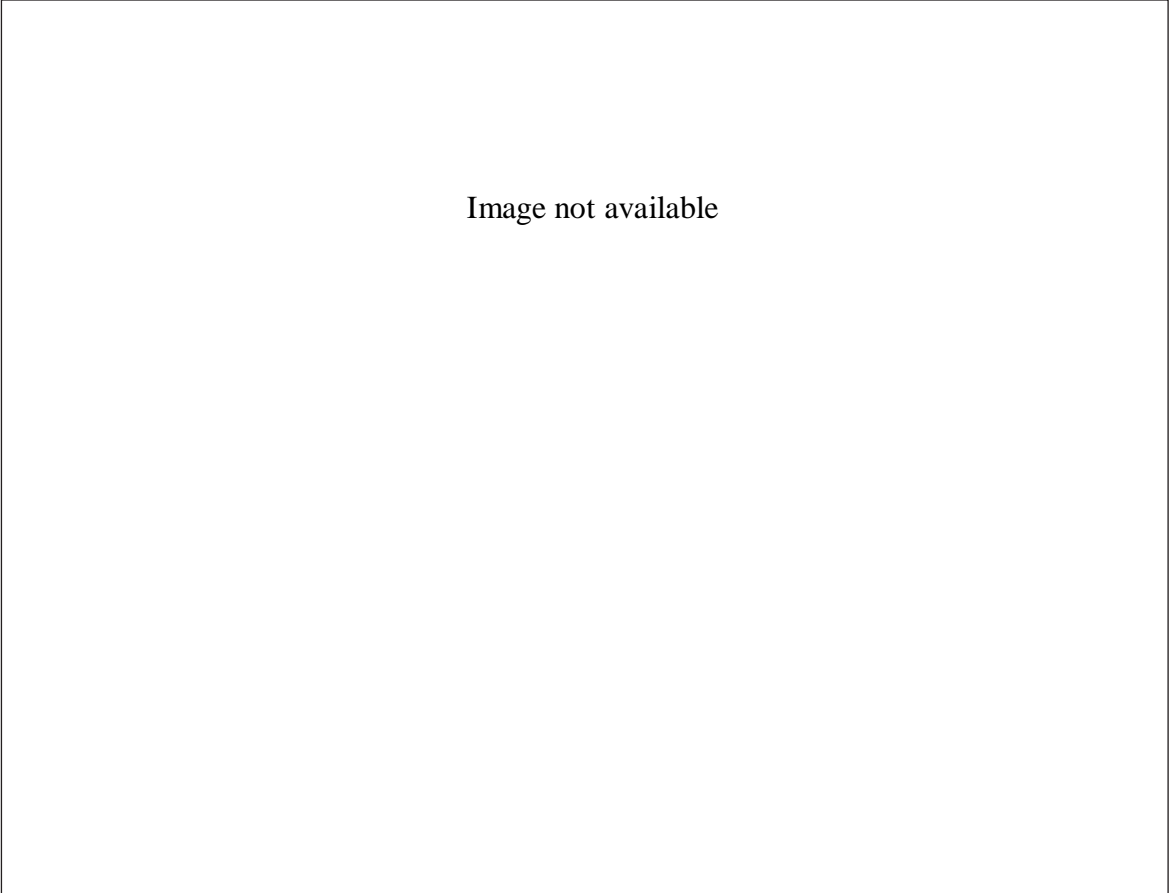


Image not available

*One of the practical applications of using robotics to protect human lives is this remote-controlled device designed to handle and neutralize terrorist explosives at the 2004 Olympic Games at Athens. (AP/Wide World Photos)*

Bonn and has been used to conduct guided tours at a museum in Bonn, Germany. Mobile robots have also been used to explore the earth's seafloor and the surface of Mars.

### ETHICAL ISSUES

The ethical issues of robotics arise from several areas. One fundamental concern is what kind of ethical principles should be built into robots. Science-fiction author Isaac Asimov began to explore this issue in the 1940's with a series of stories about intelligent robots, which were collected in *I, Robot* (1950) and other books. Asimov's robots had "positronic brains," circuits based on what he called the Three Laws of Robotics, whose principles were protecting the well-being of humans, obeying human orders, and self-preservation—in that order.

Asimov's principles are tested when considering the social consequences of replacing human labor with machine labor. Large-scale factory automation has resulted in the permanent loss of millions of unskilled jobs throughout the industrialized world. As robots continue to be refined and used in more applications, they will replace humans in jobs requiring ever greater degrees of skill. The economic benefits of robot automation reach a point of diminishing returns when the social costs of the unemployed workers—government subsidies, poverty, crime, and political unrest—become too high.

Some experts think that general-purpose humanoid robots will remain too expensive ever to reach widespread use. They contend that society is working itself through an inevitable turbulent period in the wake of the robot automation of industry and will evolve into a period in which skilled workers are used instead of robots. Others believe that advances in computer and robotics technology will inevitably lead to a convergence of the specialized, expert approach and the general-purpose, mobile, artificial intelligence approach. Such a convergence would lead to the development of self-aware machines with sophisticated models of their worlds and the ability to increase their knowledge.

Other ethical issues arise from the prospect of robots becoming more and more like humans in appearance and behavior. Such issues raise questions that have no answers, because there is no way to know what will happen until sentient machines actually make their appearance. Until then, the cost effec-

tiveness of such development is likely to remain a major obstacle.

By 1993, chess computers were playing at tournament level, and in 1997, Deep Blue became the first computer to defeat the reigning world chess champion, Garry Kasparov, in a classical chess match. Given the possibility of intelligent, humanlike robots, what should be their place in human society? Should they be allowed to coexist with people, with their own fundamental rights protected by law, or should they be regarded as a disposable race of slaves?

### LEGAL ISSUES

Many questions have been raised about the legal status of intelligent robots. If they are accorded rights under the law, should they also have responsibilities? For example, might robots ever manage human workers, serve on juries, or run for elected office? Will they ever vote? Who would be blamed if a robot's "negligence" were to cause the accidental death of a human being? (Many of these issues are raised in Asimov's fictional robot stories.)

On May 17, 1992, an industrial robot called Robbie CX30 killed its operator, Bart Matthews, at the Cybernetics corporation in Silicon Heights, California. Authorities concluded that a software module written by a computer programmer from Silicon Techtronics was responsible for the robot oscillating out of control and killing Matthews. The programmer was charged with negligence. Further investigation revealed that the interface design combined with flawed software was probably the real culprit. That tragic incident emphasized the need to supply robot designers and programmers with guidelines and handbooks that deal with the ethical issues and principles that should be incorporated into future robot development.

Some robotics experts predict that intelligent machines will eventually be capable of building other, even more intelligent machines. Although robotics research and development currently models robots based upon human senses, actions, and abilities, as the future continues to unfold, people may confront some very disturbing prospects if the machines they have created become more intelligent and powerful than they are themselves. Because machine technology develops millions of times faster than biological evolution, the capabilities of robots could someday so far surpass human ones that the human race could



become extinct—not because of war, pestilence, or famine, but because of a lack of purpose. Consequently, future robotics research and development should be carefully governed by the ethical principles advocated by Asimov.

*Charles E. Sutphen*  
*Updated by Alvin K. Benson*

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SEE ALSO: Animal rights; Artificial intelligence; Computer technology; Dominion over nature, human; Exploitation; Sentience; Technology; Virtual reality.

## *Roe v. Wade*

**THE EVENT:** U.S. Supreme Court decision legalizing a woman's right to choose to terminate her pregnancy through abortion

**DATE:** Decided on January 22, 1973

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** The Court's decision ruled that under the Constitution, a woman's right to choose to terminate a pregnancy is a fundamental part of the right of privacy, and only a compelling reason will allow the government to interfere with or abridge that right.

In January, 1973, Justice Harry A. Blackmun delivered the 7-2 opinion of the Court, which upheld a woman's right to choose to terminate a pregnancy. That right, however, was not absolute. The Court divided the full term of a normal nine-month pregnancy into three three-month-long trimesters. During the first trimester, the decision to terminate a pregnancy rests with the woman and her physician. The government may not interfere, except to mandate that any abortion is performed by a licensed physician.

In the second trimester the government has the power to regulate abortion only in ways designed to protect and preserve the health of the *woman*. The Court stated that this objective becomes compelling at the end of the first trimester because before that time abortion is less hazardous than childbirth. During that time period, the only permissible abortion regulations are those designed to ensure that the procedure is performed safely.

At approximately the beginning of the third and final trimester, the fetus becomes viable, or capable of surviving outside the womb. At that time, protection of fetal life also becomes a compelling reason sufficient to justify interference by the government to regulate or even prohibit abortion in order to protect fetal life unless the abortion is necessary to preserve the life or health of the woman.

The Court ruled that the "liberty" interest of the Fourteenth Amendment was broad enough to encompass a woman's decision to terminate her pregnancy. According to the Court, a woman's right to abortion outweighs the rights of a nonviable fetus and generally prohibits government interference.

#### SOCIAL CLIMATE

The central figure in the *Roe v. Wade* case was "Jane Roe," a twenty-one-year-old panhandler who claimed that her unwanted pregnancy was the product of rape. In order safely and legally to end that pregnancy, she filed a lawsuit against Henry Wade, a Dallas county prosecutor and state official charged to enforce a Texas law forbidding abortion. Along with the laws of approximately two-thirds of U.S. states at that time, Texas law outlawed abortion. The social climate of the early 1970's was being transformed by a breakdown of traditional moral and ethical norms governing sexual behavior, and a rise in family disruption. At the same time, the medical pro-

fession had been performing elective abortions in states that permitted the procedure, but physicians were concerned with possible criminal and civil liability. The decision, therefore, shielded physicians.

Roe, who later revealed that her true name was Norma McCorvey, was the mother of two children prior to her lawsuit, and she later worked in abortion facilities. In 1995, however, she denounced abortion, became a Christian, and founded a pro-life ministry called “Roe No More.” Her original story that her unwanted pregnancy was the product of rape proved to be false, as was her claim to have been unmarried. In reality, her mother had adopted her first child, and her second child had been adopted by its natural father.

#### AFTERMATH

The main consequence of the decision in *Roe v. Wade* was to revive a right-to-life movement that had predated the case but which became well organized largely by virtue of the Supreme Court’s decision. The pro-life group elected public officials who believed, as its members did, that abortion was a form of murder that should be outlawed. The members of the movement also attempted to remake the federal judiciary by seating new judges who would interpret the Constitution as not protecting abortion rights. They hoped ultimately to seat a majority of pro-life justices on the Supreme Court who would overrule *Roe v. Wade*. President Ronald Reagan, a right-to-life advocate, appointed more than half of the members of the federal judiciary and three Supreme Court justices. Numerous cases subsequent to *Roe v. Wade* sought its reversal.

On June 17, 2003, Norma McCorvey filed an appeal to the Fifth Circuit Court of Appeal requesting that it reopen and overturn *Roe v. Wade*. In her accompanying affidavit, she alleged that the original case had been wrongly decided and caused great harm to women and children. She also alleged that she had been exploited and deceived by the legal system and did not understand the meaning and consequences of abortion at the time of her own abortion. The Texas District Court dismissed her motion.

Despite the tenuous nature of the constitutional right to choose to terminate a pregnancy, and the

Image not available

*Norma McCorvey, the “Jane Roe” of Roe v. Wade, speaking at an antiabortion rally in Dallas, Texas, in June, 2003. (AP/Wide World Photos)*

complex moral sentiments in America, that right still existed at the beginning of the twenty-first century. Meanwhile, several cases concerning abortion had led to notable court decisions. These include *Webster v. Reproductive Health Services* (1989), in which the Supreme Court examined the time line for the viability of fetuses, advancing it to twenty-four weeks, with testing to determine viability to be performed at twenty weeks’ gestation. In *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992), the Court also upheld a state law requiring a mandatory twenty-four-hour delay following information conveyed by a doctor to a patient and before an abortion can be performed because the waiting period did not constitute an “undue burden” on a woman who chooses abortion by placing substantial obstacles in her path.

**THE ABORTION DEBATE**

The debate between the so-called pro-life and pro-choice factions entails such ethical issues as autonomy (independent decision making) and non-maleficence (doing no harm). Pro-life feminists have challenged the claims of pro-choice feminist that abortion rights are prerequisites for women’s social equality and full development. Pro-lifers argue that women can never achieve fulfillment of their role of motherhood in a society that permits abortion. Pro-choice advocates assert that the unrestricted right to choose to terminate a pregnancy is a moral imperative and an integral part of women’s reproductive freedom.

Stating the argument otherwise, the pro-lifers argue that abortion does not equate with the moral right to control one’s own body. That concept, they feel, belongs to cases of organ transplantation, contraception, sterilization, and mastectomies. They distinguish pregnancy because it involves not one, but two, individuals, and point to the wrongfulness of harming others, no matter how immature or powerless.

The pro-choice position rests on the concept of individual autonomy, or one’s own decision-making capacity, and advocates that if a woman does not wish to continue a pregnancy for whatever reason, that pregnancy should be terminated. Philosophers have made the argument that a woman’s body is her property, to do with as she chooses. If pregnancy and childbearing impede her living a particular kind of life, she is therefore justified in seeking abortion. The permissiveness of abortion law is often greeted with the reaction that it is unethical, juxtaposed against the argument that one person cannot ethically impose her individual opinion on others. The ethical and moral dilemma, therefore, continues.

**DIVISION IN RELIGIOUS CIRCLES**

Abortion is not only a feminist issue, but a divisive religious issue as well. In religious circles, especially the Roman Catholic Church, those who disapprove of abortion point to the “sacredness and sanctity of life” and often argue that life begins at conception. Abortion advocates, however, counter with the argument that viability is evidence of life. Prior to the time of viability, a fetus is not a “person” entitled to the full cadre of rights.

Critics assert that the due process clause of the Fourteenth Amendment, which prohibits a state from

depriving any person of life, liberty, or property, does not give a woman the right to abort her fetus. Instead, they contend that the amendment protects all life and does not distinguish between unborn and living persons. It should be noted that when mentioned in *Roe v. Wade*, the Supreme Court referred to “person” in the postnatal sense.

Marcia J. Weiss

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SEE ALSO: Abortion; Privacy; Pro-choice movement; Right to life.

**Role models**

DEFINITION: Persons whose behavior in particular roles is admired and imitated by others, especially by the young

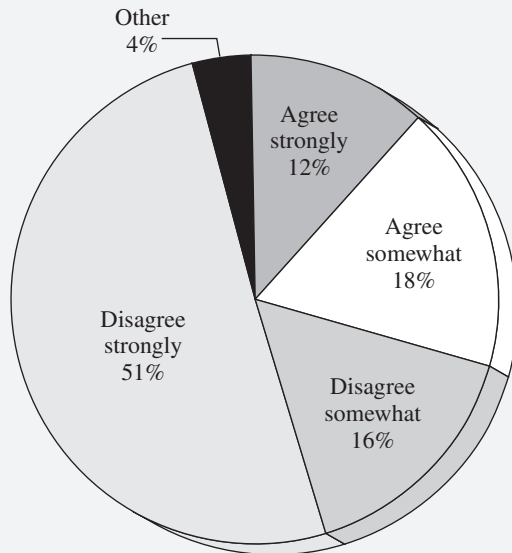
TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Individuals whose character or vocations are in the process of formation are inclined to emulate those whom they regard as admirable, giving those who are regarded as role models special ethical responsibilities.

The value of role models has been recognized at least since the time of Aristotle, the ancient Greek philoso-

## Public Opinion on Successful Cheaters

An opinion poll conducted by the Massachusetts Mutual Life Insurance Company in 1991 asked a cross-section of Americans how strongly they agreed with the statement that society looks up to people who succeed by cheating and breaking rules, so long as they make a lot of money.



Source: The Roper Center for Public Opinion Research. Figures based on responses of 1,200 adult Americans surveyed in September, 1991.

pher who asserted that human beings learn to be virtuous by imitating the behavior of moral people. Since virtue was for Aristotle an activity, it is important to be able to observe worthy actions. Beginning also in the ancient world, books such as Plutarch's biographies of famous Greeks and Romans were emphatically moral in their purpose. Biographies written for children in particular have historically served the purpose of inspiring children with impressive models of behavior. Other than in reading material, role models throughout history have generally been people close in time and space to their admirers and might thus be expected to recognize their ethical responsibility to set positive examples for their admirers.

Although worthy role models are desirable at any age, they are particularly important for children and adolescents. From the late twentieth century into the early twenty-first century, young Americans have increasingly grown to admire popular entertainers and

athletes. Images in the mass media—motion pictures, television, and the Internet—have greatly intensified the influence of such heroes. Propelled thus into prominence, these influential achievers are often reminded of their responsibilities to conduct themselves in a manner worthy of emulation, as they have been selected as role models by legions of the young. There can be little doubt that for children, misbehavior on the part of their heroes can be a shattering experience.

From the viewpoint of successful athletes, performers, and other prominent individuals who have become role models without consciously seeking such status, the high expectations of their fans are likely to seem unreasonable. Athletic or artistic excellence, though frequently the result of the exercise of self-discipline and other virtues, does not guarantee overall moral excellence. Many in the limelight have proven to be either unable or unwilling to serve adequately as models for would-be emulators they have never met. Whether a prominent athlete or entertainer should feel any obligation in this matter, the fact that the frequently large incomes of such persons derive from the approval of their admirers constitutes an argument for their accepting some measure of responsibility. Because such arguments in many

### “I am not a role model”

In 1993 basketball star Charles Barkley caused a minor sensation in the sports world when he appeared in a television commercial for Nike shoes in which he declared, “I am not a role model.” Although Barkley was known for his outspokenness and occasionally ill-mannered public behavior, his statement surprised many people because of the possible damage that it might do to his career, particularly in off-court endeavors, such as commercial endorsements. Barkley's statement had the positive effect of promoting public discussion of issues such as the merits of young people making sports and entertainment heroes their role models and the responsibilities of public figures to their young admirers.

cases go unrecognized, however, parents, teachers, and counselors must exercise their responsibility to advise the young as to which habits of their heroes are worthy of imitation.

*Robert P. Ellis*

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SEE ALSO: Aristotelian ethics; Confucian ethics; "Everyone does it"; Godparents; Heroism; Leadership; Merit; Narrative ethics; Political liberty; Virtue ethics.

## Roman Catholic priests scandal

**THE EVENT:** Revelations of widespread and long-term sexual abuse of children by Roman Catholic priests that first gained national attention in Massachusetts

**DATE:** First publicized in January, 2002

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** This church scandal has raised questions about the Roman Catholic Church's authoritarian structure, and how it may have interfered with the church's capacity to discharge its responsibility to protect its members, as well as the psychosexual dynamics of sexual abuse.

The Roman Catholic priests sex abuse scandal first captured public attention when a sensational story hit the front pages of the *Boston Globe* in January, 2002. The *Globe* story contained shocking revelations concerning John Geoghan, a defrocked Boston priest and convicted child sex abuser, who had been transferred from parish to parish by his church superiors, despite their knowledge that he had been sexually abusing children. The story immediately raised questions about how such a thing could happen. As the outraged public responded, there was no shortage of culprits whom people alleged to be responsible. Some people blamed a church hierarchy that they re-

garded as more zealous to protect its church's reputation than to protect the lives of the church's youngest members.

Other people responded to the story by suggesting that the church's requirement of priestly celibacy imposed impossibly difficult rules and thus invited priests to violate the rules. Some people even claimed that the problem could only have occurred in the context of an all-male clergy. That view, while unproven, does in fact conform with statistics on sexual abuse, which suggest that it is a male specialization.

Observers on the right argued that the villain was homosexuality, which was known to be widespread among Roman Catholic priests. However, that argument also presupposed a connection between homosexuality and pedophilia, which, though perhaps cherished in the popular heterosexual imagination, has no scientific basis. In any case, the vast majority of offenders were never accused of pedophilia at all. Typical cases involved inappropriate touching of post-pubescent boys. Such behavior constituted a legal offense, a religious transgression, and perhaps signs of underlying psychological disorders, but not necessarily pedophilia.

When the dust finally settled on the initial revelations of priestly misconduct, the essence of the "scandal" appeared to center more on the church's attempts to cover up the story than on the priests' crimes. One result of this collective redefinition was a public call for the resignation of Bernard Cardinal Law, the archbishop of Boston and a key player in the cover-up. Law retired under pressure in December, 2002.

#### THE QUESTION OF CELIBACY

The most interesting, difficult, and profound questions arising from the scandal relate to sex and gender. Understandably, members of the Roman Catholic Church have tended to focus more on ecclesiastical matters, such as the question of reforming policies for reporting abuse and disciplining abusers. However, the complex question of the relation between ecclesiastical and legal norms has also received widespread attention. Only at the outset did the public raise the question of the nature and meaning of the abuses themselves.

The fact that the perpetrators and most of their victims were male might lead observers to conclude that the underlying cause of the problem was homo-



sexuality. However, if the problem were defined as one of repressed homosexuality that expressed itself, desperately, in furtive encounters with helpless, compliant victims who were predisposed to keep things secret, then what needs to be addressed is not homosexuality but homophobia—both within the church and society in general. It is presumed that persons with what are considered normal sexual outlets would not be driven to have sex with young people entrusted to their professional care. In this regard, the subject may be less about homosexuality than about heterosexuality.

If the central problem is priestly celibacy, one might expect that heterosexual abuse would be as rampant within the Roman Catholic Church as homosexual abuse, which is not the case. On the other hand, opportunities for homosexual abuse in the church are much more common than opportunities for heterosexual abuse, as priests are more likely to lead same-sex outings, such as camping trips, than to lead mixed-sex outings. However, the relative scarcity of heterosexual abuse cases in the church does not prove an absence of motivation. Indeed, since in the various cases of same-sex abuse that came to light, perpetrators have not necessarily been homosexuals but may have acted as they did because of the opportunities that were presented to them. The underlying cause would seem to be sexual repression and not necessarily homosexuality.

The church's main response to the scandal has been to promise to be more vigilant in enforcing its celibacy rules and to punish transgressors, rather than to revisit its own rules themselves. It is important to note that this represents a particular position regarding the rule of celibacy. Drug laws present a relevant analogy. One could argue either that drug abuse is caused by lax enforcement of drug laws or that the very existence of drug laws encourages people to abuse them. If one believes that any kind of use is immoral then the problem is clearly one of enforcement.

### GENDER NORMS

Another approach to the problem involves examining gender norms. Interestingly, there has been no reluctance on the part of the church's critics—both inside and outside the church—to assert that the cover-up could only have been perpetrated by an all-male authority structure. By contrast, little has been

said about the possibly inherent relation between masculinity and sexual abuse. Sex abuse is abnormal—as abnormal as abuse of power.

An act that is abnormal is not necessarily the opposite of a normal act. Indeed, it may not differ qualitatively from normal behavior at all, as it merely violates a boundary that may have been established for purely practical purposes. For example, while it is legal to “hard sell” a product, it is illegal to sell something by making fraudulent claims. The question is whether there is a qualitative difference between fraud and exaggeration. There is a legal distinction between the two. However, what if the difference between normal male sexuality and sex abuse were similar? What if a potential for sex abuse—such as sexual harassment—were built into the structure of male sexuality as a deviant expression of it? The sex abuse crisis in the church would then look similar to what happens when men are in charge without anyone to whom to answer. In that sense, the ethical questions raised by the problem of sex abuse and those raised by the cover-up are essentially the same.

*Jay Mullin*

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SEE ALSO: Abuse; Child abuse; Homosexuality; Hypocrisy; Incest; Prostitution; Rape; Sexual abuse and harassment.

## Rorty, Richard

IDENTIFICATION: American philosopher and author

BORN: October 4, 1931, New York, New York

TYPE OF ETHICS: Modern history

SIGNIFICANCE: One of America's best-known contemporary philosophers, Rorty has developed a theory of ethics that encompasses such issues as immigration, the obligations of citizens, contemporary liberalism, the politics of gender, and democracy's role in world politics.

Renowned for the breadth of his philosophical interests and publications, Richard Rorty is the son of intellectuals with leftist leanings. He entered the University of Chicago when the university's Great Books Program permitted its students to master the curriculum at their own paces. Rorty completed his bachelor's degree at Chicago before he was eighteen, stayed on for a master's degree, then entered Yale University, where he earned a doctorate in philosophy before his twenty-fifth birthday.

A committed lifelong liberal, Rorty focused on ontology—the philosophy of being—in his doctoral dissertation. In his earliest book, *Philosophy and the Mirror of Nature* (1979), he concerned himself with the ways in which individuals form the perspectives through which they view the world. In that book he comments on the relativity of such eternal verities and ethical concerns as truth, good, and evil. As a liberal thinker, Rorty was prepared to accept the absolutism of many earlier philosophers who dealt with theories of being and defined ethical behavior absolutely.

Rorty is best known, however, through his essays collected in *Contingency, Irony, and Solidarity* (1989), which has been translated into several languages. In that work, Rorty calls himself a “liberal ironist,” one who views society as determined by a combination of history and of nominalism. However, these factors coexist with factors that, in all humans, have individual moral and ethical bases.

Rorty's appeal is accounted for largely by his relatively accessible prose. He is centrally concerned with developing a theory of ethics that encompasses such burning contemporary issues as immigration, the obligations of citizens, contemporary liberalism, the politics of gender, and democracy's role in world politics.

R. Baird Shuman

SEE ALSO: Ayer, A. J.; Derrida, Jacques; Gender bias; Hobbes, Thomas; Immigration; Liberalism.

## Rousseau, Jean-Jacques

IDENTIFICATION: French philosopher

BORN: June 28, 1712, Geneva (now in Switzerland)

DIED: July 2, 1778, Ermenonville, France

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: The author of *A Treatise on the Social Contract: Or, The Principles of Politic Law* (*Du contrat social: Ou, Principes du droit politique*, 1762), Rousseau was one of the most influential proponents of social contract theory. Based on an optimistic notion of the state of nature, he believed that humanity was naturally innocent, and that a legitimate and genuine social contract could help to recover the innocence humans had lost when they entered society.

Rousseau's philosophical writings and novels, all of them rich in ethical content, inspired a major shift in Western thought during the eighteenth century and part of the nineteenth century. They substantially undercut the Age of Reason and inspired a new Age of Romanticism. In the process, Rousseau's eighteenth century lifestyle and work influenced manners and morals, the reevaluation of education, conceptions of the state and of politics, and the reassertion of religious values. His philosophical genius led the way to new views of human nature, liberty, free creative expression, violence, the character of children, and the vital human and cultural importance of women.

### FOUNDATIONS OF ROUSSEAU'S ETHICS

Rousseau's ethics were rooted in his moral and religious perceptions about human nature, human behavior, and human society. In *Discourse on the Sciences and the Arts* (*Discours sur les sciences et les arts*, 1750), *Discourse on the Origin of Inequality* (*Discours sur l'inégalité*, 1755), and *Social Contract* (1762), he systematically traced his thoughts on each of these subjects. Humanity, Rousseau believed, was fundamentally good. Originally living alone, simply, and in a state of nature, humanity was free, healthy, and happy. As a result of living in society, however, humanity acquired property along with the aggres-

siveness required for securing and defending that property. Depraved conditions, ignoble passions, and vices soon were rampant: pride in possessions, false inequalities, affectations, greed, envy, lust, and jealousy, which were attended by insecurity, personal violence, and war. Thus, although humanity was by nature good, society itself was innately corrupt. Humanity, Rousseau concluded, had been corrupted by society. What most educated eighteenth century observers viewed as the rise of civilization, Rousseau viewed as its decline.

Rousseau's own experiences were responsible for this assessment of society, even though the assessment itself was laced with idealism. He had begun life orphaned, poor, and vagrant. Unhappily struggling through menial posts and an apprenticeship, he subsequently rose to notoriety, thanks to the help of generous and sensitive patrons, many of them women. He became familiar with sophisticated intellectuals and with the rich, yet eventually he abandoned this level of society for a life of simplicity and honest, if irrational, emotions. His style and philosophy repudiated society's standards, its affectations, its belief in the indefinite improvement of humanity, and its philosophical addiction to stark reason and utilitarianism.

### ROUSSEAU'S SOCIAL CONTRACT

Rousseau believed that humanity had descended from a natural state of innocence to an artificial state of corruption—a state made worse by what he regarded as the stupidity and self-delusion of most of his contemporaries. He fully understood that any hopes of returning to humanity's ancient innocence were chimerical. Nevertheless, the values that he cherished—freedom, simplicity, honestly expressed emotions, and individualism—were still in some measure attainable as the best of a poor bargain. In his *Social Contract*, he indicated how the liberty that humanity had lost in the descent to "civilization" could be recovered in the future.

Recovery could be achieved by means of humanity's acceptance of a new and genuine social contract that would replace the false one to which Rousseau believed humanity was chained. Thus, while humanity was born free and was possessed of individual will, its freedom and will had become victims of a fraudulent society. People could, however, surrender their independent wills to a "general will"; that is, to

Rousseau's abstract conception of society as an artificial person. In doing so, people could exchange their natural independence for a new form of liberty that would be expressed through liberal, republican political institutions. The general will, a composite of individual wills, pledged people to devote themselves to advancing the common good. The integrity of their new social contract and new society would depend upon their individual self-discipline, their self-sacrifice, and an obedience imposed on them by fear of the general will.

### RELIGIOUS AND EDUCATIONAL ETHICS

The history of republican Geneva, Rousseau's birthplace, imbued him with a lifelong admiration of republican virtues, but neither the eighteenth century Calvinism of Geneva nor Catholicism, Rousseau believed, fostered the kind of character that would be required for the republican life that he imagined under the "Social Contract." In his view, Catholicism, for example, directed people's attention to otherworldly goals, while Calvinism had succumbed to a soft and passive Christianity that was devoid of the puritanical rigor and innocence that had once characterized it and that Rousseau admired. Rousseau, on the contrary, advocated the cultivation of this-worldly civil values that were appropriate for a vigorous republican society: self-discipline, simplicity, honesty, courage, and virility. His proposed civic religion, stripped of much theological content, was intended to fortify these values as well as to enhance patriotism and a martial spirit.

Rousseau's educational ideas, like his religious proposals, sought to inculcate republican civic virtues by directing people toward freedom, nature, and God. Small children were to be unsaddled and given physical freedom. Children from five to twelve were to be taught more by direct experience and by exposure to nature than by books. Adolescents should learn to work and should study morality and religion. Education, Rousseau argued in his classic *Émile* (1762), should teach people about the good in themselves and nature, and should prepare them to live simple, republican lives.

*Clifton K. Yearley*

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SEE ALSO: Citizenship; Corruption; Courage; Democracy; Enlightenment ethics; Honor; Obedience; Self-control; Social contract theory; Voltaire.

## Royce, Josiah

IDENTIFICATION: American philosopher  
 BORN: November 20, 1855, Grass Valley, California  
 DIED: September 14, 1916, Cambridge, Massachusetts  
 TYPE OF ETHICS: Modern history  
 SIGNIFICANCE: In such works as *The World and the Individual* (1899-1901) and *The Philosophy of Loyalty* (1908), Royce developed an ethic based on his "philosophy of loyalty," which emphasized that human beings are not isolated individuals but are members of communities.

After teaching in San Francisco and at the University of California at Berkeley, Josiah Royce moved to Cambridge, Massachusetts, in 1882 and distinguished himself as a professor of philosophy at Har-

vard University. There he became close friends with the American pragmatist William James, although Royce's philosophy differed fundamentally from that of his famous colleague.

Royce's philosophical idealism stressed that a human self is a center of purpose and striving; therefore, human life involves suffering and a struggle with evil. Royce affirmed, however, that in facing these obstacles courageously, in achieving success wherever one can, and in recognizing that one's relationship with the Absolute, or God, entails the overcoming of every evil, one can experience positive meaning and joy.

According to Royce, such human fulfillment depends on loyalty, which he defined as "the willing and practical and thoroughgoing devotion of a person to a cause." Not all causes are good ones, but Royce believed that the act of being loyal is good whenever it does occur. He concluded that the most fundamental principle of the moral life ought to be that of being loyal to loyalty. This principle points toward a community where all individuals are free, where they use their abilities and cultivate their interests, and where all these persons and factors encourage and support one another.

John K. Roth

SEE ALSO: Common good; Idealist ethics; James, William; Loyalty; Loyalty oaths; Social justice and responsibility; Universalizability.

## Rūmī, Jalāl al-Dīn

IDENTIFICATION: Afghan mystical poet  
 BORN: c. September 30, 1207, Balkh (now in Afghanistan)  
 DIED: December 17, 1273, Konya, Asia Minor (now in Turkey)  
 TYPE OF ETHICS: Religious ethics  
 SIGNIFICANCE: Rūmī was the most influential mystical poet in the Persian language and the eponymous founder of the Mevlevī Sufi order. He wrote numerous mystical and philosophical poetic works, including *Mathnavī* (1259-1273).

Rūmī was an extraordinarily prolific Persian poet, best known for his *Mathnavī*, which is arguably the

most important single work in Persian literature. Although the *Mathnavī* is massive in scope (26,000 verses), it focuses on Rūmī's primary concerns: the longing of the soul for its beloved and the loss of self in a love for God so absolute that only God exists. He emphasized the cycle of the origination of all things from God and their return through extinguishing the self. The highest possible achievement of the soul is longing for God, beyond which there is annihilation of individuality. Rūmī frequently reworked traditional stories or used metaphors of intoxication and/or human love, and, disdaining discursive thought and logical argument, he saw himself as being in the spiritual tradition of al-Hallāj, Sanā'ī, and 'Aṭṭār.

### BIOGRAPHY

Rūmī's family left Balkh when he was quite young, fleeing the invading forces of Genghis Khan. In 1228, he moved to Konya, where his father, the noted theologian Bahā' al-Dīn Walad, taught. Rūmī took over those teaching duties after his father's death. In 1244, he met the famed Sufi Shams al-Dīn Tabrīzī in Konya (they may have met previously in Syria), and the two became inseparable partners in the rapture of absolute, mystical love of God. This relationship seems to have been the cause of Rūmī's turn to mystical poetry. Rūmī's relationship with Shams dominated his life, eclipsing responsibilities to family and students, who exiled Shams to Syria. Rūmī's eldest son, Sultan Walad, recalled Shams because the separation was heartbreaking for Rūmī. Their previous behavior resumed, leading another of Rūmī's sons to conspire successfully with his students to murder Shams. Soon thereafter, Rūmī entered into a similar relationship with Salāh al-Dīn Zarkūb.

### LEGACY

After Rūmī's death, Sultan Walad organized the Mevlevī (Turkish for Rūmī's title, *maulānā*, or master) order of Sufis, in which dancing in circles is an important spiritual exercise. The Mevlevī (the "whirling dervishes" of European writers) have been a significant popular, devotional alternative to more legalistic Islamic orthopraxy, and Rūmī's tomb remains a focus of popular religion and pilgrimage. His poetry was influential as far away as Bengal and has remained influential to the present day. Among those moved by his poetry were the Mughal emperor

Akbar, the Chistī Sufi saint Nizām al-Dīn Auliya, and the twentieth century poet Muḥammad Iqbal.

*Thomas Gaskill*

SEE ALSO: Ḥallāj, al-; Rābi'ah al-ʿAdawīyah; Sufism.

## Russell, Bertrand

IDENTIFICATION: English mathematician and philosopher

BORN: May 18, 1872, Trelleck, Monmouthshire, Wales

DIED: February 2, 1970, Plas Penrhyn, near Penrhyndeudraeth, Wales

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Although primarily a logician, Russell developed a subjectivist ethical position in the belief that human beings could choose good over evil. His most important ethical works include *On Education* (1926), *Why I Am Not a Christian* (1927), *Marriage and Morals* (1929), *Education and the Social Order* (1932), *Religion and Science* (1935), and *Human Society and Ethics* (1955).

Bertrand Russell's early work centered on mathematics and logic, culminating in a book he co-authored with Alfred North Whitehead, *Principia Mathematica* (1910-1913). Twice, however, he was dramatically drawn into issues of values and ethics. The first occasion came in 1901, when a "quasi-religious experience" brought home to him the isolation of the individual and led to his advocacy of humane policies in education, the punishment of criminals, and personal relationships. He published an essay, "A Free Man's Worship" (1903), but was too involved in his work on logic to devote much time to these ideas. The second and lasting shift was prompted by World War I, which he opposed, though he would later support the opposition to Nazism in World War II.

The horrors of the world wars prompted Russell to consider how humankind might change. He was convinced that the key was education, because childhood experience molded adult attitudes, including the acceptance of violence. In his writings and at Beacon Hill School, which he founded, he advocated



the disciplined but kindly treatment of students. Ultimately, however, he realized that values were matters of opinion, and he never found an objective way to prove that his values were best. He argued powerfully, however, for his humane approach to education, as well as to sexual relationships, religion, and other important aspects of social life.

*Fred R. van Hartesveldt*

SEE ALSO: Humanism; Idealist ethics; Reason and rationality; Relativism; Subjectivism; Whitehead, Alfred North.

## Rwanda genocide

THE EVENT: Ethnic conflict in which as many as 800,000 Rwandans—mostly Tutsis—were killed

DATE: April-July, 1994

PLACE: Rwanda, Central Africa

TYPE OF ETHICS: Human rights

SIGNIFICANCE: In addition to the obviously horrific slaughter of hundreds of thousands of innocent people, the Rwandan genocide raised troubling questions about the ethical responsibility of the world's nations to intervene in the affairs of other nations.

Covering more than ten thousand square miles in the heart of Africa, Rwanda has a population made up of three distinct peoples. The Hutu constitute the majority of the population and are traditionally subsistence farmers; the minority Tutsi were traditionally cattle herders and provided the country's rulers; and the Twa, who constituted only about 2 percent of the total population, were traditionally potters. After Germany and Belgium colonized Rwanda and neighbor Burundi around the turn of the twentieth century, colonial rule reinforced and exacerbated the distinctions among Rwanda's three groups.

Under Belgian rule, which lasted from 1916 until 1962, colonial administrators favored the Tutsis, sin-

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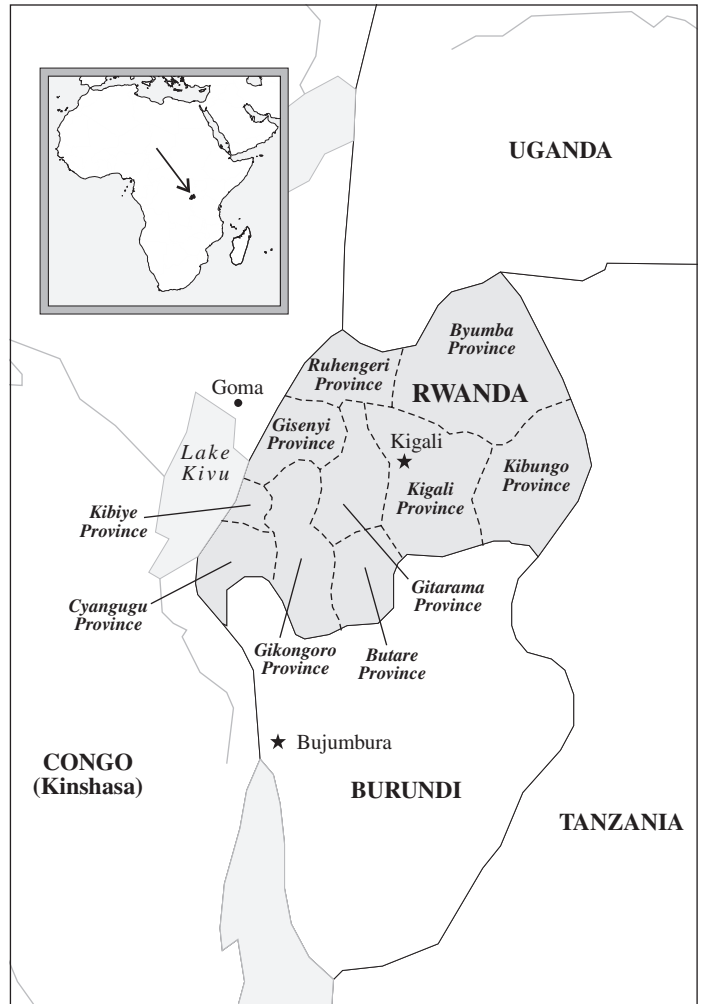
*During his 1998 visit to Rwanda, United Nations secretary general Kofi Annan (right) visited a memorial site at which the skulls of thousands of victims of genocide were on display. (AP/Wide World Photos)*

gling them out for greater access to education and government jobs. By 1959, however, the majority Hutus were powerful enough to force out the last Tutsi king. Thousands of Tutsi supporters went into exile to neighboring Uganda at that time. After Rwanda declared its independence from Belgium, a government headed by Hutus came to power. In 1973, a Hutu general, Juvenal Habyarimana, seized power in a coup and a dictatorship was established that lasted until his death in 1994, when an airplane on which he and the president of Burundi were traveling crashed, killing both leaders. Suspicion that the airplane had been shot down by Tutsi opponents of the Hutu government touched off the genocide that ensued against the Tutsis in Rwanda.

A few years before Habyarimana's death, a civil war had begun, between the Rwanda Patriotic Front (RPF), representing the Tutsis and operating out of Uganda, and the Hutu government. Habyarimana was also under pressure from the international community to democratize Rwandan politics and ameliorate the country's economic condition, which was dismal. In 1992, he agreed to conditions that led to a cease-fire between the two sides. Since the negotiations leading to the cease-fire took place in Arusha, Tanzania, they were referred to as the Arusha Accords. A power-sharing schedule was drawn up that included the eventual holding of elections. Many within Habyarimana's government were angry at the conditions imposed by the Arusha Accords, charging that the Tutsis would maximize their power under the agreement. With so many unhappy within the ranks of his own government and with Habyarimana trying to simultaneously appease his people as well as appear to be moving forward under the accords, political unrest grew.

#### GENOCIDE IN RWANDA

On April 6, 1994, Habyarimana's plane crashed in Rwanda's capital city, Kigali, and he was instantly killed. Blame for the apparently sabotaged plane was



never finally established; Hutus claimed that Tutsis were responsible, and Tutsis claimed that extremist elements within the Hutu government had killed their own leader. The Hutu-dominated army seized upon the crash as a pretext to move against all Tutsis, organizing ruthless killings of the RPF and all Tutsis in an attempt to eliminate them from Rwanda. Ordinary Hutus were exhorted to kill "Tutsi vermin" in radio broadcasts throughout the country, and many did.

Human rights abuses that dehumanized the other side and portrayed them as animals were common on the part of the Hutus as the genocide spread. Over the next three months, the RPF advanced in the north and was eventually able to take control of large parts of the country and form an interim government. A Tutsi government still ruled the country a decade later.

Meanwhile, however, three months of genocide had taken around 800,000 lives, the majority of whom were Tutsi. Many Hutus, including members of the former government and militias, fled to refugee camps in the neighboring Democratic Republic of the Congo (then called Zaire) and Tanzania.

The genocide in Rwanda was a sober lesson to the world community in how rapidly civil violence could spread and how deadly its effects could be. The debates over what ethical and moral responsibility the world community had in stopping the genocide were still being voiced a decade later. The United Nations had only a small force in the country on the eve of the violence and failed miserably to stop the genocide, although the Canadian commander of the U.N. peacekeeping mission, Roméo Dallaire, tried to alert U.N. officers to the need for additional help.

Ethical questions have also been raised about the reluctance of the United Nations to get involved in the conflict until after the genocide had occurred. In 2004, Rwanda was still limping back to normalcy after trials for crimes against humanity were held against Hutus responsible for the killings. The coun-

try's first election after the genocide, held in August, 2003, resulted in the maintaining of power by President Paul Kagame, although there have been charges of voter intimidation by his opponents.

*Tinaz Pavri*

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SEE ALSO: African ethics; Dallaire, Roméo; Genocide and democide; Holocaust; Peacekeeping missions; United Nations; United Nations Convention on the Prevention and Punishment of the Crime of Genocide; War crimes trials.

# S

## Sales ethics

**DEFINITION:** Formal and informal codes of conduct defining the morally proper and improper ways to sell things to people.

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Sales is often perceived, by both buyers and sellers, as the art of convincing people to purchase things they do not really need or to pay more for a commodity than it is really worth. This act raises ethical concerns involving who is ultimately responsible for the decisions of consumers and the extent to which purveyors of commodities can or cannot be said to manipulate buyers or the marketplace itself.

The selling of goods and services has long been the subject of moral and, sometimes, theological concern. Economic theorists at least since the time of Adam Smith have assured people that when a buyer and a seller with equal knowledge of a product reach agreement and a transaction occurs in the marketplace, the situations of both buyer and seller are improved; otherwise, one or the other would not have agreed to the transaction. Nevertheless, since both buyer and seller are seeking to maximize their positions and since their interests are diametrically opposed, one seeking the lowest possible price and the other seeking the highest, it is natural to expect each to try to take advantage of the other, sometimes unfairly. The problem is rooted in whether buyer and seller have equal knowledge; as products and services have become increasingly complex and as manufacturers and sellers have grown into multibillion-dollar corporations, equal knowledge, and therefore equal power, in the marketplace has become the exception rather than the rule.

### MARKETING ETHICS

The ethics of marketing, a broader and more current interpretation of sales, can be viewed in terms of the natural dimensions of the marketing function.

The first concerns the safety and appropriateness of the product or service being marketed, normally considered under the subject of product liability. Here the question is: Who has responsibility and liability for any harm done to individuals or to society by the product? This has become an enormously complex and rapidly changing area of the law and of moral concern as well. Traditionally, common law and social thought relied on contract theory, which holds that buyer and seller come as equals to the marketplace, and once the deal has been struck, the buyer is responsible for the product, including any harm it might cause. Especially since the 1950's, however, more and more of the responsibility and liability have been placed on the seller and, particularly, the manufacturer. It has been argued that the manufacturer has the most knowledge of the product, is in the best position to prevent harm from occurring, and is better able to bear the financial liability for harm than is the buyer, especially when the latter is an individual consumer. No longer is it necessary to show that manufacturers have been negligent in any way; they are now expected to anticipate any potential hazards or possible misuse by customers.

### PRICING AND PROMOTION ISSUES

Ethical questions can arise also in the pricing function of marketing. Here the question is whether a price is considered fair, especially when the product is a necessity such as a basic food item, housing, or medical care. The introduction of revolutionary pharmaceutical products—for example, Burroughs Wellcome's AZT for the treatment of acquired immunodeficiency syndrome (AIDS) patients and Genentech's TPA for heart attack victims—has often triggered complaints that the manufacturer's high price puts an unfair burden on the buyer. Some retailers have been accused of unfairly charging prices in low-income areas that are higher than those that they charge in more affluent neighborhoods for the identical merchandise.

Sophisticated advertising and other promotional

tactics are often the subject of ethical questioning. Critics charge that advertisers, usually the manufacturers, manipulate and exploit consumers, and thus use unfair means to encourage them to buy. Manufacturers and some social scientists respond that unless the advertising is actually dishonest, and therefore illegal, consumers cannot be coerced by legal advertising messages into buying anything that they do not really want to buy. This issue takes on added significance when so-called "vulnerable" groups are the target. Cigarette companies have been criticized for targeting African Americans and women; breweries for targeting young, inner-city African Americans for high-alcohol-content beverages; breakfast cereal and toy manufacturers for targeting children; and door-to-door sellers of safety devices for targeting older people. Other ethical questions raised about advertising include the promotion of inappropriate values; for example, materialism and the exploitation of women by emphasizing sex.

In the distribution function of marketing, ethical questions are raised when retailers close stores in inner-city areas (for example, after the Los Angeles riots of May, 1992), when major food retailers collect "slotting fees" from manufacturers just for agreeing to carry new products, and when direct marketers buy and use confidential demographic and consumer behavior information in compiling lists of potential customers.

#### CORRECTIVE ACTION

Action to correct these ethical problems comes from three sources. First, various industries and business associations agree to exercise self-restraint through company-wide or industry-wide codes of conduct and through the formation of organizations such as the Better Business Bureaus to monitor corporate behavior. Second, dozens of watchdog consumer organizations, such as the Center for Auto Safety, Co-op America, and the Center for Science in the Public Interest, have been formed to guard consumers' interests and call attention to what they perceive as improper behavior on the part of sellers. Third, since the 1970's, many laws have been passed to help protect consumers, such as the Consumers Products Safety Act, the Child Protection and Safety Act, and the Hazardous Substances Act at the federal level.

*D. Kirk Davidson*

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SEE ALSO: Advertising; Business ethics; Consumerism; Marketing; Price fixing; Telemarketing; Warranties and guarantees.

## SALT treaties

IDENTIFICATION: Cold War treaties designed to curb the nuclear arms race and to place limits on the development of antiballistic missile defenses

DATES: SALT I, May 26, 1972; SALT II, June 18, 1979

TYPE OF ETHICS: International relations

SIGNIFICANCE: The Strategic Arms Limitation Treaties (SALT I and SALT II) began the process of mutual U.S. and Soviet nuclear weapons reduction, in recognition of the dangers posed to the long-term security of all nations by unfettered nuclear stockpiling.

After several years of preliminary efforts, negotiations between the United States and the Soviet Union regarding reducing strategic nuclear weapons began



on November 17, 1969. Several factors spurred both states toward an agreement. The United States was anxious to stop the steady Soviet buildup of intercontinental ballistic missiles (ICBMs), which in 1970 for the first time exceeded those of the United States. By the early 1970's, the Soviet Union was approaching numerical parity with the United States in the total number of strategic nuclear delivery vehicles.

For its part, the Soviet Union was anxious to avoid a competition with the United States in building anti-ballistic missile (ABM) defenses. In 1967, the U.S. Lyndon Johnson administration decided to proceed with a pilot ABM system, as did the succeeding Richard Nixon administration. Another factor was that both countries had committed themselves to nuclear weapons reductions as part of their effort to persuade non-nuclear weapons states to sign the Nonproliferation Treaty. Finally, during the early 1970's, the two superpowers were moving toward improved relations, which both sides recognized would be dramatically symbolized by significant arms control agreements.

### SALT I

Between November, 1969, and May, 1972, seven negotiating sessions were held, alternating between the cities of Helsinki and Vienna. Completion of the SALT I package was not achieved until May, 1972, when Richard Nixon and Leonid Brezhnev met in their first summit session in Moscow. The fundamental compromise of SALT I was embodied in two agreements: an ABM Treaty limiting defensive weapons (the primary concern of the Soviet Union) and a moratorium on the deployment of offensive weapons (the principal U.S. objective).

The ABM Treaty was the more important of the two agreements. It provided that each party would refrain from building a nationwide antiballistic missile defense and would limit the construction of ABM

### SALT Treaties Time Line

<i>Date</i>	<i>Event</i>
September 18, 1967	U.S. secretary of defense Robert McNamara announces limited U.S. ABM system.
July 1, 1968	U.S. president Lyndon B. Johnson announces preliminary SALT discussions.
November 17, 1969	SALT negotiations begin in Helsinki, Finland.
May 26, 1972	SALT I agreements are signed in Moscow, Russia.
July 1, 1972	Moratorium on offensive missiles begins.
September 30, 1972	ABM Treaty is ratified by United States.
October 3, 1972	SALT I agreements take effect.
November 21, 1972	SALT II negotiations begin.
November, 1974	Ford-Brezhnev accord begins at Vladivostok summit.
March 12, 1977	U.S. president Jimmy Carter endorses comprehensive plan.
October 1, 1977	Missile moratorium expires.
June 18, 1979	SALT II Treaty is signed in Vienna.
December, 1979	Soviet Union invades Afghanistan.
January, 1980	U.S. president Jimmy Carter withdraws SALT II Treaty from Senate consideration.
March, 1983	U.S. president Ronald Reagan proposes Strategic Defense Initiative (Star Wars).

site defenses to only two specific sites. (Subsequently, the treaty was modified to limit site defense to a single site.) The site defenses were intended to permit both sides to protect their national capitals and one ICBM site. The Soviet Union had already begun construction of an ABM defense of Moscow, and the United States was free to do the same for Washington, D.C. (which it never did). An important provision of the ABM Treaty stipulated that "Each Party undertakes not to develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based." More than a decade later, this prohibition would be used to criticize as illegal the proposal of the Ronald Reagan adminis-

tration for a “strategic defense initiative.” The ABM Treaty, which was ratified by the United States on September 30, 1972, is of unlimited duration, although it is subject to review every five years.

The other part of SALT I was an Interim Agreement not to construct any new fixed, land-based ICBM missile launchers for a five-year period beginning July 1, 1972. This five-year moratorium was formalized as an Executive Agreement rather than as a treaty. Both parties could modernize and replace their strategic offensive missiles and launchers, but they could not increase their total number. Thus, the United States was limited to 1,054 ICBMs and the Soviet Union to 1,618. A protocol to the Interim Agreement limited the United States to a maximum of 710 submarine-launched ballistic missiles (SLBMs) and the Soviet Union to 950 launchers. The rationale for this agreement was that while both parties possessed a different mix of weapons, they were nevertheless roughly in a state of parity. While in certain categories of missiles the Soviet Union possessed more, the United States had the advantage of technological superiority. It was assumed that before the moratorium expired, both governments would negotiate a follow-on agreement (SALT II) that would begin the process of inventory reduction.

## SALT II

SALT II proved to be considerably more difficult to negotiate than SALT I had been. In October, 1977, the five-year moratorium ended and no follow-on agreement was in sight. Both governments unilaterally and simultaneously announced their intention to abide by the constraints of the Interim Agreement, pending a new accord. Not until May, 1979, was SALT II completed, and then it was never ratified. There were three principal reasons for the protracted negotiations of SALT II. First, during the 1970’s, technological improvements in weapons systems made verification of an agreement extremely difficult. The development of cruise missiles by the United States, the deployment of mobile launchers by the Soviet Union, and the deployment of multiple independently targeted reentry vehicles (MIRVs) by both sides required intrusive and cooperative monitoring measures that both sides were reluctant to accept.

Second, the détente relationship of the early 1970’s collapsed as the decade passed. Soviet-American

conflicts in the Third World fueled suspicions that the Soviet Union was determined to expand at Western expense. Soviet-Cuban involvement in Angola and Ethiopia during the mid- to late 1970’s particularly angered the United States. The Soviet invasion of Afghanistan in December, 1979, induced U.S. president Jimmy Carter to abandon the effort to ratify SALT II. Third, negotiations were complicated by domestic politics, particularly in the United States. President Nixon was disabled by the Watergate crisis, which forced his resignation in 1974. President Carter was slow to move the negotiations because of both overambition to produce drastic cuts and diplomatic ineptitude.

In 1974, President Gerald Ford met Leonid Brezhnev in Vladivostok to devise a general framework for a SALT II treaty. They agreed that each side would be permitted a total of 2,400 strategic delivery vehicles, of which 1,320 could be MIRVs. Five years later, under a different American administration, an agreement was reached. It was signed by Carter and Brezhnev at a summit meeting in Vienna.

Unlike SALT I, SALT II is a long and complicated agreement. The documents include a Treaty to remain in force through 1985, a Protocol of three years’ duration, and a Joint Statement of Principles to serve as a guideline for future negotiations. The main terms of the agreement can be summarized as follows: a ceiling of 2,400 strategic launchers, to decline to 2,250 by 1981; a limit of 1,320 on MIRV missiles and bombers; a further subceiling of 1,200 for MIRVs, ICBMs, and SLBMs; a further subceiling of 820 for MIRV ICBMs; a limit on the number of warheads on MIRV missiles; limits on the deployment of mobile missiles and cruise missiles; and a limit on Soviet production of the Backfire bomber.

By the time SALT II was signed, relations between the superpowers had deteriorated, making ratification in the United States politically difficult. Reagan, who was elected U.S. president in 1980, opposed the ratification of SALT II, though throughout his administration he adhered to its provisions (as did the Soviet Union). During the 1980’s, U.S.-Soviet relations radically improved, and subsequently the two states did agree on arms control measures that went breathtakingly beyond both SALT I and SALT II. The threat of nuclear devastation was substantially reduced by these agreements.

*Joseph L. Noguee*

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SEE ALSO: Cold War; International law; Mutually Assured Destruction; Nuclear arms race; Union of Concerned Scientists.

## Sanctions

**DEFINITION:** Political, economic, or military measures adopted by one or more nations designed to coerce another nation into obeying international law or otherwise acceding to the coercive nations' will

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** Sanctions provide a means short of full-scale warfare to encourage compliance with international law, but they may still be seen as violating the sovereignty of the nation being sanctioned.

International relations are marked by the lack of centralized mechanisms for maintaining order and punishing violations of international law. For this reason, states, in both their individual capacities and as collective groups, have relied on sanctions to punish of-

fending governments. Sanctions take a variety of forms, including the imposition of trade boycotts and embargoes, the freezing of assets held in foreign banks, the suspension of foreign aid or investment activity, the breaking of diplomatic relations, the establishment of blockades, and even the limited use of military force. Economic sanctions are not always effective in achieving compliance from the offending government. Their success is most likely when a large number of states that have commercial and economic ties to the offending state act quickly and firmly to impose sanctions, when the offending state is economically weak and unable to withstand the sanctions, and when third parties are unlikely to come to the offender's assistance. Historically, sanctions took the form of unilateral retaliation by the injured state against the offender. In the twentieth century, with the rise of international organizations such as the League of Nations and the United Nations, sanctions have been adopted as a multilateral mechanism for taking action against renegade states that violate international law.

**HISTORY**

Sanctions have always been present in international relations as a means of punishing violators of international law. In effect, an injured state, having no capacity to appeal to a higher authority, relied on its own resources to take action against governments that injured it by violating treaty obligations or customary international law. Several principles, however, placed ethical, moral, and legal constraints on how states could use retaliatory force and how much force they could use as a sanction against the offender. Three basic principles were involved. First, it was assumed that one could retaliate legally only when the action was in response to a prior illegal action or provocation. Second, it was assumed that the injured party would allow some time to resolve the dispute peacefully. Third, it was required that any retaliation would be proportional in character and degree to the original offense. Excessive retaliatory force was considered illegal, and restraint in the course of retaliation was expected.

With the emergence of global and regional collective security organizations in the twentieth century, governments moved toward the multilateral use of sanctions. Collective security organizations require their members to resolve disputes among themselves

peacefully; that is, to avoid the use of force against one another. When a member of a collective security treaty such as the United Nations illegally uses force against another member, other member states are expected collectively to resist and punish such aggression. Sanctions are typically employed to deal with such situations, although the severity of the sanctions and their effectiveness have varied substantially in actual practice, and in many instances there has not been adequate consensus to employ any sanctions at all. This happens when there is doubt about which state was actually the author of aggression and in cases in which a clear aggressor has powerful allies that will oppose efforts by collective security bodies such as the United Nations to take any action. In such cases, individual states are free to impose sanctions of their own against a state that has violated international law. Multilateral sanctions, in other words, have not replaced self-help by individual states but have supplemented it. When, how, and whether sanctions are imposed ultimately depends more on political realities than on ethical, moral, or legal considerations.

### ETHICAL ISSUES

International relations are marked primarily by the principle that states are sovereign. This principle calls for nonintervention in the domestic affairs of a state. It calls for each state to recognize the independence, territorial integrity, and equality of other states. How then can sanctions be justified against a state? When should sanctions be imposed? Under collective security treaties to which governments have voluntarily subscribed, sanctions are justified when one state violates the territorial integrity of another state and, at least under the United Nations Charter, when such violations threaten international peace and security. In other words, if states have a right to territorial integrity and noninterference in their domestic affairs, then they have a duty to respect other states' independence and territorial integrity. Where clear-cut aggression occurs, sanctions are ethically, morally, and legally justified. The U.N. Security Council can act only if a majority of its members (that is, nine states, including the five permanent members who have veto power) agree to impose sanctions. If they fail to do so, then states are left to decide how to proceed to protect their rights and interests.

One of the most ticklish issues concerning sanctions turns on the question of their use against states for actions that are primarily domestic in character and that may not clearly threaten international peace and security. May the international community, for example, interfere in the domestic affairs of a state to punish it for mistreatment of its own citizens? States have, for example, imposed sanctions on their own, and at the request of the United Nations, to oppose South Africa's domestic policy of apartheid. Sanctions were imposed on Rhodesia when a white minority unilaterally declared independence during the 1960's. Such cases are, however, rare. Usually, sanctions are imposed when the domestic actions of states begin to have serious international consequences. When domestic instability produces civil war, refugee flows into neighboring states, boundary incursions, and the like, then states are more likely to impose sanctions.

Another problem with economic sanctions is that they often hurt the innocent population of a country without damaging or removing the culpable government, as happened in Iraq in the late twentieth century. For how long should states impose sanctions that are hurtful to the innocent? Here, ethical and humanitarian considerations must be weighed in the balance with political judgment.

### CONCLUSION

Sanctions are imposed by states for many reasons. Sometimes they are meant to punish an aggressor, sometimes to pressure an outlaw state into compliance with international law, sometimes to prevent the further spread of conflict, and sometimes simply to express the moral indignation or outrage that the people and government of one country feel about the actions of another country's government. In the latter case, the imposition of sanctions fulfills its purpose in the very act of implementation even if the offending state fails to desist from its objectionable behavior.

*Robert F. Gorman*

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SEE ALSO: Deterrence; Economics; International justice; International law; Intervention; Limited war; Power; Sovereignty.

## Śaṅkara

IDENTIFICATION: Early Indian philosopher

BORN: c. 700, Kālaḍi, Kerala, India

DIED: 750, Himalayas

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: In his commentaries on the Hindu religious canon (the Prasthānatraya), Śaṅkara advocated monistic or Advaita Vedānta philosophy, which explains how to achieve the ultimate reality, or *Brāhmin*. He founded four Indian *mathas*, or monasteries.

The most influential philosopher of the Advaita, or nondualistic, school of Vedānta philosophy in India. Śaṅkara was considered the incarnation of the god Śiva. His view is representative of the main teachings of the Upaniṣads, which do not portray any consistent view of the universe and of reality. Śaṅkara detected a synthesis underlying the Upaniṣads and insisted on interpreting them in a single coherent manner. He tried to revive the intellectual speculation of the Upaniṣads through his reaction against the ascetic tendency of Buddhism and the devotional tendencies stressed by the Mimāṃsā school. The central position of Śaṅkara's philosophy is that all is one;

only the ultimate principle has any real existence, and everything else is an illusion (*māyā*). The basic teaching of Advaita Vedānta is that the direct method of realization of *Brāhmin* is the path of knowledge, which consists of getting instruction from a teacher, reflecting on its meaning, and meditating on truth with single-minded devotion. For Śaṅkara, philosophical discrimination and renunciation of the unreal are the basic disciplines for the realization of *Brāhmin*. Finite humanity can catch a glimpse of *Brāhmin* through a personal god, who is the highest manifestation of the infinite.

The self, or *ātman*, according to Śaṅkara, is pure subject and is never an object of consciousness. It is not a duality; it is different from the phenomenal, the spatial, the temporal, and the sensible. It is assumed to be foundational but it is in no sense a substance. Self is the ever-existent and self-existent first principle. It is not something that is unknown. One must come to the realization that one is *Brāhmin*. This is self-knowledge, the knowledge of self being the self of all things. One must realize one's identity as *Brāhmin*, for *Brāhmin* is knowledge. Self-knowledge and realization are one and the same. From the level of *Brāhmin*, nothing is seen to be real—not the existential self that people view as ego, not the worlds, and not the universes.

According to Advaita Vedānta philosophy, the highest good consists in breaking down the bonds that shut one out of the reality that one is. It is only the realization of *Brāhmin* that can give one permanent satisfaction. Śaṅkara wrote, "Attaining the Knowledge of Reality, one sees the universe as the nondual *Brāhmin*, Existence-Knowledge-Bliss Absolute." It is not possible for everyone to achieve this highest state, yet everyone can try to achieve it progressively, through his or her inner light. It is up to the individual to choose any course of action (karma) that is of value to that person. When one clings to the world, one looks for rewards for action and feels disappointed when the objects of desire are not achieved. This applies even to praiseworthy actions such as worship and giving alms. If these actions are performed with desire or attachment, they cause bondage. Therefore, nonattachment must be cultivated if one wants to progress to the highest good.

It is often believed that Śaṅkara discourages the performance of duties and advocates the discipline of nonaction for the realization of truth. This is not true,



however, because Śaṅkara's position is that because of *māyā*, or ignorance, one does not recognize one's true nature and finds oneself involved with the relative world of good and evil, life and death, and other pairs of opposites. Therefore, one tries to avoid evil and to do good, rising and falling according to the results of one's actions. Gradually, one discovers that it is impossible to attain lasting happiness and peace by clinging to rewards and realizes that work performed in the spirit of surrendering the results to God, in the spirit of calm, unattached by love or hate, by reward or punishment, purifies the heart and makes it inclined toward the cultivation of meditation and self-knowledge. The liberated person engages in service to humanity but not in an egoistic way, because a liberated person is above good and evil, above morality.

Release from the wheel of birth and rebirth comes through *jñāna*, or knowledge or insight, which lifts one out of one's individuality into the oneness of the infinite. At the beginning stage, one learns the art of concentration through the worship of the personal God and acquires purity of heart through performance of unselfish duties. In the next stage, one acquires knowledge of *Brāhmin* and realizes the impersonal absolute. The way of devotion (*bhakti mārga*) must be transcended if one is to realize the supreme good, the realization of self as *Brāhmin*. It is at this level that one becomes liberated from the endless sufferings of the world. This level can be achieved during one's lifetime. This freed soul does not have anything more to achieve but still continues to work for the welfare of the world. The liberated person does not negate his or her relationship to the finite world, since there is a direct relationship between the spiritual and the ethical. The freed soul (*jivan-mukta*) follows the moral code set down by his or her society, because he or she is unattached and freed from desires.

*Krishna Mallick*

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SEE ALSO: Aurobindo, Sri; Karma; Tagore, Rabindranath; Upaniṣads; Vedānta.

## Santayana, George

IDENTIFICATION: Spanish philosopher, poet, and novelist

BORN: December 16, 1863, Madrid, Spain

DIED: September 26, 1952, Rome, Italy

TYPE OF ETHICS: Modern history

SIGNIFICANCE: The author of *The Life of Reason: Or, the Phases of Human Progress* (1905-1906), *Scepticism and Animal Faith* (1923), and *Realms of Being* (1927-1940), Santayana posited an evolution of ethics that led to lifestyles that emphasized detachment, contemplation, kindness, faith, and a sense of irony about human failings.

A materialist and a gentle skeptic, George Santayana expressed himself as sensitively in his extensive formal and philosophical writings as he did in his poetry and novels. Pushing doubt as far as he could, he ended his explorations believing that everything could be doubted except, possibly, faith. Such "animal faith" sprang, he explained, from humankind's survival instincts. Santayana's somewhat Platonic ideal world arose from primitive magic and science and took a higher form in religion. The ethics that he derived from his philosophizing were explained as the results of a three-phase historical evolution. Early, or prerational, morality, although culturally rich, was crude and without consistent application. Its refinement, rational morality, was a vital outgrowth of humankind's general adherence to the dictates of reason and, as the nineteenth century well understood, to a belief in progress.

The horrendous effects of two world wars, however, supplanted the positivism of rational morality

with postrational pessimism. With little that was positive distinguishing this world, humankind's attention shifted to the promise of otherworldliness—for Santayana, the sad end of ethical development. After years of teaching at Harvard University, Santayana, the recipient of an inheritance, took up residence in Rome, thereafter exemplifying a lifestyle that conformed with his ethics. It was a contemplative existence marked by a kindly, tolerant skepticism and detachment. Able to cultivate the interrelated values of science, art, and religion, he came as close as a doubter could to assessing the benefits of his ideal society.

*Clifton K. Yearley*

SEE ALSO: Comte, Auguste; Morality; Pessimism and optimism.

## Sartre, Jean-Paul

IDENTIFICATION: French philosopher, playwright, and novelist

BORN: June 21, 1905, Paris, France

DIED: April 15, 1980, Paris, France

TYPE OF ETHICS: Modern history

SIGNIFICANCE: The leading proponent of modern existentialist thought, Sartre departed from traditional ethical theory with his subjectivist perception of human morality. He is the author of *Being and Nothingness* (*L'Être et le néant*, 1943), *Existentialism and Humanism* (*L'Existentialisme est un Humanisme*, 1946), and various plays and novels reflecting existentialist themes.

At the heart of Sartrean ethics is the same basic premise that defines Jean-Paul Sartre's larger existentialist philosophy: that humanity makes itself. There is no created human nature and thus no prescribed grounds for behavior apart from what the individual chooses. This is not to say that ethics was peripheral to Sartre, or simply an afterthought. Even during the formative days of his philosophical career, before World War II, he emphasized the need for "authenticity" in human behavior, which is one of the cardinal tenets of his theory of morality.

His first novel, *Nausea* (*La Nausée*, 1938), is the story of a young scholar seeking to learn more about

an obscure historical figure, and his research leads him to face the universal human tendency to distort real identity. For Sartre, this "unauthenticity" precluded genuine morality by denying the most elemental truth. Sartre's experiences in World War II—witnessing the defeat of France by Germany and his own imprisonment in a Nazi camp—further convinced him that morality must emanate from candidly facing the truth about one's existence.

### EXISTENCE PRECEDES ESSENCE

In Sartre's thought, there was no higher being, no God who had created human nature, and thus no transcendent basis for ethics. "There is no human nature," he wrote, "since there is no God to conceive it." Candidly atheistic, Sartre turned away from traditional religion. An individual, he argued, exists before he or she has a nature (essence), and the essence that a person acquires is the result of his or her own choices and their translation into action. The pivotal emphasis is upon action, for intentions alone do not shape essence.



*Jean-Paul Sartre.* (Library of Congress)

If this seems to place Sartre clearly within a relativist genre of ethics, other factors qualify the apparent radical individualism of his thinking about morality. The first is his unflagging zeal for human responsibility. Although one does shape one's own essence, one is also responsible—for the sake of authenticity—to be consistent with the goals of one's chosen way of life. For example, one who eschews dishonesty can hardly spend his or her life lying or otherwise deceiving others. Responsibility in Sartrean ethics is tantamount to commitment, a view that has an interesting correlation with more conventional ethical thinking in the Judeo-Christian and other great major religious traditions.

A second dimension of Sartrean ethical thought that limits extreme relativism and individualism is Sartre's perception of "bad faith" (*mauvaise foi*). It is bad faith, to Sartre, to pretend—particularly to oneself—to be something that one is not. Social role-playing such as "being" a student, professor, worker, or attorney is one level of such bad faith, but so is assuming that one's being is exhausted by such a definition. People are more than the social roles they play, and morality is much more than being good at performing the expected behavior patterns. Although there is no one in the final analysis to help one make choices, one is responsible to one's past and anticipated future to be sincerely what one is.

Furthermore, Sartre defined individual existence in terms of broader human existence. Just as a person is the product of the past, he or she is also relational. The surrounding world of things, as well as other people, is an integral part of one's existence and therefore morality. In the play *No Exit* (*Huis clos*, pr. 1944, pb. 1945), the characters are in Hell, which is symbolized by a small room where each is subjected to the piercing gaze of the others. One of them, Ines, is a lesbian who is responsible for the death of her friend's husband. Like Garcin, a deserter, and Estelle, a child-killer, Ines can find no escape from the others' eyes and presumed judgment.

No less a philosopher than Immanuel Kant had raised similar moral issues, but he did so in terms of the question of whether a person could legitimately want his behavior to be universal. Kant's "categorical imperative," as it is called, assumed a universal transcendent moral order. Sartre did not, but neither did he advocate behavior that did not in some sense aid the existence of others. If Sartre thus seemed to ap-

proximate such concepts as love and universal moral premises, he remained humanistic in his ethical theory. The significance of others in one's ethics is that they also objectively exist and are part of the individual's responsibility.

### BEING-FOR-ITSELF

Basic to this line of ethical reasoning is Sartre's distinction between being-for-itself (*pour-soi*) and being-in-itself (*en-soi*). Being-in-itself is the type of existence that defines things. A rock's essence and being are identical. There is no self-conscious reflection, no selfhood at stake. In short, there are no choices to be made by things. Human existence is radically different, a being-for-itself; that is, the human mode of existence is one of active choices and bearing the responsibilities for the outcome of those choices. In that sense, it is being-for-itself. Humanity also exists "*en-soi*," however, and this dual nature demands responsibility. A tree or rock cannot decide, either for itself or for other things, what to do or be. Humans can and must. The individual is in the present, facing the de facto past and facing a future that requires continued decision making and acting on those decisions responsibly.

### IMPLICATIONS FOR ETHICAL CONDUCT

In the Sartrean view of human life, nothing counts more than responsibility. Indeed, responsibility is the essence of being human. With no higher moral order either to shape one's essence or by which to judge one's actions, one must face squarely individual responsibility as well as the possible impact that one's behavior might have on others. Sartre's own estimation of the ethical implications of his ideas focused on the notion that the individual's quest for being is related to that of humanity as a whole. People are, he argued, agents "by whom the world comes into being." Lacking in Sartrean ethics is a transcendent source of value, but there are good reasons in the existentialist perspective to love, to help others, and to discipline one's actions.

Thomas R. Peake

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SEE ALSO: Absurd, The; Beauvoir, Simone de; *Being and Nothingness*; Existentialism; Heidegger, Martin; Intersubjectivity; Subjectivism.

## Schindler, Oskar

IDENTIFICATION: German industrialist

BORN: April 28, 1908, Zwittau, Moravia, Austria-Hungary

DIED: October 9, 1974, Frankfurt, Germany

TYPE OF ETHICS: Human rights

SIGNIFICANCE: Schindler saved eleven hundred Jews from certain death during the Holocaust. His actions testify that ordinary people facing extreme danger can act in an ethical manner.

Nothing in Oskar Schindler's early life suggested that he would one day become a moral hero. A poor student, he was expelled from school at the age of sixteen for playing pranks. After marrying in 1928, Schindler soon became bored with his wife; he frequented taverns and took up with other women. After his father went bankrupt in 1935, Schindler became a salesman for the Moravian Electrotechnic Company. In 1938 he joined a local branch of Adolf Hitler's Nazi Party. During that same year, the German intelligence service recruited Schindler to gather military information during his business travels in Poland.

One month after the German army occupied Poland in September, 1939, Schindler arrived at

Image not available

*Oskar Schindler in 1968.* (AP/Wide World Photos)

Krakow looking for moneymaking opportunities. In Krakow he acquired a Polish enamelware company that the Nazis had confiscated from its Jewish owner. Cultivating the friendship of high-ranking Nazi officials, Schindler showered them with gifts and in early 1940 received contracts to produce field kitchenware for the German army. The Jewish slave labor that Schindler used in his plant made his contracts particularly lucrative. Schindler became wealthy and lived lavishly, supporting several mistresses.

At first, Schindler objected to Nazi mistreatment of Jews because arbitrary abuse of his workers interfered with efficient operation of his factory. However, after he realized, in mid-1942, that the Nazis intended to kill all Jews, Schindler's opposition became more principled, more far-reaching, and increasingly dangerous to him. He was arrested on three separate occasions, but each time he managed to be released. Schindler then began deliberately staffing his factory with Jews who appeared to be in greatest danger of being sent to Nazi death camps. He certified children,

intellectuals, and the elderly as machinists whose labor was vital to the German war effort.

### SCHINDLER'S LIST

After the Germans eliminated Krakow's Jewish ghetto, Schindler, at his own expense, set up a sub-camp around his factory so that his workers could avoid living in the terrifying Plaszow labor camp. In September, 1944, Schindler learned that the Plaszow camp was about to close; all its inmates were to be sent to death camps. Through cajolery and bribery, he received permission to move his factory to Moravia, in eastern Czechoslovakia, taking his workers with him. The names of the laborers who were to go with him made up the famous "Schindler's list" of eight hundred men and three hundred women who survived the Holocaust because of Schindler's efforts. When the women on Schindler's list were mistakenly sent to the Auschwitz death camp, Schindler personally arranged for their release—the only mass rescue reported by Holocaust survivors.

Why Schindler, ostensibly an unscrupulous fortune hunter, risked losing his life and wealth to aid the Polish Jews is unclear. He afterward said it was the human thing to do; however, few others in positions similar to his acted as he did. When Schindler arrived in the American Zone of Austria in 1945, he was penniless, and he never again succeeded in business.

During the final decades of his life, Schindler lived on donations from the Jews whose lives he once had saved. In 1993, nearly two decades after Schindler died, director Stephen Spielberg told the story of his heroism in *Schindler's List*, a film honored with several Academy Awards, including best picture.

*Milton Berman*

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SEE ALSO: Anti-Semitism; Bystanders; Concentration camps; Genocide and democide; Heroism; Holocaust; Nazi science; Nazism; Nuremberg Trials; Slavery.

## Schopenhauer, Arthur

IDENTIFICATION: German philosopher

BORN: February 22, 1788, Danzig (now Gdańsk), Poland

DIED: September 21, 1860, Frankfurt am Main (now in Germany)

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Schopenhauer's pessimistic philosophy, put forward in *The World as Will and Representation* (*Die Welt als Wille und Vorstellung*, 1819), advocated an ethics of asceticism, yet his emphasis on the primacy of will influenced both will-to-power thinkers and modern existentialists.

Financial independence enabled Arthur Schopenhauer to devote his life to philosophy, and he developed his pessimistic system as a follower of Immanuel Kant. In *The World as Will and Representation*, he identifies the will as the Kantian thing-in-itself that comprehends the external world through the mental constructs of time, space, and causality. As Schopenhauer understood it, will comprises intellect, personality, and the potential for growth and development. Although powerful, it is not free but is controlled by causation like all else that exists.

Confronting a meaningless existence and a godless universe, Schopenhauer concluded that ethical behavior requires withdrawal from the pleasures of life in favor of contemplation. The individual must tame the will so that it becomes less insistent on its egoistic desires, which lead only to further desires. Where others are concerned, the proper attitude is compassion, since they too suffer an identical fate. The truth of Christianity, according to Schopenhauer, lies in its early emphasis on renunciation of the world and an ascetic life. Although he failed to clarify how this asceticism could be achieved in the absence of freedom, Schopenhauer's work includes a strong suggestion. Because human actions are explicable through motives, he equates motive with cause. Thus, causation may be rooted in intellectual concepts. As the individual recognizes the futility of existence, he or she can become compassionate toward others and accept the futility of desire.

*Stanley Archer*

SEE ALSO: Asceticism; *Beyond Good and Evil*; Compassion; Pessimism and optimism; Wickedness; Will.



## Schweitzer, Albert

**IDENTIFICATION:** German theologian and missionary

**BORN:** January 14, 1875, Kaysersberg, Upper Alsace, Germany (now in France)

**DIED:** September 4, 1965, Lambaréné, Gabon

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** A important theologian who was always interested in public affairs, Schweitzer used his *Philosophy of Civilization (Kulturphilosophie I: Verfall und Wiederaufbau der Kultur, 1923)* to explore the ways in which civilization had become “self-destroying.” He received the 1952 Nobel Peace Prize.

In his early adulthood, Albert Schweitzer was an organist, a music scholar, and a world figure in theological studies. In 1905, Schweitzer began studying to be a physician so that he could be a mission doctor in equatorial Africa. In 1913, he opened a clinic in Gabon, doing much of the building with his own hands. He lived there for most of the rest of his life.

Schweitzer’s work in Africa caused him to contemplate world civilization as a whole. He developed an ethics that he called “Reverence for Life.” He believed that life itself was of the highest value, but that life is harsh and self-destructive. People should treat every form of life with the same reverence that they afford their own. They should do this by trying to reach their own highest level of perfection and by helping their society reach perfection. These two goals are often contradictory: In raising the individual, one must keep in mind one’s responsibilities to the society. In addition, because humans destroy something or someone by their every act, every action taken to attain perfection also results in destruction. This awareness drove Schweitzer’s philanthropy but also made him an unhappy man.

*Cynthia A. Bily*

**SEE ALSO:** Ahimsā; Morality; Nobel Peace Prizes.

## Science

**DEFINITION:** Formal theorization and experimentation designed to produce objective knowledge, especially knowledge of the general laws governing the natural world.

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** Modern standards of scientific inquiry require science to be conducted as far as possible in an impartial, disinterested fashion, but most forms of science cannot be conducted at all without major sources of funding which may influence inquiry either directly or indirectly. Ethical issues raised by science also include appropriate treatment of living research subjects and the practical effects upon the real world of scientific discovery.

Science, ethics, and philosophy interact in a range of arenas. The development of ethical standards—that is, codes of behavior that govern moral decisions—has been a major issue for the great philosophers and thinkers throughout time. Traditionally, metaphysical hypotheses and religious beliefs have governed the attempts of humankind to fathom the unfathomable, to come to grips with mortality, and to hold themselves to a set of standards of conduct. The science of the twentieth century influenced this search, in some cases incorporating, in some cases rejecting, religion as a part of that effort.

The writings of Albert Einstein epitomize the attempt to reconcile science with religion. Einstein holds a central place in modern history because of his groundbreaking ideas on theoretical physics. He writes, “To know what is impenetrable to us really exists, manifesting itself as the highest wisdom and the most radiant beauty which our dull faculties can comprehend only in their most primitive forms—this knowledge, this feeling, is at the center of true religiousness.”

At the same time, the achievements of science and technology have posed their own moral dilemmas. For example, the theory of relativity, developed by Einstein during the early twentieth century, set the stage for the development of the atom bomb. In the face of a creation with such awesome destructive potential, however, the question is posed: To what extent should scientists involve themselves in the ultimate consequences of their research?

For this generation and for generations to come, the advances in the fields of genetics and biomedicine are likely to give rise to similar dilemmas. The much-seen film *Jurassic Park* (1993) focused the popular consciousness on the risks inherent in bioengineering technology. With all their inherent potential for good, genetic technologies may carry as yet unknown risks and consequences.

The limited amount of funding available for scientific research has forced both scientists and those responsible for science policy to make choices regarding which projects to fund. Should “big” projects such as the Human Genome Project or the Superconducting Supercollider (SSC) be funded or should many smaller but important projects receive government or private monies? Where should these “big” projects be located? Should basic research be targeted in the hope of eventual payoff or should applications research be the major focus? Are political and economic concerns playing a too-important role in the funding process? To what extent should science and mathematics education be considered a priority?

During the late 1980’s and early 1990’s, the spotlight turned on ethical conduct and misconduct in scientific research. A major challenge to both the scientific community and the community at large is this: What is the appropriate response to scientific fraud and misconduct? What should be the response to the “gray areas” of even more problematical situations of conflict of interest or “honest mistakes”?

### PHILOSOPHICAL ISSUES

As a guide in an attempt to deal with the range of ethical issues involved in scientific research, the scientific community and the community at large might look to philosophical thinkers who have dealt with issues in this field. In fact, from antiquity through the beginning of the twenty-first century, the great thinkers concerned themselves with issues not only of philosophy, ethics, and morality but also with those of science. Aristotle, René Descartes, and Immanuel Kant made major contributions not only to philosophy but also to the sciences. Wolfgang von Goethe, although best known for his literary works, also wrote extensively on the natural sciences.

At the same time, science has had a major, sometimes even a revolutionary, impact on the values and the worldview of society. The theories of Galileo and Isaac Newton on planetary motion and the views of

Charles Darwin on the evolution of species had that kind of revolutionary impact. Similarly, the development of the atom bomb strongly influenced the political and social climate of the latter half of the twentieth century. It is likely that major advances in computer science and bioengineering now taking place will have their impact well into the twenty-first century. It is equally likely that scientists and society will have to deal with the ethical dilemmas posed by the positive and negative capabilities of these technologies.

The analysis of moral and ethical decisions in science might make use of following principles of ethics and philosophy.

The value neutrality of science is epitomized by the vision of the scientist as the ceaseless seeker motivated only by the search for truth. This theory has its basis in features first introduced in the seventeenth and eighteenth century. The theory of the scientific method, which is known as inductivism, has relied on this concept and postulates that science begins with the collection of data, goes on to generalize about laws and theories, and makes predictions that can be proved. The theory of inductivism had its roots in the writings of Francis Bacon in the sixteenth and seventeenth century and in the empiricist theories developed by David Hume in the eighteenth century. The inductivist view was supported by the Cambridge school of Bertrand Russell during the early twentieth century and the Vienna circle of the 1920’s and 1930’s.

Critics of the Vienna circle and of inductivism have included Karl Popper. Popper maintains that the concepts and postulates (which are ultimately proved or disproved by experimentation) are the products not necessarily of observations but of potentially “unjustified (and unjustifiable) anticipations, by guesses, by tentative solutions to our problems, by conjectures. The conjectures are controlled by criticism; that is, by attempted refutations, which include severely critical tests.” The source of the hypothesis is irrelevant; the originator of the hypothesis or postulate joins in the criticism and testing of the hypothesis that he or she has proposed. Popper is considered to have inaugurated the current era in the philosophy of science.

### MISCONDUCT IN SCIENCE

The embarrassment of the “honest mistake” is far surpassed by the violation of the ethos of science of

the outright fraud. Fraud in science impugns the integrity of the research process and destroys the trust on which scientific achievement is built. At the same time, intentionally fraudulent actions undermine the confidence of society and the body politic in science and scientific inquiry. Potentially, the effects of fraud may be horrific; if, for example, a medical treatment should be based on fraudulent results.

Many scientists base their codes of conduct on the example of role models and on what some have termed the "school of hard knocks." A more systematic approach has been contributed by professional organizations who have contributed their expertise. A recent contribution is a 1989 publication of the National Academy of Science, *On Being a Scientist*. Other resources include a 1992 report, likewise from the National Academy of Sciences, called *Responsible Science: Ensuring the Integrity of the Research Process*. These publications and others often cite as examples of fraud and misconduct the actions of William Summerlin at Sloan-Kettering during the 1970's, those of John Darsee at Harvard and those of Stephen E. Breuning in Pittsburgh during the early 1980's, and those of Thereza Imanishi-Kari and Nobel laureate David Baltimore during the late 1980's.

A well-known and rather tragic example of fraud was that of William Summerlin. During the early 1970's, Summerlin came to the Sloan-Kettering Institute as the chief of a laboratory working on transplantation immunology. A laboratory assistant noticed that the supposedly black grafts on white mice could be washed off with ethanol. It turned out that Summerlin had used a black felt-tipped marker to mimic the appearance of black grafts. Additional discrepancies regarding Summerlin's results on corneal transplantations led an internal committee to recommend that Summerlin take a medical leave of absence and to condemn Summerlin's behavior as irresponsible.

During the early 1980's, John Darsee had worked under the supervision of Eugene Braunwald, a well-known cardiologist at Harvard University. At Harvard, three coworkers apparently observed Darsee fake data for an experiment. An internal investigation for the next few months found no discrepancies. A subsequent National Institutes of Health (NIH) investigation, however, demonstrated that virtually every paper that Darsee had produced was fabricated.

Another episode involved a professor at the University of Pittsburgh, Stephen E. Breuning, who had

become prominent for his expertise in the medical treatment of mental retardation. In 1983, Breuning's former mentor, Robert Sprague, questioned the veracity of his student's research. Eventually, it turned out that much of Breuning's data came from experiments that had not been performed on subjects that had not even been tested.

An exceptionally disturbing case was that of Thereza Imanishi-Kari and Nobel laureate David Baltimore of the Massachusetts Institute of Technology (MIT). A postdoctoral fellow at Imanishi-Kari's laboratory, Margot O'Toole, uncovered evidence that Imanishi-Kari may have fabricated certain results appearing in a paper in *Cell* on gene transplantation, a paper that was also coauthored by Baltimore. University inquiries at MIT dismissed O'Toole's concerns, but a few years later, the concerns resurfaced, resulting in ultimate retraction of the *Cell* paper and investigations by the NIH, Congressman John Dingell, and the Secret Service. While the U.S. attorney in the case declined to prosecute Imanishi-Kari, as of this writing, clouds continued to obscure her career and that of Baltimore.

During the late 1980's and the early 1990's, more than two hundred allegations of misconduct in science were received by the U.S. government. One study has indicated that approximately 40 percent of the deans of graduate schools knew of cases of misconduct at their institutions. A survey sponsored by the American Association for the Advancement of Science likewise indicated that during the first ten years, 27 percent of scientists indicated that they had personally encountered incidences of falsified, fabricated, or plagiarized research.

In fact, by the late 1980's and into the early 1990's, articles on misconduct in science continued to constitute the vast majority of references on science ethics produced by computerized literature searches. During the late 1980's, incidents of apparent fraud, plagiarism, and misconduct drew the attention of the Subcommittee on Oversight and Investigations of the U.S. House of Representatives, chaired by Congressman John D. Dingell. The threat not only to the research process but also to the autonomy of the scientific community posed by examples of abuse has challenged scientists to develop ways of dealing with misconduct within their ranks. Congressman Dingell himself acknowledged the drawbacks of resolving issues of misconduct in the congressional hearing.

“Encouraging science to police itself is far preferable to the alternatives . . . But with every case [which is] is covered up or mishandled, pressure builds for such extreme measures.”

### GRAY AREAS

Certain instances of apparent fraud violate any accepted standards of moral or ethical conduct. Many other situations, however, fall into what might be termed a “gray area.”

For example, a vexing question concerns the allocation of credit for scientific achievements. The bitter dispute between Newton and Gottfried Wilhelm Leibniz over who first discovered the calculus is paralleled by the twentieth century quarrel between Robert Gallo, the renowned acquired immunodeficiency syndrome (AIDS) researcher at the NIH, and his counterpart at the Pasteur Institute, Luc Montagnier, over the discovery of the AIDS virus.

Also in what might be termed a “gray area” are issues of “conflict of interest.” (Outright bribery to promote fabrication of results would violate most standards of conduct.) By the late 1980’s and early 1990’s, doubts over the degree to which scientists’ findings might be influenced by funding sources led journals such as *Science*, *JAMA*, and the *New England Journal of Medicine (NEJM)* to adopt standards of disclosure for potential conflicts of interest. The *JAMA* and *NEJM* standards stressed financial conflicts; the *Science* standards also include a range of other relationships that might possibly have influenced the scientist’s work. The possibility of abuse inherent in these kinds of standards has led to a “backlash” as scientists and physicians engaged in medical research talked of a “New McCarthyism in Science” and evoked the possibility that not only financial conflicts but also such factors as religion and sexual orientation might be included in the disclosure standards. Kenneth J. Rothman, writing in the *Journal of the American Medical Association*, cites Popper (*The Open Society and Its Enemies*, 1966) in noting the impossibility of achieving full objectivity in any scientific endeavor.

Equally problematical for the scientist—and also in a “gray area”—are the new ethical problems created by scientific discoveries. Are scientists responsible for the ethical and moral uses of their discoveries? For example, should decisions about the use of the atom bomb have been in the hands of the scien-

tists or, as actually occurred, in the hands of the politicians? Should scientists attempt to exert any kind of control over the uses of their discoveries?

A tradition of political neutrality governed science from the seventeenth century through World War I. Bacon, for example, conceived of science as a “new instrument.” The chemist Robert Hooke warned the founders of the Royal Society of London that their business was to “improve the natural knowledge of things, not meddling with Divinity, Metaphysics, Moralls, Politicks, Grammar, Rhetorick or Logic.” World War I, however, disrupted the tradition of neutrality as technological solutions not only made up for the losses of raw materials caused by the war but also played a major role in enhancing the lethal effect of explosive and chemical weapons.

Political authorities continued to come into the scientific arena with the advocacy by Joseph Stalin’s regime of the 1930’s and 1940’s of the genetic theories of T. D. Lysenko. Nazi Germany purged its Jewish and left-wing scientists. Some disapproving scientists left the country, but others remained, adhering to a tradition that held no place for social responsibility and hoping to exert influence on the Nazi regime. World War II gave impetus to research in a range of areas, as synthetics replaced raw materials and new drugs such as penicillin became available. Refugee scientists from Nazi Germany encouraged preliminary research on an atom bomb. The ensuing success of the Manhattan Project resulted in the explosion of the atom bombs over Hiroshima and Nagasaki, which was followed by the development of atomic capability by the Soviet Union in 1949.

The dilemma for scientists is this: To what extent should they concern themselves with the ultimate consequences of their discoveries? Is scientific knowledge and discovery an inherent good? Are the risks of scientific and technological advances as important as the potential benefits?

The challenges posed by the development of the atom bomb are paralleled by issues raised by the scientific advances of the 1980’s and 1990’s. The development of computer and electronic technology raises some important issues of privacy and the possibility of social control. Equally problematical are issues raised by advances in the biological and medical sciences.

An additional ethical issue concerns the eradication of racism and sexism in science. For example, a

particularly shocking example of racism involved the Tuskegee syphilis experiment. During a forty-year study that received federal funds, African American victims of syphilis were denied treatment even after penicillin became available. The apparent justification was that the denial of treatment was essential to the study of the progress of the disease.

A challenge for researchers is to design studies of common illnesses (for example, myocardial infarction, diabetes) that not only provide sufficient data on the white middle-class male population but also include information on which to base the treatment of minority and female patients.

### ALLOCATION OF RESOURCES

Scientific research in the United States is funded to a large extent by the U.S. government. Major corporations, such as large pharmaceutical companies, support much of the rest. What are the implications of these facts?

The marriage of science and government dates back to World War II and Vannevar Bush, who then headed the Office of Scientific Research and Development. In the system that evolved, research proposals are initiated by the researcher, who usually works in a university or institute setting. At the same time, funding was a federal responsibility, and although some research was taking place in government laboratories, most basic research was undertaken in universities. There arose not a single funding agency, as envisioned by Bush, but a multiplicity of agencies—responsible for funding basic research.

By the late 1980's, the numbers of individuals involved in basic research had increased, while the pool of dollars available stayed the same. The result was that a far smaller proportion of grant proposals were being funded. For example, in 1980, the NIH approved up to one in three "meritorious" grants for funding, while by the 1990's, fewer than one in five grants received approval. The system in place through the latter half of the twentieth century achieved scientific productivity, as measured by the numbers of citations; prestige, measured by the numbers of Nobel Prizes; and some degree of economic productivity.

During the late 1980's and early 1990's, the lessened availability of funding and the potential for political abuse and "pork-barrel" science led some experts to question the current criteria for funding

scientific research. At the same time, the costs of new technologies and issues relating to the use of those technologies have led some people to question the direction of public policy on science issues. This position has yet to be adopted by public policy makers. The direction of governmental policy at the beginning of the 1990's is reiterated by Donna Shalala, Secretary of the federal department of Health and Human Services. Shalala states:

The last thing we should try to do is try to curb technology in our attempt to deal with costs or to slow down our investment in research. . . . The issue is how you use technology, far more than whether we should keep producing technology. Rather than beating up on technology, we need to get scientists and administrators to think about the more appropriate use of it.

*Adele Lubell*

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SEE ALSO: Bacon, Francis; Bioethics; Darwin, Charles; Experimentation; Hume, David; Industrial research; Manhattan Project; Nazi science; Psychology; Technology.

## Scientology

DEFINITION: Controversial modern religious organization

DATES: Founded as a church in 1954

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Many former members of the Church of Scientology have accused the organization of such cultlike practices as brainwashing, intimidation, and financially controlling its members. Many people also question Scientology's claims to be a religion, accusing its leaders of using the church as a ruse to exploit the tax-exempt status and other privileges afforded to religious organizations.

The foundation of any new "religion" is an audacious undertaking, as most people's notions of spirituality are inextricably linked to the traditions of their cultural legacies, making the exact characteristics of the concept difficult to define. Nonetheless, religions are generally regarded as systems of belief in which spiritual values are held in higher regard than material values.

During the early 1950's science-fiction novelist L. Ron Hubbard attempted to found an entirely new church based on a belief system that he called "dianetics." Difficult to describe succinctly, dianetics is a practice that combines elements of Buddhism, psychology, and new age mysticism into an eclectic philosophy that is characterized by its penchant for forms of discipline and systematization. In this regard, dianetics is more akin to the pragmatic, materialistic focus of modern scientific thought than to what Hubbard viewed as the metaphysical vagaries and superstitions of traditional religion. The Church of Scientology that Hubbard formed in 1954 takes its name from its ostensibly unique synthesis of traditional spiritual principles and scientific rationality. It focuses especially on efforts to control negative emotions that, according to Hubbard, impede the individual's progress toward inner peace, satisfying interactions with others, intellectual growth, and material prosperity.

As dianetics and Scientology became well known during the 1960's and 1970's, so did the controversies surrounding these new belief systems. Detractors of Scientology dismissed it as a legal entity rather than a spiritual one, many claiming that Scien-

tologists merely organized a “church” in order to receive tax-exempt status. Critics cited the ambiguities and secrecy that make it difficult for outsiders to understand Scientology’s organization and belief system, as well as the organization’s apparent emphasis on material success as a measure of its members’ spiritual growth.

By the late 1960’s, the church’s net worth was estimated at one billion dollars. The fact that that sum rivaled the assets of many major traditional religious institutions called Scientology’s financial practices into question. Scientology became the target of media criticism and eventually litigation by those claiming that the group brainwashed its members, required them to pay large sums of money to advance to the higher levels of membership, expected them aggressively to recruit new members, and systematically alienated them from relatives and friends who were not involved with the church.

Critics of Scientology also cited the group’s penchant for science-fiction symbolism and imagery as casting serious doubts on its authenticity as a genuine religious institution. Although the symbolism of Scientology evokes elements a variety of traditional belief systems, images of spacecraft and extraterrestrial life abound in its rituals and mythos. Scientology’s popularity demonstrates that many followers throughout the world believe that they have benefited from its rationalistic and original approach to spiritual enlightenment. However, those who accuse Scientology of being a cult that manipulates its members to its own self-serving ends cite such things as its references to space travel and extraterrestrial life and its eclectic and allegedly haphazard reinterpretation of traditional religious ideas. Nevertheless, Scientology remains widely discussed and debated as a development in the evolution of contemporary religious thought and practice.

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*Gregory D. Horn*

SEE ALSO: Buddhist ethics; Mysticism; Psychology; Religion; Science; Taxes.

## **Scorched-earth policies**

**DEFINITION:** Military strategies calling for the destruction of the natural environment, particularly food resources, as a deliberate means of waging warfare

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Whether offensive or defensive, scorched-earth tactics do harm to noncombatants and cause environmental and economic damage that can outlast by years the war of which they are a part. They raise the fundamental issue of the ethical limits of warfare and whether warring parties have any moral obligations to limit the ill effects of their actions or whether belief in such obligations is unrealistic in the context of war.

In its narrow sense of setting the grass of the plains on fire, the practice of scorched-earth warfare is particularly associated with the steppelands of Russia and the Ukraine. The first attested example of the practice occurred during a war between the Scythians and the Persians in 512 B.C.E. (recorded by Herodotus in 440 B.C.E.). The Scythians, a nation of nomadic horsemen, lured the Persian army of Darius ever deeper into the steppe by retreating before the Persians. Some Scythians then doubled back, destroying the grass and poisoning the wells along the Persians’ original route, believing that this would prevent the Persian cavalry’s escape (since their horses would be deprived of food). As the Scythians candidly recalled, however, their plan backfired. The Persians escaped by retracing their footsteps, despite the devastation they encountered.

#### **MODERN WARFARE**

Analogous tactics were used more than two millennia later. During the Russian retreat before the invading army of Napoleon Bonaparte in 1812, the Russians themselves burned Moscow and the croplands along the route of Napoleon’s advance. When the tide of battle turned, the French army had to retreat through a devastated countryside that offered no food or shelter. This successful use of the

scorched-earth policy as a patriotic and defensive tactic—enhanced by Leo Tolstoy’s epic depiction of Russian sacrifices during 1812 in his historical novel *War and Peace* (1865-1869)—lent it an enduring positive aura, at least in the Russian context.

More typically, however, scorched-earth tactics used defensively have backfired. If one goes along with environmentalist Arthur Westing’s interpretation that deliberate destruction of the land by other means, such as flooding, is also scorched-earth policy, then the most cataclysmic example in the twentieth century occurred during the second Sino-Japanese War (1937-1945). In 1938, as a defensive measure, the Chinese dynamited a major dam on the Yellow River. This temporarily halted the Japanese advance and resulted in several thousand Japanese casualties; in the long run, however, several hundred thousand Chinese, mainly civilians, drowned, and damage from flooding continued for a decade.

Scorched-earth tactics used offensively have tended to be successful in the short run. Major incidents of deliberate crop destruction as a means of offensive warfare have abounded throughout history. During the Peloponnesian Wars (431-404 B.C.E.), the Spartans repeatedly destroyed the Athenian grain crops (and, not incidentally, won the war); the Athenians did not choose to employ a tactic that until then had been used only by barbarians. Widespread crop destruction, in large part deliberate, accompanied the ravages of the Huns, the Vandals, and the Mongolian conquests (1213-1224). The Mongolian conquerors of Mesopotamia destroyed the ancient irrigation works on which agriculture had depended for millennia, and the Fertile Crescent became a desert. In the Thirty Years’ War (1618-1638), the majority of Czech casualties (up to 75 percent of the population of Bohemia) resulted from starvation and disease caused by crop destruction.

The use of scorched-earth tactics increased in the modern era, and it came to be morally justified as a humane means of bringing war to a swifter conclusion. The theory was formulated in the American context during the U.S. Civil War (1861-1865) by two Union generals, Philip Sheridan and William Tecumseh Sherman. One of the many ways in which this war transformed civilization was an increased consideration of all factors that contributed to the war effort, including food itself. As part of a conscious policy of bringing the war home to the civilians who

supported the soldiers, in order to make the war end quickly, Sheridan oversaw the destruction of about 2,700 square miles of agricultural land in the Shenandoah Valley, and Sherman’s troops laid waste to about 15,000 square miles of rural Georgia (1864). As a result, the war did indeed end quickly. In view of the success of these tactics, they were incorporated into U.S. policy during late federal government wars with Native Americans and again during the U.S. intervention in the Philippine Insurrection around the turn of the twentieth century.

#### NUCLEAR WAR AS AN ALTERNATIVE

The apotheosis of the scorched-earth policy as a fast way to end a war, justified by the idea that there would be fewer total casualties, was the atom bombing of Hiroshima and Nagasaki in Japan in 1945. This action immediately ended Japanese participation in World War II, but it raised ethical questions that cannot be easily answered.

The ultimate scorched-earth policy would be a nuclear war, after which the affected parts of the earth would be so scorched as to be uninhabitable for thousands of years. The ultimate scorched-earth policy thus brings one back to the discovery made by the cunning Scythians who may be credited with inventing it in the first place: It tends to backfire. Defenders who employ the tactic find that they have a tiger by the tail: Both immediately and in the long run, they may do far more damage to themselves than to the invading enemy. Those who employ scorched-earth tactics offensively stand to lose on many counts: They put themselves in an extremely weak position in world opinion, since the policy will justifiably be termed barbaric; they are destroying the earth’s resources, thereby impoverishing themselves as well as others; and they are moving in the direction of total war, which tends to blur distinctions not only between combatants and noncombatants but also between the opposing sides.

*D. Gosselin Nakeeb*

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SEE ALSO: Bioethics; Environmental ethics; Land mines; Military ethics; War.

### ***Scott v. Sandford***

THE EVENT: U.S. Supreme Court decision placing limits on Congress's ability to control slavery and determining that African Americans were not eligible to become U.S. citizens

DATE: Ruling made on March 6-7, 1857

TYPE OF ETHICS: Modern history

SIGNIFICANCE: The Supreme Court's decision in *Scott* strengthened slaveholders' claims that they had unlimited property rights to slaves and affirmed that slaves were legally incapable in principle of ever gaining the protections of the Bill of Rights.

*Scott v. Sandford* was the result of a suit for freedom by the slave Dred Scott. Scott's master had taken Scott to serve him during an army posting in the northern part of the Louisiana Purchase, where slavery had been prohibited by Congress. Eventually, Scott's master returned Scott to the slave state of Missouri. Scott sued for his freedom on the basis of his residence in a territory where slavery did not exist. Chief Justice Roger B. Taney ruled that Scott was still a slave and that Congress had no authority to prohibit slavery in American territories.

Congress had denied southerners due process of law under the Fifth Amendment by singling out their property, and not that of northerners, for restriction.

Furthermore, Taney ruled, the case was not properly before the Supreme Court. No person of African descent—whether slave or free—was a citizen of the United States with rights to bring suit in federal court. This case strengthened the power of slaveholders and undercut antislavery activists who were seeking a general abolition of slavery in U.S. territories.

*Harold D. Tallant*

SEE ALSO: Bill of Rights, U.S.; Citizenship; Civil rights and liberties; Slavery; Supreme Court, U.S.

### **Scottsboro case**

THE EVENT: U.S. Supreme Court decision holding that states must provide counsel for indigent or ignorant defendants in capital cases

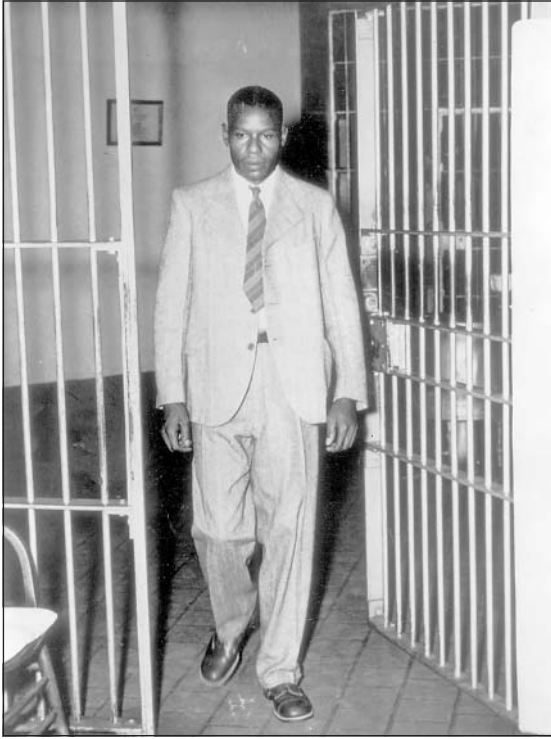
DATE: Ruling made on November 7, 1932

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: The Supreme Court's finding in the Scottsboro case, that deprivation of counsel in a capital case had denied the defendant a fair hearing, represented the first time the Court had held that a state criminal trial was defective under the due process clause of the Fourteenth Amendment. It thereby set a crucial precedent and paved the way for the general extension of the rights of the accused contained in the Bill of Rights, from federal to state courts.

The Scottsboro case (known technically as *Powell v. Alabama*) was one of several sensational cases that arose from the arrest and trial of seven young black men for the rape of two white women in Alabama. The men were quickly tried and sentenced to death in an atmosphere of great public excitement; units of the Alabama National Guard had to be called up to prevent the defendants from being lynched. At trial, no effective assignment or employment of counsel had been made, as the Supreme Court later found.

By a 7-2 vote, the Supreme Court ruled that the trial court's failure to assure effective representation of the defendants had deprived them of a fair hearing. Since notice and hearing are the central elements of due process, the convictions were reversed. This case provided a particularly significant precedent because the Court showed itself willing for the first time to in-



Clarence Norris, one of the men convicted in the Scottsboro case, leaving his Alabama prison cell in 1946—fifteen years after his wrongful arrest. (Library of Congress)

voke the due process clause of the Fourteenth Amendment to hold that a state criminal proceeding had deprived a defendant of a fundamental right.

*Robert Jacobs*

SEE ALSO: Bill of Rights, U.S.; Civil rights and liberties; Due process; Erroneous convictions; Rape; Supreme Court, U.S.

## *The Second Sex*

IDENTIFICATION: Book by Simone de Beauvoir (1908-1986)

DATE: *Le Deuxième Sexe*, 1949 (English translation, 1953)

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: *The Second Sex* attempts to explain why women as a class remain oppressed. It advo-

cates a constructivist view of gender, rejecting the essentialist view that gender traits are determined by biology.

Simone de Beauvoir rejects the Aristotelian position that women, because of their biological characteristics, must play a limited role in society. She further rejects Freudian psychology's position that woman's natural state is passive while man's is active because of the physical characteristics of the genitalia. She posits that women are limited primarily by the conditioning imposed on them by a male-dominated society, not by any biologic weakness or inferiority.

Because the behavior of human beings is based in large part on rationality and choice instead of on instinct, Beauvoir suggests that human behavior is not fixed and immutable but should be based on the individual's rational decision to behave in a particular way in a given situation. Beauvoir then expands on that stance, using Jean-Paul Sartre's belief that to be fully human, each person must be free to choose what he or she will become and that the process of choosing never ends. She further asserts that the sexual identity assigned to girls by modern Western society, which prepares them primarily to become wives, mothers, and housewives, destroys women's creative potential and leads to self-alienation and destruction of the psyche.

*Mary Johnson*

SEE ALSO: Beauvoir, Simone de; Sexism; Sexual stereotypes; Sexuality and sexual ethics; Women's ethics; Women's liberation movement.

## Secular ethics

DEFINITION: Any set of moral principles or school of moral philosophy whose values do not derive from religion or belief in the supernatural

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: A secular ethics may directly attack religious ethics as ill-advised or untrue, or it may simply ignore religious systems altogether.

"If God is dead, then everything is permitted." Toward the end of the nineteenth century, Fyodor Dostoevski expressed his despair at the disrepute into



which religious ethics had fallen. The enormous prestige of science had led many thinkers to believe that science had supplanted religion as the proper source of answers to questions about the universe and humanity's place in it. Ethics, many believed, should follow the path of other disciplines—such as astronomy, physics, and biology—and become secular; that is, shorn of its traditional religious context.

Traditional religious ethics claim that without a god, ethics is meaningless. Three considerations motivate this claim. First, the fact that humans have argued about ethics for several millennia without reaching agreement is evidence that humans are not able to discover, by their own efforts, what is good and bad. Second, the fact that many people do things that they believe are unethical is evidence that humans are weak by nature and therefore are not competent to be good by their own efforts. Third, the fact that many evil-doers are never brought to justice is evidence that humans are not competent to administer justice effectively. Without a god, therefore, humans would wallow in ignorance and sin, and evil would often triumph over good. Accordingly, the religious account argues, a being greater than humanity—a powerful, knowledgeable, and good being—is needed to tell humans what to do, to make sure they do it, and to administer ultimate justice.

### CRITICISMS OF RELIGION

One major difficulty of the religious view is proving the existence of a god. Even supposing that the existence of a god could be proved, however, religion still would face serious difficulties. For, even if there is reason to believe there is a god, why should humans do what that god says?

The fact that the god was powerful would not guarantee that what it said was in fact good, for it could be both powerful and evil or both powerful and uninformed. To do what it says simply because it ordered one to do so would be to commit a logical fallacy—the appeal to force.

The fact that the god was knowledgeable also would not be a sufficient guarantee—for it could be both knowledgeable and evil—and to do what it says simply because it is knowledgeable would be to appeal to authority.

Finally, that the god is good cannot be determined without circularity, for the religious approach claims that humans do not know what is good before the god

tells them so; they would have to know what was good, however, before they could judge whether the god was good and therefore whether they could trust its commands. If humans can distinguish good and evil, then they do not need a god to tell them which is which, but if humans cannot distinguish good and evil, then they have no way of knowing whether a god is telling them to do good things or bad things.

According to these objections, religion fails to ground ethics rationally. Advocates of religion may reject rationality and fall back on faith, but irrational faith is a precarious thing. Without evidence, one has no way of knowing whether one's faith is true, and therefore one has no way of knowing whether the principles upon which one acts are moral. Since different individuals believe different things on the basis of faith, faith leads to social difficulties. Without appealing to rationality and evidence, members of different faiths cannot resolve disagreements peacefully. History provides ample evidence that disagreements over articles of faith regularly lead to violence.

The above epistemological criticisms are sometimes supplemented by criticisms of the central content of religious ethics. By placing the sources of value in a supernatural realm, religion devalues life on Earth. Evidence for this view can be found in the fact that virtually all religions emphasize sacrifice rather than achievement, suffering rather than pleasure, and self-denial rather than self-affirmation.

### SECULAR SOURCES

These criticisms of religious ethics have given impetus to secular accounts of ethics. By appealing to natural phenomena, secular approaches try to solve the problems that have traditionally motivated religious ethics.

One such problem is finding a source for universal ethical principles; that is, principles that are true for everyone. Religion attempts to solve this problem by claiming that a god establishes rules and stipulates that they hold for everyone. Some secular theorists (relativists) attempt to solve this problem by rejecting the assumption that there are universal ethical principles. Relativists argue that ethics is based on individual or group feelings or traditions. If ethics is primarily a matter of feeling, however, then the obvious fact that feelings vary radically rules out universality. If ethics is primarily a matter of social traditions, history and anthropology provide evidence of

a wide range of radically different social traditions.

Other secular theorists, however, accept the challenge of finding a universal source for values by identifying natural facts that are universal. For example, some theorists (Hedonists) note that all humans have a pleasure/pain mechanism, and therefore they argue that people should define “good” and “bad” in terms of pleasure and pain. Other theorists (the Kantians) note that all humans have a rational faculty, and therefore they argue that morality should be defined in terms of the rational consistency of action. Other theorists (objectivists) note that all humans have the same fundamental survival needs, and therefore they argue that people should define “bad” in terms of what leads to death and “good” in terms of that which makes human life possible.

*Stephen R. C. Hicks*

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SEE ALSO: Aristotle; Atheism; Dostoevski, Fyodor; Existentialism; God; Kant, Immanuel; Mill, John Stuart; Nietzsche, Friedrich; Rand, Ayn; Religion; Sartre, Jean-Paul.

## Sedition

**DEFINITION:** Criminally inciting others to resist or overthrow their government

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Because it incites people to violent action rather than merely expressing dissent, sedition is one of the few types of speech not protected by the First Amendment. In order to ensure that the right of political dissent is preserved, current definitions of sedition include only direct incitements of violence.

The first sedition laws in the United States were the Alien and Sedition Acts of 1798, which were passed during the administration of President John Adams. These laws defined sedition very broadly; many believed them to be unconstitutional. They were certainly impolitic and unpopular, and they were repealed under the Thomas Jefferson administration in 1801. In the United States today, sedition consists of advocacy of the illegal or violent overthrow of the government; it is more than mere defamation of the government or government officials. Because the essence of sedition is speech or publication, the crime as it is defined in most American jurisdictions always involves free speech issues. By the latter part of the twentieth century, rules set by the U.S. Supreme Court made it nearly impossible to convict anyone of sedition unless the government could show that the defendant's speech or publication explicitly advocated illegal acts and that it created a “clear and present danger” that the acts would take place. These rules place so heavy a burden on the prosecution that there were no successful federal sedition prosecutions in the United States between 1953 and 1993.

*Robert Jacobs*

SEE ALSO: Constitution, U.S.; First Amendment; Loyalty; Sedition Act of 1798; Treason.

## Sedition Act of 1798

**IDENTIFICATION:** One of four “Alien and Sedition Acts” designed to suppress domestic opposition to Federalist policies during a period of European anti-American aggression

**DATE:** Passed in 1798

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** The Sedition Act challenged the First Amendment's guarantees of free speech and a free press, an attempt that ultimately served to broaden the scope of both rights and to limit governmental restraint of political dissent.

The Sedition Act was prompted by Federalist fears that growing Republican opposition to Federalist policy would weaken popular support and lead to the end of Federalist control at a time when the United States was caught between rival international pow-

ers. The act sought to apply the English common-law tradition of “seditious libel” by making it unlawful to “write, print, utter, or publish . . . any false, scandalous, or malicious writing . . . against the government of the United States . . . or to bring [it] . . . into contempt or disrepute.” On that basis, ten newspaper editors were convicted, one of them a congressman, by courts made up exclusively of Federalist judges.

Advocates justified the act by interpreting the First Amendment as pertaining only to “prior restraint,” meaning that the government could not prevent the publication of dissent but could prosecute the result. Opponents protested that the First Amendment prevented the government from suppressing political speech at any stage, and they pronounced the act unconstitutional. Republican opposition was carried out through the Kentucky and Virginia Resolutions (written by Thomas Jefferson and James Madison, respectively), which asserted the right of states to “nullify” unwanted federal intrusions on individual rights. The act expired with the inauguration of Thomas Jefferson, and no subsequent attempt to suppress political dissent has ultimately been successful.

SEE ALSO: Constitution, U.S.; First Amendment; Freedom of expression; Jefferson, Thomas; Politics; Seditious Libel.

## Segregation

**DEFINITION:** Physical separation of one group, especially a racial or ethnic group, from another

**TYPE OF ETHICS:** Race and ethnicity; Civil rights

**SIGNIFICANCE:** Now deemed to be unconstitutional, racial segregation in the United States was originally the product of overt and unapologetic racist ideologies. When racism and white supremacy initially became less defensible as legal principles, however, segregation remained in place, but it was justified on grounds of social harmony. It was argued that maintaining separate but equal facilities and institutions would prevent the disorder that racial mixing would supposedly produce.

Segregation, historically, was born in the colonial era when the “majority” practiced de facto segregation. When most black Americans were slaves, free blacks

suffered de facto segregation in housing and social segregation based on “custom” and “folkways.” As the northern colonies abolished slavery, de facto segregation sometimes became de jure separation supported by local ordinances and state law.

As long as the South maintained slavery, that institution “regulated” race relations, and de jure segregation was not needed. In 1865, however, the southern slaves were set free, and legal segregation made its appearance. After the Civil War, most southern states passed legislation known as black codes, which resembled the old slave codes. Under the new codes, social segregation was often spelled out. For example, most states moved immediately to segregate public transportation lines. By the end of the Reconstruction (1865-1877), race lines had hardened, and social segregation was the rule rather than the exception.

### UNSUCCESSFUL CHALLENGES

Some African Americans challenged segregationist laws. In 1896, blacks from Louisiana sued a public transportation company (railroad) that operated segregated passenger cars, as stipulated by Louisiana’s state laws. Black leaders argued that the state laws and the railroad’s actions violated the Thirteenth and Fourteenth Amendments to the Constitution. The case, *Plessy v. Ferguson* (1896), reached the U.S. Supreme Court, which ruled that segregation was “legal” as long as “separate but equal” facilities were made available for minorities. A lone dissenter, Justice John M. Harlan, who happened to be a white southerner, rejected the majority opinion, saying that the Constitution should be “color-blind” and that it should not tolerate “classes” among the citizens, who were all equal.

Despite Harlan’s dissent, the *Plessy* decision gave absolute legal sanction to a practice that many states, including some in the North, were already practicing by custom and tradition: *Plessy* “froze” segregation into the highest law of the land. Thereafter, segregationists, especially those in the South, used their legislatures to pass a host of new laws that extended the supposed “separate but equal” doctrine to all areas of life. For example, restaurants, hotels, and theaters became segregated by law, not only by custom. Railroad cars and railroad stations divided the races; hospitals, doctors’ offices, and even cemeteries became segregated.

The laws of some southern states called for segre-

gated prisons, while prisons in other states took criminals from both races but separated them within their facilities. At least one state passed a law that forbade a white and a black prisoner to look out the same prison window at the same time. If the prisoners were physically close enough to look out at the same time, they were too close to please segregationists.

As the United States matured during the twentieth century, segregation was extended whenever “technology” made it seem necessary. For example, in 1915, Oklahoma became the first state in the Union to require segregated public “pay” telephone booths. When motor cars were first used as a “taxi” service, taxi companies were segregated—a “white” taxi serving whites only and a “black” taxi serving African Americans only. Public water fountains became segregated, as did public restroom facilities.

Another problem became associated with segregation. Often, there was *no* separate facility for blacks, who were denied service altogether. For example, as late as the 1960’s, President Lyndon B. Johnson’s personal maid and butler-handyman experienced dif-

ficulty traveling by car from Washington, D.C., back to Johnson’s Texas home. There were few if any “motel” along the way that would rent rooms to African Americans.

#### SUCCESSFUL CHALLENGES

Eventually, the National Association for the Advancement of Colored People (NAACP) launched new attacks against segregationist laws—especially in circumstances in which no separate facilities existed for African Americans.

For example, in *Gaines v. Missouri* (1938) and *Sweatt v. Painter* (1949; a Texas case), the Supreme Court ruled that blacks could attend white law schools because no separate school was available in state for African Americans. In 1950, in *McLaurin v. Oklahoma*, the NAACP tested the same concept and won another court battle. As *McLaurin* showed, the University of Oklahoma had admitted a black student to its graduate program but then had segregated him on campus. After the high court ruled that such segregation was unfair and illegal because it denied



Typical “white only” sign of the Jim Crow era. (Library of Congress)



“equal” education, Thurgood Marshall of the NAACP became even more determined to challenge segregation. He did so successfully when, in *Brown v. Board of Education* (1954), the Court declared segregated public education illegal.

If segregation was unjust and unconstitutional in education, it seemed clear that it was also unjust in other areas of life. Thus, in 1955, under the leadership of Martin Luther King, Jr., and others, a nonviolent protest movement took to the streets and eventually won victories that included new laws such as the Civil Rights Act of 1964 and the Voter Registration Act of 1965.

Ultimately, a limited social and economic “revolution” occurred that condemned segregation and, in part, created a new American society.

*James Smallwood*

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SEE ALSO: Apartheid; Bigotry; *Brown v. Board of Education*; Caste system, Hindu; Civil Rights movement; Integration; *Plessy v. Ferguson*; Racial prejudice; Racism; Slavery.

## Self-control

**DEFINITION:** Discipline or restraint exercised upon one's own actions or emotions in frustration of one's impulses or desires

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Self-control may be seen as a necessary characteristic for maintaining virtue and resisting temptation, or it may be seen as a virtue in itself, especially in value systems in which desire and bodily impulses are represented as inherently sinful.

The concept of self-control as a modern moral and psychological trait is directly rooted in the Greek concept of *sōphrosynē*, which is usually translated as “temperance,” although there is no exact English equivalent. Although a number of concepts capture facets of what the Greeks meant by *sōphrosynē*—balance, limit, proportion, order, equilibrium, harmony, restraint, moderation, sobriety—none defines it completely. Yet the concept of self-control, complemented by self-knowledge, lies at its core, being a virtue crucial to the achievement of order and moderation in life. In contrast to it is *hybris* (hubris), the vice of arrogance, excessive behavior, unrestrained passion, and other extremes.

*Sōphrosynē* was not only a personal virtue for the Greeks but a civic one as well; in addition to being a standard of individual behavior and character, it was, especially for Athenians, a measure of the political and social health of the *polis*, lying between the extremes of tyranny and anarchy. Just as the individual was responsible for maintaining the proper order among the elements of the soul by means of the intelligent control of its baser parts, the rulers were responsible for maintaining the proper order among the various segments of society by the wise governance of its lower echelons. Plato utilizes this concept of self-control in his *Republic*. An individual must control the influence of spirit (feelings) and passion (desire) by subjecting them to the constraints of reason (intelligence), the highest element of the soul. The philosopher-king, using the judgment that comes from philosophical wisdom, must maintain order among the lower elements of society so that the self-control proper to a virtuous individual is amplified in the *polis* as a whole.

Aristotle understands self-control, the virtue of



“temperance,” more narrowly. In the *Nicomachean Ethics*, self-control is marked by the disciplined enjoyment of eating, drinking, and sexual intercourse, as opposed to the correlative vices of excessive indulgence and insufficient sensitivity to physical pleasure. Although Aristotle cites temperance as a separate virtue, however, it possesses a generic component that is fundamental to the other virtues as well. Every Aristotelian virtue requires self-control. For example, courage is the exercise of bravery in the right way at the right time for the right reason and to the right degree. To misjudge the proper measure of courage—to be brave to the point of foolhardiness, or to be cowardly when courage is required—is to be wrongly controlled by either ambition on the one hand or fear on the other, which happens when one loses control over oneself and allows intelligent judgment to be subdued by one’s nonrational faculties.

*Sōphrosynē* was central to Stoic moral teaching during the Hellenistic period. The Stoics viewed it as essentially the exercise of wise and practical judgment in matters of indulgence and abstinence, preserving the traditional Greek association between *sōphrosynē* and self-control. The Romans eventually absorbed *sōphrosynē* into their ethical canon, where it figures prominently in the writings of Cicero, who identifies *temperantia*, or “self-control,” as its most important component and contrasts it to *luxuria* (United States (“excess”)) and *avaritia* (greed), which he believed were the worst vices of Roman citizens. Early Christianity, although at first eschewing anything associated with paganism, eventually assimilated *sōphrosynē*, along with other classical virtues, into its own ethical structure, since these virtues were consistent with Christian ethics. Christians made chastity the defining feature of *sōphrosynē*, however, almost eclipsing its other aspects.

### MODERN VIEWS

*Sōphrosynē* was absorbed by the modern mind in essentially its original Greek form, with a continued emphasis on self-control. It is recognizable in Michel de Montaigne’s essay “Of Husbanding Your Will,” in which Montaigne extols the virtues of a moderate lifestyle: “One must moderate oneself between hatred of pain and love of pleasure; and Plato prescribes a middle way of life between the two.” Undue absorption with personal and public affairs is to be avoided if one wishes to live serenely. In addition, the

more possessions one acquires, the more likely one is to suffer the bad luck that is an inherent aspect of material acquisition and ownership. One’s energy should be expended chiefly on what one can control; namely, oneself and one’s personal affairs: “The range of our desires should be circumscribed and restrained to a narrow limit . . . and moreover their course should be directed not in a straight line that ends up elsewhere, but in a circle whose two extremities . . . terminate in ourselves.” Balance and moderation are the keys to tranquillity.

Because of its inward, quasi-psychological nature, self-control, like some of the other traditional virtues of character, has been largely neglected by most modern philosophers. Some thinkers, however, have attempted to reinstate consideration of the traditional virtues as an essential feature of moral discourse. Anthony Quinton (1993), for example, defines moral character as self-control or self-discipline, which is required to maintain one’s determination toward a goal and to avoid being distracted by “passing impulses” and unproductive pursuits. It is the essential element in moral development, even though the self-control necessary to good moral character may be used for bad purposes as well. According to Quinton, modern people would do well to emulate the vigorous moral rectitude of the Victorians, whose incorporation of self-control into their character made them worthy models of moral uprightness.

Barbara Forrest

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SEE ALSO: Character; Passions and emotions; Perfectionism; Stoic ethics; Temperance; Virtue ethics.

## Self-deception

**DEFINITION:** Conscious or unconscious clinging to a belief that one knows on some level to be false

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Self-deception often facilitates immoral action, but some philosophers have posited that some forms of self-deception may be necessary to survival.

A person is tempted to self-deceive whenever the reasons for accepting a certain thought as true are better than the reasons for not accepting it and the person does not want the thought to be true. If the individual in such a situation avoids acknowledging a fact that is supported by evidence because of the intimated advantage of doing so, then the person self-deceives. Since this act violates a basic principle of rational cognition (to assent to what is supported by the evidence), the self-deceiver will further self-deceive about the very activity of self-deceiving. Hence, people who in fact are deceiving themselves will vehemently deny to themselves and to others that they are doing so.

In this general process, the person need not fully embrace utter falsehoods. Self-deception essentially occurs by avoiding the recognition of some important and well-supported conception. The person can be held accountable for this evasion because there is tacit awareness of the good reasons for not evading

acknowledgment; "deep down," the self-deceiver "knows better." This paradoxical nature of being self-deceived is manifested in inconsistencies in conduct and in speech; on some occasions, action will be based on what is "really known," and on other occasions, it will be based on self-deception.

Self-deception is morally problematical for three reasons. First, it is a practice of untruthfulness, and to the extent that being truthful is inherently good, self-deception is always wrong. This is true even if the deceiving involves a morally neutral issue.

Second, deceiving oneself can have deleterious effects on one's conscience and the ability to understand oneself. Conscience is corrupted because self-deception (especially if it is habitual) can involve overlooking moral failures in one's past and avoiding consideration of moral obligations to which one is bound in the present. The ability to understand oneself is damaged because self-deception (again, especially if it is habitual) can direct attention away from realities of oneself that are important but are very difficult to accept.

Third, self-deceiving can have harmful effects on others. Being able to deceive oneself about a topic greatly facilitates deceiving others about that same topic (by masking from them one's own disbelief). In addition, deceiving oneself about the harm that one is causing for others makes it easier to harm them (by precluding scruples arising from one's own conscience). If this type of self-deceiving becomes habitual, then one can become completely oblivious to the harmful effects of one's conduct on others.

### FAILURE TO TAKE RESPONSIBILITY

A prevalent type of self-deception with deleterious effects on self and others involves not taking responsibility for one's own actions. People tend to deceive themselves concerning how able they are to act in a manner other than the manner in which they act when they do something wrong. Shunning avowal of the immediately evident reality of their own free will, they focus instead on how "pressing" their needs and wants appear to be to them. This type of self-deceiving subverts the sense of being in control of one's own impulses, which in turn results in those impulses being less controlled. It thereby becomes likely that the individual does whatever he or she wants to do, in spite of obvious immorality and harm to others.

The diminishment in self-control brought on by

chronic self-deception about one's own responsibility can also affect the degree of control that one has over the very impulse to deceive oneself. This in turn can make it difficult to distinguish voluntary self-deception from pathological self-delusion. In the latter case, the person is incapable of admitting the truth and is not subject to moral censure. Only if a person is able to abstain from self-deception and admit to the truth is the act of self-deception subject to moral evaluation. If it is controllable and wrong, it should be avoided.

In order to avoid deceiving oneself, one must be aware of the subjects about which there is temptation to deceive oneself. Since all people want to think highly of themselves and want to avoid making costly sacrifices, the strongest enticements to self-deceive arise when people assess their moral imperfections or are subject to demanding moral obligations. To prevent self-deception when one confronts such topics, it is necessary to keep clearly in mind the good of authentic self-understanding and the evils that can result from deceiving oneself. There are, however, issues about which a measure of self-deception could be harmless or even beneficial. For example, if one deceives oneself into thinking that one is less afraid than one actually is about delivering an impending public address, then one may be better able to deliver the speech. Nevertheless, in such situations, self-deception is rarely the only means available to achieve the beneficial results. Since self-deceiving can become a habit and habitual self-deception carries with it the dangers noted earlier, it is probably best to always avoid deceiving oneself.

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SEE ALSO: Existentialism; Freud, Sigmund; Hypocrisy; Integrity; Lying; Sartre, Jean-Paul; Self-righteousness; Truth.

## Self-interest

DEFINITION: Concern for one's own success, well-being, goals, and projects

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Self-interest is the opposite of altruism; it is valued by those who disparage altruism and attacked by those who see altruism as a moral good. Philosophers also disagree as to whether one's own interests and the interests of one's community are necessarily compatible, are necessarily incompatible, or have no necessary relationship.

Although Plato in his *Republic* was the first to raise the issue of the role that self-interest plays in ethics, it was Thomas Hobbes's treatment of the concept in *Leviathan* (1651) that cast the discussion of the relationship between ethics and self-interest in modern terms.

#### VARIETIES OF SELF-INTEREST

Philosophers generally speak of two kinds of self-interest: enlightened and unenlightened. This distinction is made by those who think that self-interest has a significant contribution to make to ethics. Interests can be classified as being either short-term or long-term, and sometimes what may be in one's short-term interest may not be in one's long-term interest. Short-term interests are those that are immediate consequences of the action performed and are of immediate benefit to the individual who is acting. Long-term interests, however, are future consequences of the action, and the benefit to the individual may not matter for quite some time.

Almost no one would advocate that one should pursue short-term interests exclusively. Rather, those who believe that self-interest and ethics are related encourage the pursuit of long-term interests. Emphasizing the pursuit of long-term as opposed to short-term interests is called enlightened (or rational) self-interest, while emphasizing the pursuit of short-term interests is called unenlightened self-interest.

One can appreciate the different positions regarding the relationship between self-interest and ethics by reflecting on the answers to the following question. Do the demands of enlightened self-interest ever correspond to the dictates of ethics? There is a theory of ethics that answers this question in the affirmative: egoism. This theory claims that self-interest plays a crucial role in determining ethically appropriate action. There are two kinds of egoism, depending in part on the role that is assigned to self-interest.

### **PSYCHOLOGICAL EGOISM**

This theory claims that human beings by their very nature must act in their own self-interest. According to this view, human beings cannot help but act in their own interest. That is how they are constituted.

Technically, this is not an ethical theory but rather a scientific or psychological theory about human nature. In fact, a psychological egoist would contend that ethics as traditionally conceived is impossible, since traditional ethics requires a person to act altruistically, to act in the interests of others, and human beings are simply psychologically incapable of doing that. Psychological egoism advocates that ethics should be revamped to take into account this important fact about human nature. Once this is done, the goal of this redefined ethics is to persuade people to pursue enlightened rather than unenlightened self-interest. Thomas Hobbes is the person most often associated with psychological egoism.

### **ETHICAL EGOISM**

The other brand of egoism is called ethical egoism. In contrast with psychological egoism, ethical egoism is a traditional ethical or normative theory that acknowledges that people have the ability to act altruistically. It contends that, although people can act in the interests of others, they should not. Ethical egoism claims that one should pursue one's enlightened self-interest exclusively. It contends that the

only time one should take into consideration the interests of others is when it is in one's interest to do so.

A number of reasons have been offered by ethical egoists to explain why one should act in one's own self-interest. For one thing, it just makes good sense. People should know what is in their own interest better than they know what is in the interest of others, and it is always good to act on as much information as possible. For another, if everyone pursued his or her own interests exclusively and did not meddle in other people's business, everyone would be better off.

Two major branches of ethics—namely, utilitarianism and deontological ethics—answer the above question in the negative. They both claim that acting solely in the light of one's own self-interest is never ethically acceptable. They contend that one of the goals of an ethical theory is to persuade an agent to put aside self-interested pursuit, whether enlightened or not, and act altruistically. These groups, however, deal with self-interested behavior in different ways.

### **UTILITARIANISM**

Utilitarianism claims that, in determining what the morally appropriate action is, one should take into consideration the interests of everyone who is affected by the action, and no one person's interest should count more than anyone else's. The right action is the one that will produce the greatest good for the greatest number of people. Notice that this theory still uses the concept of self-interest, though in a much-diminished capacity. One's interests do matter, but they matter only as much as everyone else's. This theory requires that one may have to sacrifice one's interest for the interests of others (the common good).

### **DEONTOLOGICAL THEORIES**

Both egoism and utilitarianism determine right and wrong by looking at the consequences of an action. Deontological theories look to something other than consequences to determine right and wrong. For that reason, these theories go a step further than utilitarianism does, banishing self-interest in any form. According to these theories, acting in self-interest automatically removes the agent from the ethical realm. Self-interest is something that must be controlled or defeated in order for true ethical behavior to take place.

*John H. Serembus*

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SEE ALSO: Altruism; Egoism; Egotist; Hobbes, Thomas; Human nature; *Leviathan*; Selfishness; Self-love.

## Selfishness

**DEFINITION:** Concern with and pursuit of one's own interests and desires without regard to or in conflict with the interests and desires of others

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Always a pejorative term, unreflective or excessive selfishness may be opposed to altruism or selflessness on the one hand and to mere self-interest or ethical egoism on the other.

Selfishness is construed as a vice or character flaw. All one has to do to see this is to reflect on the common usage of the term. To be labeled "selfish" is to be censured and held in low regard. Such labeling is a condemnation. Ethical theorists also share this disdain, though Ayn Rand with her philosophical theory of objectivism may appear to be an exception. Selfishness plays an important role in her ethical theory.

If someone is acting selfishly, that person is not acting ethically. Traditionally, the goals of ethics and those of selfishness are antithetical. Even those theories of ethics that advocate acting in one's own interest—namely, the various versions of egoism—would never endorse constant selfish behavior. For this rea-

son, it will be helpful to explore the relationship between selfishness and self-interest.

**SELFISHNESS AND SELF-INTEREST**

Are acting selfishly and acting self-interestedly identical? Critics of egoism, which is the ethical theory that claims that one should always act in one's own interest, answer this question in the affirmative. They find egoism morally repugnant because they find selfishness morally repugnant. Certainly, selfish behavior does involve some form of self-interested behavior. A selfish act is performed because the person expects to satisfy some current need or desire. Does self-interested behavior, however, necessarily involve selfish behavior? In other words, can there be behavior that is self-interested yet unselfish? Defenders of egoism say yes. For example, they insist that it is not in one's interest to act purely selfishly all the time, though there are some egoists who maintain that it is acceptable to act selfishly on occasion. Egoists distinguish between short-term and long-term self-interests.

**SHORT- VS. LONG-TERM INTERESTS**

Short-term interests are those that are met immediately, while long-term interests are those that will be satisfied in the future. When one acts selfishly, one is acting on the basis of short-term self-interests exclusively. When one acts selfishly, one does not take into account the impact of the pursuit of one's short-term interests on others; hence, one does not take into account the impact on one's own long-term interests. Since interfering with others in their pursuit of their interests may lead them to hinder one's own pursuit of future interests, such interference may have a negative impact on one's long-term interests. What this means, then, is that acting selfishly, though it is in one's short-term interest to do so, may have consequences that will hinder the pursuit of one's long-term interests.

Conversely, it may be in one's long-term interest to act unselfishly, since acting unselfishly would not anger others and would give them no reason to interfere with one's future goals. Thus, an egoist could simultaneously advocate the exclusive pursuit of self-interest and avoid the charge of selfishness by insisting that it is the pursuit of one's long-term as opposed to short-term self-interest that is at the heart of egoism. Aiming for the long-term is described as acting in



one's rational self-interest. This means that it is not generally rational to act selfishly, although an egoist could still advocate selfish behavior as long as that behavior did not interfere with one's long-term interests.

### AYN RAND AND OBJECTIVISM

In *The Virtue of Selfishness* (1961), Ayn Rand seems to be contradicting the claim made at the start that ethics views selfish behavior with disdain and contempt. It seems that she encourages selfish behavior, believing that it is at the core of true ethical behavior. By calling selfishness a virtue, she seems to be sanctioning that kind of behavior.

It turns out, however, that her position is not far from that of the ethical mainstream. Her title is intended to capture and hold the reader's attention. As a title for a treatise on ethics it is misleading. What she is really advocating is that the definition of selfishness should be stripped of all its negative connotations. She suspects that there has been some kind of moral conspiracy on the part of the ethics of altruism, which advocates that one needs sometimes to put one's own interests aside and act for the interests of others, and which demeans and belittles anyone who dares to act in his or her own interest exclusively.

The goal of her theory, known as objectivism, is to expose this conspiracy and to show that there is nothing wrong with acting in one's own interest exclusively. What does selfishness, denuded of its negative connotations, look like? It is nothing other than what traditional egoists call rational self-interest. Hence, her position on selfishness is consistent with the ordinary one, and her own ethical theory is just another version of egoism. Although she claims the contrary, the point is essentially a semantic one. For Rand, then, selfish behavior and self-interest are identical, but selfishness should be stripped of its negative connotations. For traditional egoists, however, selfishness, and self-interest are not identical. They discourage selfishness and encourage the pursuit of rational self-interest.

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SEE ALSO: Egoism; Egotist; Greed; Objectivism; Rand, Ayn; Self-interest; Self-love; Self-preservation.

## Self-love

DEFINITION: Pursuit of actual or apparent goods for oneself, or, narcissism

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Self-love is considered by different writers to be essential to an ethical life, to be the greatest opponent of ethics, or to lie somewhere between these extremes.

The best approach to understanding the relationship between self-love and ethics is to study its history. Aristotle, in his *Nicomachean Ethics* (c. 330 B.C.E.), addresses the question of whether ethical or unethical persons love themselves more. His answer is that, although most people believe that unethical persons love themselves more than do ethical persons, precisely the opposite is actually true. He defends this position by making an analogy between self-love and the friendship of two persons. The type of friendship he has in mind is not a superficial one, but rather a strong relationship between two ethically mature persons. He identifies five characteristics of such a friendship: (1) wishing and doing what one believes to be good for the friend, (2) wishing the friend to continue living, (3) finding it pleasant to spend time with the friend, (4) desiring the same things as does

the friend, and (5) sharing the friend's sorrows and joys.

Aristotle then writes that if one is ethical, one will have an analogous relationship with oneself: (1) wishing and doing what one believes to be good for oneself, (2) wishing oneself to continue living, (3) finding it pleasant to spend time with oneself, (4) having consistent desires, and (5) sharing one's own sorrows and joys consistently. Aristotle then contrasts this type of self-love with the self-love of one who is unethical: (1) wishing and doing for oneself what is pleasant to the senses, rather than what is good for oneself; (2) hating one's own life, because of painful memories of evil actions; (3) seeking the company of other persons in order to be distracted from the memory of past evil actions and the expectation of future evil actions; (4) having inconsistent desires; and (5) being torn by the internal conflict of both regretting one's evil actions and remembering them as pleasurable.

Aristotle goes on to explain that most people have false beliefs about self-love. There is a sense in which "selfish" people, those who seek the greatest share of such contested goods as money, honors, and bodily pleasures for themselves, love themselves. This is what most people mean by "self-love." It is, however, an inferior type of self-love that deserves condemnation. In contrast, persons who sacrifice the inferior goods of money, honors, and bodily pleasures in order to benefit others are the ones who genuinely love themselves. Aristotle believes that this is true even in the case of what most people consider the ultimate sacrifice: that of one's life. He maintains that the true self-lover prefers dying in defense of friends and country to living a long life with the memory of having been a coward.

These two types of self-love, sometimes distinguished from each other and sometimes not, appear frequently within post-Aristotelian discussions of ethics. For example, both of the following passages are found in Saint Augustine's *The City of God* (413-427):

The two cities were created by two kinds of love: the earthly city was created by self-love reaching the point of contempt for God, the Heavenly City by the love of God carried as far as contempt of self.

God, our master, teaches two chief precepts, love of God and love of neighbor; and in them man finds three objects for his love: God, himself, and his neighbor; and a man who loves God is not wrong in loving himself.

Although one could conclude that Augustine is inconsistent, a more reasonable conclusion (perhaps supported by the fact that he uses different Latin words for "love" in the two passages) is that there is a qualitative difference between the two self-loves.

In more recent ethical theory, however, the trend is toward viewing self-love as being opposed to ethics. Joseph Butler, in his *Fifteen Sermons Preached at the Rolls Chapel*, maintains that both the "principle of benevolence" and the "principle of self-love" are natural to human persons. Furthermore, he does not see them as being in competition with each other: "Though benevolence and self-love are different; though the former tends most directly to public good,



*The eighteenth century English cleric Joseph Butler wrote that the principles of both benevolence and self-love are natural to human beings. (Library of Congress)*

and the latter to private: yet they are so perfectly coincident, that the greatest satisfactions to ourselves depend upon our having benevolence in a due degree; and that self-love is one chief security of our right behavior toward society." He also states, however, that in his discussion of these two principles, "they must be considered as entirely distinct." He explains that "there can no comparison be made, without considering the things compared as distinct and different."

Although Butler argues at length that benevolence and self-love promote each other, many of his successors maintain that the two principles are indeed distinct and that they frequently oppose each other. This understanding of the relationship between self-love and ethics is quite different from Aristotle's. For Aristotle, people are confronted with the choice between loving themselves improperly and loving themselves properly. Because to love oneself properly is to love others, however, one does not have to choose between proper self-love and love of others. According to what has become the dominant position of eighteenth to twentieth century ethical theory, however, one is confronted with a choice between loving oneself and loving others. Although few writers hold that one should have no self-love, many argue that ethics requires that one decrease one's self-love and increase one's love for others.

One example of a twentieth century writer who is committed to what is now the dominant view is William K. Frankena. Despite the fact that both Saint Augustine and Joseph Butler were Christian bishops, and even though the mainstream of the Christian moral tradition has considered proper self-love to be the basis of obedience to the biblical command "love your neighbor as yourself," Frankena writes in *Ethics* (1973): "In the Judeo-Christian tradition, self-love, even of an enlightened kind, has generally been regarded as the essence of immorality, at least when it is made the primary basis of action and judgment." Although there is room to debate the meanings of "enlightened self-love" and "primary basis," Frankena's statement is at best misleading and at worst false.

*David W. Lutz*

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## **Self-preservation**

**DEFINITION:** Activity in which a being works to perpetuate its existence or to avoid harm

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The instinct for self-preservation can motivate and perhaps be used to justify drastic and immoral actions under extreme circumstances. Acts of heroism often require one to mitigate if not ignore such instincts.

On July 20, 1993, a Pennsylvania logger named Don Wyman found himself trapped in the wilderness, his left leg broken and pinned underneath a fallen tree. For an hour, Wyman called for help and attempted to dig his leg out, both to no avail. Aware that he was continuing to lose blood from his injuries, the trapped logger began pursuing what he perceived to be his only chance to escape. Using a bootlace as a tourniquet, Wyman proceeded to amputate his leg just below the knee with a pocket knife. Thus freeing himself from the tree, he crawled two hundred yards up a steep slope to a bulldozer, drove the bulldozer some three hundred yards to his pickup truck, and drove the truck to a farm two miles away, where an ambulance was called.

The case of Wyman is a dramatic illustration of the drive for self-preservation that is a fundamental

inclination of human nature. Interestingly, philosophers reflecting on this natural inclination have reached very different conclusions concerning its moral significance. Especially noteworthy in this regard is the contrast between the advocacy of suicide by Stoicism and the absolute prohibition of suicide by some schools of natural law morality.

Fourth century B.C.E. Stoic philosophers such as Zeno of Citium and Cleanthes of Assos were committed to following the demands of nature and were equally aware of the inclination for self-preservation that permeates the natural order. In the case of human beings, they understood the inclination for self-preservation as a demand to perfect one's nature. Taking rationality to be definitive of human nature, the Stoics advocated the soul's complete governance by reason as the epitome of virtue. Strong passions and appetites, however, were symptomatic of a diseased soul and thus were regarded as states of mind that needed to be expunged in the quest to achieve true virtue. Because a soul's attachment to the affairs and goods of the external world is what causes it to be governed by emotions and desires, the Stoics prescribed a rational indifference to the vicissitudes of life. So strong was their commitment to this indifference that the Stoics saw the rational choice of one's own death as a morally legitimate expression of indifference to the affairs of the world, a conviction upon which both Zeno and Cleanthes are believed to have acted. Although it is not obviously inconsistent, it is at least ironic that a philosophy that recognizes the natural inclination toward self-preservation as a basic moral principle should come to the conclusion that suicide is a morally permissible option.

### NATURAL LAW MORALISTS

Also recognizing the natural inclination toward self-preservation, Thomas Aquinas and other natural law moralists reach the conclusion—in direct opposition to that of the Stoics—that it is always impermissible to commit suicide. According to the natural law ethics of Thomas Aquinas, God has created the natural order according to a plan and has placed within natural beings a tendency to work toward the fulfillment of that plan. Human beings, like all other natural beings, have divinely implanted inclinations that point the way to their fulfillment. Unlike other natural beings, however, human beings have been given the gift of freedom and thus can choose to act

either in accordance with God's plan or in opposition to it. In order to live a virtuous life, then, human beings must reflect upon their God-given nature and freely act so as to fulfill that nature. Insofar as he viewed the drive for self-preservation as one of the fundamental inclinations of human nature, Thomas Aquinas arrived at the conclusion that it is always impermissible intentionally to terminate or shorten one's own life.

In order to understand fully Thomas Aquinas's position, it is important to note that he did think that there are circumstances in which it would be morally permissible to perform an action that one foresees will result in one's own death. For example, it would be morally praiseworthy for a soldier to throw himself or herself on a hand-grenade to save the lives of fellow combatants. That such cases do not contradict the absolute prohibition of suicide is found in the fact that a true case of suicide requires that one intend to kill oneself, whereas the heroic soldier intends only to save the lives of others and does not intend his or her own death.

One of the strongest objections to the natural law defense of an absolute moral prohibition of suicide is that formulated by the Scottish philosopher David Hume. Hume maintained that the inclination for self-preservation is not a fundamental inclination, because it is grounded in the more comprehensive inclination to achieve happiness. Therefore, suicide does not violate a human beings' natural inclinations if the continuance of the individual's life promises more hardship than happiness.

*James Petrik*

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## Self-regulation

**DEFINITION:** Imposition of a code of conduct or set of ethical standards by an organization or profession upon its own members

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The term self-regulation generally implies that measures have been taken to preempt or otherwise render superfluous government intervention or statutory regulation of an industry. Essentially, a group promises to act ethically in order to avoid being forced to act legally. To the extent that members of the group may disagree with the action taken on their behalf, self-regulation raises issues about individual autonomy.

During the late nineteenth century, social critics began to promote increased government regulation of business, industry, and various professions. In an attempt to stave off additional government intrusion into commercial affairs, many Self-Regulatory Organizations (SROs) were formed. SROs function as private rule-making and enforcement bodies that govern the activities of their members. Exemplary among such SROs is the American Institute of Certified Public Accountants (AICPA), which was founded in 1887 to self-regulate the accounting profession. The AICPA states that its mission is to “provide standards of professional conduct and performance,” “monitor professional performance,” and “promote public confidence in the integrity, objectivity, competence, and professionalism” of public accountants. SROs such as the AICPA possess the

power to censure or disbar their members from practice if they violate professional standards of conduct. Proponents of SROs contend that voluntary professional organizations are inherently more capable of encouraging ethical behavior than is a centralized government agency. Critics of SROs charge that the organizations merely act in the self-interest of their members rather than in the interest of society at large.

*W. Jackson Parham, Jr.*

SEE ALSO: Mozi; Price fixing; Professional ethics.

## Self-respect

**DEFINITION:** Recognition of and behavior in accord with one’s own intrinsic worth

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Self-respect is usually opposed to self-degradation. That is, lack of self-respect results in treating oneself, or allowing someone else to treat one, as an object or a means, rather than as a subject or an end in oneself.

According to Immanuel Kant, self-respect is the most important of one’s moral duties to oneself and is the prerequisite for the fulfillment of one’s duties to others. To transgress this duty is to forfeit the intrinsic worth that one possesses as a human being. Being human confers upon one a uniquely significant status: One possesses the gift of reason, and only rational beings can engage in moral deliberation. Consequently, only rational beings can recognize the concept of duty and act in recognition of universal moral law. Since the moral law commands the respect of rational beings by virtue of its absolute power over them, each rational being must acknowledge and respect this power of recognition in every rational being. One owes one’s fellow humans respect as rational, moral beings; likewise, one owes oneself respect insofar as one is human and, therefore, rational and moral.

### FORFEITURE OF SELF-RESPECT

There are actions that result in the forfeiture of one’s self-respect and the respect of others. Drunkenness robs a person of dignity insofar as it makes that person an object of ridicule, unable to act responsibly



or to exercise the powers of rational deliberation. “Cringing servility” is likewise degrading, and it detracts from one’s special status as human, as does lying. A liar, though possibly harming no one, becomes tainted by the intrinsic vileness of the lie. One who becomes the instrument or plaything of another, and who may do so for gain or profit, forfeits the respect that humans owe to themselves and to which they are entitled from others. Since all persons are equal by virtue of their common humanity, any act that places a person in a subservient position relative to someone else diminishes that person’s self-respect. Accepting favors or charity places one in a permanently subordinate position relative to one’s benefactor, a position in which the recipient remains even after repaying the debt.

Suicide, however, is the most serious violation of one’s duty to oneself because it constitutes the use of oneself as an instrument, a means to an end, violating the supreme moral duty to treat every human being, including oneself, as an end rather than a means. To end one’s life, even to escape intolerable suffering, is an abuse of the ennobling freedom that gives humans the capacity for virtue. Finally, just as this freedom is the source of human virtue, so is it also the source of human depravity, which springs from actions that not only dehumanize the perpetrators but also degrade them below the level of animals. Such an action is the *crimen carnis contra naturam*, an unnatural crime of the flesh, exemplified by an offense so abominable that it arouses nausea and contempt in one who merely contemplates it. In the light of the potential for depravity through the abuse of humanity’s freedom, each person has a special responsibility to use that freedom to bring credit to himself or herself as an individual representative of humanity, for when one degrades oneself individually, one degrades humanity as a whole. According to Kant, respect for humanity as exemplified in oneself reveals one’s respect for the moral law.

From the standpoint of modern moral psychology, self-respect may be viewed as being somewhat different from “self-esteem.” Whereas self-respect is rooted in the moral quality of one’s character, self-esteem refers to a positive assessment of oneself that may come from traits such as appearance, personality, talents, and so forth. The difference is evident in the fact that a negative appraisal of oneself with respect to characteristics such as physical appearance or tal-

ent does not necessarily result in an unwillingness to recognize one’s value and rights as a human being.

### MODERN MORAL PSYCHOLOGY

Self-respect, in addition to being an important theme in modern moral psychology, occupies a prominent place in the ethical thought of modern moral philosophers after Kant. Thomas Hill, Jr., allows self-respect to retain its Kantian significance when he contrasts it with servility. Servility, which is marked by a refusal to insist on respect from others and by a willingness to submit to public humiliation, is morally blameworthy when it springs from laziness, timidity, or the desire to retain some relatively unimportant advantage. The moral wrongness of this kind of servility results from the fact that in refusing to stand up for one’s rights, one devalues oneself as a human being. In doing so, one devalues the moral law, which humans have a unique duty to uphold.

Self-respect serves as an important component in a well-ordered society, according to John Rawls in *A Theory of Justice* (1971). Rawls distinguishes self-respect as the most important primary good, a primary good being something that a rational individual would want regardless of the kind of life the person lives or whatever else that person wants. The just society, in recognizing the importance of each individual, provides a strong foundation for self-respect. A person who has a secure sense of self-worth is more likely to carry out life plans successfully, since the value of those plans is derived to a significant degree from the self-respect that comes from having one’s personal value acknowledged by society.

Barbara Forrest

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SEE ALSO: Character; Dignity; Duty; Guilt and shame; Honor; Kant, Immanuel; Perfectionism; Pride; Psychology.

## Self-righteousness

**DEFINITION:** Belief that one's own moral values are superior to those of others or that one's own actions comport better with a common value system than do those of others; narrow-mindedly or self-importantly preachy

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Self-righteousness is commonly associated with lack of sympathy or compassion for others. It connotes an inability to put oneself in another person's shoes and an utter lack of nuance in applying abstract moral rules to concrete, complex, flawed human reality.

Self-righteousness can be condemned as involving either or both of two moral faults: hypocrisy (one does not measure up to one's avowed standards) or pride (one treats others with disdain or makes ostentatious displays of one's accomplishments). In the first case, one's claim to being righteous is vitiated by unacknowledged moral faults; in the second case, by behavior toward other persons designed to make them feel inferior and to enhance one's own self-image by comparison.

Christian thinking has typically opposed finding one's righteousness in oneself in favor of finding it through faith in Jesus. Self-righteousness can, however, be understood more positively as the reasonable conviction that one indeed does adhere of one's own will to a defensible moral code and thus deserves self-approval. Such self-approval, however, does not warrant requiring others to accept that judgment. Also, Jesus' condemnation of the Pharisees as hypocrites for attending to external rather than internal matters of law and morality (Matt. 23) points to the possibility of self-deception that is inherent in thinking of oneself as righteous.

*Paul L. Redditt*

SEE ALSO: Character; Hypocrisy; Pride; Self-deception.

## Sentience

**DEFINITION:** Capacity to feel pain and pleasure; consciousness

**TYPE OF ETHICS:** Animal rights

**SIGNIFICANCE:** Some animal rights advocates assert that sentience is a necessary and sufficient condition for moral standing, because morality requires that all creatures capable of suffering be prevented from suffering, as much as possible. Many philosophers, however, believe that consciousness alone is insufficient, and the actual condition of moral standing is *self-consciousness*. They assert, in other words, that only moral agents, those capable of making moral decisions, have full moral worth.

Derived from the Latin verb *sentire*, meaning to feel or perceive, the term "sentient" was used as early as 1632 to describe a being as conscious. The concept of sentience (the quality of being sentient) became crucial to the animal rights movement after Peter Singer took it to be a necessary and sufficient condition for having interests in his book *Animal Liberation* (1975). Singer's view was that all (and only) beings that are capable of feeling pain or conscious suffering have interests that matter from the moral point of view. The question "Which beings are sentient?" is answered by using an analogy. The more relevant be-

havioral and neurophysiological similarities there are between a given organism and a human being, the stronger is the case for saying that the organism is sentient. In *Animal Liberation*, Singer speculated that (with the exception of cephalopods like octopi, squid, and cuttlefish) probably only animals above the phylogenetic “level” of mollusks are conscious. While excluding insects, this does include crustaceans (such as shrimp and lobsters).

Many who have examined the available evidence have concluded that although all vertebrates probably are capable of feeling pain, invertebrates probably are not (again, with the exception of cephalopods).

Gary E. Varner

SEE ALSO: Animal consciousness; Animal research; Animal rights; Artificial intelligence; Brain death; Moral status of animals; Pain; Robotics; Singer, Peter; Vivisection.

## Service to others

DEFINITION: Helping others without expectation of reciprocity

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Service to others is denying one’s own self-interests in order to serve the interests of others. Such service may be motivated by a personal sense of civic obligation, moral or religious obligation, or some calculated social utility. A service-to-others ethic in Western civilization is built upon the foundations of classical Greek and Roman civic philosophy as well as Judeo-Christian moral philosophy.

In classical Greek and Roman thought the ideal citizen serves society and other citizens selflessly—a requirement that weighed especially heavily upon the privileged classes. The Greeks and Romans understood that citizenship required individual sacrifices in order to provide for the common good. Without such sacrifices, society would degenerate into a chaos of self-interest in which the strong would dominate the weak, thereby destroying social cohesion. Both the values of honor and duty underscored the classical notion of service to others. The most hon-

ored Greek citizens were not necessarily the wealthiest or most beautiful or most wise but those who heroically sacrificed and performed their civic duty to society.

The Judeo-Christian tradition built upon the classical tradition by adding a layer of moral obligation to the service ethic. In the Judeo-Christian tradition, service to one’s neighbor is not merely a civic obligation for the sake of social cohesion but also a religious obligation imposed by God. In other words, to serve others is to serve God. The Bible, both Old and New Testaments, is replete with examples of how the faithful are called to serve others. The powerful have a special obligation to protect and help the weak. In a way, service to others becomes a test of religious devotion.

A more economic or utilitarian approach would argue that by serving others one improves one’s own lot however distant or vague the benefit may be. Under the rubric of conditional altruism, one’s interest in serving others is conditional upon others (not necessarily the beneficiary of one’s own actions) doing the same. For example, a person may be more likely to donate money to public television knowing that others are willing to do the same. Or even more broadly, one may be more likely to help the homeless if one knows that others are also serving the homeless or at least using their resources to alleviate social problems.

A person’s service is conditional upon the service of others because one recognizes that the likelihood of success in any social endeavor is greater if more people are involved, as combining their resources increases the likelihood of success. Moreover, when there is greater level of social involvement by others—even on different problems—individual persons calculate that they will ultimately reap some benefit, however distant or indirect, such as safer streets or better schools.

Steve Neiheisel

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SEE ALSO: Altruism; Benevolence; Charity; Common good; Maximal vs. minimal ethics; Objectivism; Peace Corps; Selfishness; Tipping; Virtue.

## Sex therapy

**DEFINITION:** Mental and emotional treatment of sexual disorders

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** For many people, sex therapy can conflict with personal or intimate codes of ethics, because it involves talking about activity that they feel should remain private or because they believe it entails seeking artificial help with something that should be utterly natural. In addition, sex therapy raises all of the ethical issues of therapy and intimate relations generally, including confidentiality, mutual respect between partners, and the nature of the therapist-patient relationship.

Sexual therapy was pioneered by William H. Masters and Virginia E. Johnson, although other therapists have also created many important techniques. Sex therapy generally focuses on reducing performance anxiety, changing self-defeating expectations, and fostering sexual skills or competencies. Both sex partners are often involved in therapy, although individual treatment is possible. Because sexual dysfunction may be linked to drug effects, sex therapists must be knowledgeable to some degree about pharmacology. Sex therapists educate the couple and guide them through a series of homework assignments. They also treat interpersonal problems.

### TYPES OF SEXUAL DISORDERS

Three main sexual disorders treated by sex therapy are arousal and erectile disorders, premature ejaculation, and inhibited orgasm. Two causes are predominant: people's tendency to adopt a spectator role during intercourse, which causes them to examine their own performance; and the fear of performing inadequately. Either of these problems can create inhibitions against enjoying the normal sensations that lead to sexual satisfaction.

Arousal and erectile disorders are of two types: primary and secondary erectile dysfunction. Primary erectile dysfunction means that a man has never had an erection of sufficient strength for sexual intercourse. Fear and unusual sensitivity or anxiety regarding sexual incidents that have happened early in life may contribute to primary erectile dysfunction. Secondary erectile dysfunction means that the man has had successful sexual intercourse in the past but now fails to achieve penile erection in 25 percent or more of his sexual attempts. Secondary erectile dysfunction can be a vicious cycle: One or a few incidents of impotence can lead a man to become over-anxious and abnormally sensitive, so that the next

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(AP/Wide World Photos)

### Masters and Johnson

Using scientific measuring equipment, William H. Masters and his wife, Virginia E. Johnson, recorded physiological responses to sexual stimulations in men and women engaging in sexual activity. In 1966 they published the results of an eleven-year-long research project in the best-selling book *Human Sexual Response*. Their other books include *Homosexuality in Perspective* (1979), *Crisis: Heterosexual Behavior in the Age of AIDS* (1988), *The Pleasure Bond: A New Look at Sexuality and Commitment* (1975), and *Textbook of Sexual Medicine* (1979).

attempts at intercourse are also failures. Next, an interpersonal component enters the picture. Almost any response by the man's partner exacerbates the problem. If she continues to be physically affectionate, he may interpret her actions as a demand for sexual intercourse, a demand that he fears he is unable to satisfy. If she is less affectionate physically, he may defensively interpret her behavior as a rejection of his sexually inadequate self.

Sensate focus, which is a basic element of treatment of arousal and erectile disorders (as well as inhibited orgasm), involves directing attention away from intercourse and toward other behaviors that feel pleasurable to the partner, such as caressing the neck or massaging the back. Intercourse is initially forbidden by the therapist, so these exercises take on importance, allowing the couple to experience sexuality in a relaxed, non-performance-oriented manner. Gradually, more and more involved sexual activities are allowed, and the couple is eventually told that intercourse is permissible. Typically, such treatment is successful. Improvement rates for primary erectile dysfunction are about 60 percent, and for secondary erectile dysfunction, they are 74 percent.

Premature ejaculation occurs when a man cannot delay ejaculation long enough to satisfy his sexual partner during at least half of his sexual encounters. Premature ejaculation is usually caused by emotional and psychological factors. The most common treatment is the squeeze technique, in which the man's sexual partner stimulates him manually until he signals that ejaculation is about to occur. Then, the partner firmly squeezes the tip of his penis to inhibit orgasm. When he feels that he has control, stimulation is repeated. Gradually, he acquires the ability to delay orgasm sufficiently for satisfactory intercourse.

Inhibited orgasm is of two types: primary and secondary. Primary orgasmic dysfunction means that a woman never achieves an orgasm through any method of sexual stimulation. Although many causes are physical, more often they are psychological and are grounded in extreme religious orthodoxy, unfavorable communication about sexual activities, or some childhood trauma. Secondary orgasmic dysfunction is the inability of a woman who has achieved orgasm by one technique or another in the past to achieve it in a given situation. Secondary orgasmic dysfunction may occur when a woman is unable to accept her partner because she finds him sexually un-

attractive, undesirable, or in some other way unacceptable. In addition, many women find that orgasm brings about feelings of guilt, shame, and fear.

### TREATMENT

Treatment of primary and secondary orgasmic disorders involves understanding the woman's sexual value system and the reasons for her inability or unwillingness to achieve orgasm. Using her value system, the therapist teaches her to respond to sexual stimulation. Often, she is encouraged to focus on sexual responsiveness through masturbation or vigorous stimulation by a partner. Initially, the couple is directed to avoid intercourse but is taken through a series of treatment sessions involving an increasing amount of erotic pleasure. Orgasm is not the focus of these sessions, but ultimately it is achieved in an unhurried situation in which pressure to perform is removed from both partners.

Treatment of both male and female disorders involves teaching people not to fear failure and helping them to be free from anxiety. Both the man and woman are taught the art of giving pleasure in order to receive pleasure. They are encouraged to relax and to enjoy touching, feeling, and being sexual. The therapist may arrange desensitization experiences in real sexual encounters between the couple. Eventually, natural processes will take control and intercourse will follow in due time.

A central aspect of treatment of both male and female sexual disorders is communication. Couples must learn to communicate their sexual needs without embarrassment and misinterpretation. Such communication may be difficult. Also, for sex therapy to be successful, the sexual partners must be flexible individuals who are willing to accommodate the directive- and sometimes value-laden features of sex therapy. In addition, both partners need to develop a better understanding of male and female sexual response cues. Sex therapy may involve a specific technique, such as the squeeze technique, or an overall treatment of the couple's relationship.

*Lillian M. Range*

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SEE ALSO: Lust; Marriage; Promiscuity; Psychology; Sexuality and sexual ethics.

## Sexism

**DEFINITION:** Bias toward people on the basis of their sex

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Like racism, sexism most commonly refers to instances of sexual prejudice that are supported or validated by institutional power structures. Sexism is, in fact, perhaps the clearest demonstration of the importance of such covert power structures in enforcing prejudice, since sexism against women remains common in societies in which women comprise a majority.

A person is sexist who believes, for example, that women cannot be competent doctors or that men cannot be competent nursery school teachers. Institutions, as well as individuals, can be sexist. Sexism can be revealed in stereotypes (beliefs about people based on gender), prejudice (negatively prejudging a person solely on the basis of gender), or discrimination (acting in accordance with prejudice).

Sexism influences perceptions and behavior from birth. In one classic study, fathers described their first babies almost immediately after they were born; mothers described their babies during their first twenty-four hours. Despite objective hospital records that showed that these baby boys and girls were almost identical in color, muscle tone, reflex re-

sponses, weight, and length, parents described them differently. Baby girls were perceived as relatively softer, finer-featured, smaller, and less attentive. Fathers in particular were susceptible to this type of selective perception. Children and adults learn from these types of messages what society expects of women and men.

Sexism can be blatant, as it is when a female premedical student is told that women belong at home rather than at work or a male home economics student is told that men belong at work rather than at home. Sexism can also be subtle, as it is when people interpret the same behavior in different ways depending on whether it is exhibited by women or men. People may see a man as assertive but a woman as pushy, a man as flexible but a woman as fickle, a woman as sensitive but a man as a sissy, or a woman as polite but a man as passive. For example, in one research project, college students rated the quality of professional articles in several fields. When an article was attributed to a woman, it received lower ratings than it did when it was attributed to a man. Furthermore, women raters were as guilty as men at assuming male superiority. Therefore, sexism influences both women and men in a variety of blatant and subtle ways.

Although sexism is typically most damaging to women, men can also be victims. Even in the current era, for example, people are more willing to hire a man for a “man’s job” and to hire a woman for a “woman’s job.”

Sexism extends to the way in which people use language. Benjamin Whorf advocated the concept of linguistic relativity, the theory that the properties of language shape perceptions of the world. His classic example compared English and Eskimo views of snow. English has only one word for snow, whereas Eskimo has many words that distinguish falling snow, slushy snow, and so forth. In recent years, the idea that language influences people’s perceptions of the world has extended to the way in which sexist terms are used. Although the masculine forms are supposed to refer to both men and women, most people think of men when they are used. For this reason, some scholars substitute gender-neutral terms such as “firefighter” for gender-laden terms such as “fireman” and avoid using the terms “lady” and “girl” on the ground that they perpetuate the view of women as frivolous and childish. The American Psychological Association’s *Publication Manual* contains guide-

lines for avoiding sexist language that include using the plural whenever appropriate, using “his and her” rather than “his,” and using parallel construction (for example, “husband and wife” rather than “man and wife”).

Sexist language harms people in two different ways. First, women may reach adulthood feeling inferior because of the more frequent references in language to males. For example, in an analysis of children’s books published after 1972, most of the fictional characters were male, whether the stories were about children, adults, or even animals. Furthermore, boys were characterized as curious, clever, and adventurous, whereas girls were characterized as fearful and incompetent. Such bias takes a heavy toll on female self-esteem. Second, the use of certain terms may lead women and men to believe that certain occupations are beyond their capabilities. The harm done by this type of language can be avoided if writers and speakers are aware of the problem and motivated to change the gender-laden terms they are accustomed to using.

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SEE ALSO: Beauvoir, Simone de; Homophobia; *Second Sex, The*; Sexual abuse and harassment; Sexual stereotypes; Suffrage.

## Sexual abuse and harassment

DEFINITION: Inappropriate sexual behavior or speech directed toward a professional colleague or subordinate, or otherwise engaged in under color of social or institutional authority

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: Sexual abuse and harassment involve such moral issues as the moral worth of a person, gender inequality, and the social distribution of power, authority, and opportunities.

Both the perpetrator of sexual harassment and the victim of sexual harassment may be either male or female as well as being either heterosexual or homosexual. In the vast majority of incidents of sexual harassment, however, the victim is female and the perpetrator is a male heterosexual. This is true primarily because gender inequality is endemic in virtually every culture on earth. That is, the history of the social roles of men as compared with women is such that men, owing only to an accident of birth, are granted significantly more power and authority in society and enjoy the full complement of opportunities that a particular society makes available. (Clearly, there are other factors, many of which are also accidents of birth, that might preclude some segments of a society’s male population from this privileged status, such as skin color, religious affiliation, and so forth.)

Women, by contrast, are granted significantly less power and authority in society (in some cases, histor-

ically, none) and suffer severe restrictions with respect to the availability of opportunities offered by the society. The result of such an institutionalized imbalance of power and opportunities between the genders is an insidious development of social expectations according to which women literally come to be viewed (even by one another) as second-class citizens.

To the extent that these traditional distinctions between the social roles of men and women come to be seen as “the norm” and to the extent that the members of society (male and female), even if only implicitly, recognize that such distinctions are attributable only to the difference in gender, a social climate is created in which any abuse of an individual who happens to be female—simply because she is female—is taken less seriously than it would be were the same type of abuse to be directed at a male person. The rationale for this difference in response is based on the abused individual’s status as a member of the privileged or the nonprivileged gender.

### THE IMPORTANCE OF SOCIAL SETTINGS

It should come as no surprise, then, that social settings in which the imbalance of power and opportunities between the genders is most prevalent are ripe for sexual abuse or harassment; two such examples are the work and educational environments.

In the typical work environment, positions of power and authority are held, for the most part, by men, while women usually hold positions of less power and authority. This tradition has been maintained, in large part, because of an institutionalized lack of opportunity for women even to be considered eligible for positions of greater power and authority. Given this fact, it is not at all uncommon for women in the workplace to be the victims of sexual harassment. Such harassment typically involves a male perpetrator of sexual harassment who holds a position of authority over the female victim of sexual harassment. In the work environment, sexual harassment can also take other forms; for example, the perpetrator might be the male client of a female employee who is the victim.

The most obvious imbalance of power and authority in the educational environment is the fact that the instructor determines the grades of the students. Given this fact, there is always the potential for an instructor to abuse the educational system by sexually

harassing a student. Although, in theory, the possibility is greater here for both the perpetrator and the victim to be of either gender and of either sexual orientation, in practice, more often than not, the victim is female and the perpetrator is male (heterosexual). The fact that, more often than not, the perpetrator in this environment is male and heterosexual is explained fundamentally (but not completely) by the fact that although female instructors, within the student-instructor relationship, possess the power to assign student grades, in the society at large, they are still members of the nonprivileged gender, which fact has great influence on their social behavior. Furthermore, in the society at large, there are far more heterosexual males than there are homosexual males.

Additional environments in which sexual harassment occurs are the therapeutic environment and the religious environment. Incidents of sexual harassment in the therapeutic environment are usually similar to those that take place in the educational environment, while incidents of sexual harassment in the religious environment are usually similar to those that take place in the work environment.

Having recognized some examples of specific social environments that allow for above-average potential for sexual harassment because of their very one-sided imbalance of power and opportunities between perpetrator and victim, it is important to acknowledge that any social setting is a potential stage for sexual harassment. Moreover, sexual harassment is not restricted to relationships that involve only one perpetrator and only one victim, and it is not restricted to a private setting. For example, two or more perpetrators of sexual harassment might together verbally abuse several other persons at the same time and might do so in a public forum.

### TYPES OF HARASSMENT

Some specific types of sexual harassment are sexist comments (remarks or jokes that stereotype or disparage a single gender), unwelcome attention (uninvited flirtations), body language (fixed eye contact on specific body parts of another), physical sexual advances (pinching, fondling, and so forth), verbal sexual advances (such as nonspecific verbal expressions of sexual interest), explicit sexual propositions (unambiguous invitations for sexual encounters), and sexual coercion or bribery (unambiguous invitations for sexual encounters with the implicit or ex-

PLICIT promise of rewards for acceding or the threat of punishment for refusing).

What makes sexual harassment morally repugnant is that the victim is devalued as a person, in that the victim's dignity as a person is abused, and that such harassment inhibits the victim's ability to pursue whatever activities he or she was engaged in prior to the occurrence of the incident. Any defense that has ever been offered by a perpetrator of sexual harassment, after the fact, has involved the idea that the fact of harassment, or the offense that it engenders, depends upon the person; that is, what offends one person might not offend another, even another of the same gender in the same circumstances. Although it can be granted that sexual harassment is, in a sense, "in the eye of the beholder," this in no way morally excuses it. In the final analysis, the determining factor for what constitutes sexual harassment must be the interpretation of the victim as reasonably construed from the victim's perspective.

*Stephen C. Taylor*

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SEE ALSO: Abuse; Child abuse; Coercion; Incest; Internet chat rooms; Rape; Rape and political domination; Roman Catholic priests scandal; Sexism; Sexual stereotypes; Victims' rights.

## Sexual revolution

THE EVENT: Social movement involving the relaxation of sexual mores and inhibitions, especially regarding premarital and nonmonogamous sexual relations, and a more open embrace of sexuality generally

DATE: 1960's

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: The sexual revolution has been variously described as liberating people from im-

Image not available

*The sexual revolution of the 1960's was closely identified with the free-spirited "hippie" movement, which reached its apotheosis at the Woodstock music festival, near Bethel, New York, in August, 1969. (AP/Wide World Photos)*

proper or artificial ethical restrictions, or as an immoral movement that degraded human beings and human relations. One of the central issues raised by debates over the meaning of the movement is the proper source of sexual morality. Is it a matter of personal ethical intuition and values guiding intimate behavior, or is it a matter of general moral rules regulating such behavior?

During the 1940's and 1950's, the United States and most other Western countries were sexually restrictive. Prepubertal sexuality was ignored or denied, marital sex was considered the only legitimate sexual outlet, and other forms of sexual expression were condemned or prohibited by law.

During the 1960's, with the development of reliable contraceptive methods, sexual activities became less restricted. Premarital intercourse became more acceptable and more frequent, the latter particularly so among women. Young people became more sexually active at younger ages, and society tolerated a wider variety of sexual behavior than had been tolerated in the past. This change, the sexual revolution, was most prominent among women.

During the 1990's, however, despite any so-called revolution, adolescent boys still reported more sexual activity than adolescent girls, with about 80 percent of boys and 70 percent of girls reporting sexual intercourse before the end of adolescence. Also, a double standard for sexual behavior existed: Males were subtly encouraged to engage in sexual behavior but females were subtly discouraged from engaging in sexual activity. Additionally, the life-threatening disease acquired immunodeficiency syndrome (AIDS) made people aware that sexual activity could result in death. Finally, society in general became more conservative. The sexual revolution changed, with sexual activity and attitudes becoming more conservative, and some differences between men and women remained present.

*Lillian M. Range*

SEE ALSO: *Griswold v. Connecticut*; Premarital sex; Promiscuity; Sexism; Sexuality and sexual ethics; Sexually transmitted diseases.

## Sexual stereotypes

**DEFINITION:** Preconceptions about the capacities, values, characteristics, or desires of persons based on their sex or gender

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Sexual stereotypes can prevent men and women from seeing themselves and each other clearly, interfering with moral imperatives to know oneself, to recognize others, and to treat others as dignified subjects or ends in themselves rather than as objects or means to one's ends.

Sexual stereotypes are based on the idea that all females are alike in personality, interests, and abilities, and that males also constitute a homogeneous group. The masculine stereotype includes the characteristics of aggressiveness, achievement orientation, dominance, rationality, independence, high sexual interest, and physical strength. The feminine stereotype emphasizes passivity, submissiveness, emotionality, nurturance, modesty, low sexual interest, and physical weakness. Although stereotypes are an easy way of categorizing people, they are extreme generalizations. They destroy individuality and lead to discriminatory behavior and the victimization of women in the forms of domestic abuse, rape, and pornography.

### HISTORY

Male and female sexual stereotypes have existed in European civilization since ancient Greece and probably even earlier. Aristotle, Paul of Tarsus and other leaders of the Christian church, and civil authorities have endorsed the idea that women share typical characteristics. The concept of women as evil was an important rationale for the witch-hunts of the sixteenth and seventeenth centuries. European males typically considered women the "weaker sex," not only physically but also intellectually and morally.

Criticism of sexual stereotypes grew out of John Locke's political philosophy of natural rights. Mary Wollstonecraft's treatise *On the Subjection of Women* (1792) was an early statement about the effects of sexual stereotypes on the liberty and personal growth of women. Elizabeth Cady Stanton and other leaders of the mid-nineteenth century women's movement in the United States worked chiefly for civil liberties and intellectual parity. The negative effects of sexual



stereotypes were restated by Simone de Beauvoir in *The Second Sex* in 1949. They were an important concern in the women's liberation movement and in social science research during the second half of the twentieth century.

### ETHICAL PRINCIPLES

Sexual stereotypes are attitudes about a group of individuals. These attitudes are ethically significant because they often lead to discrimination. Women were denied political liberty because they were regarded as incapable of rational thinking. Thus, strongly held stereotypes typically imply an infringement on the liberty of individuals.

Furthermore, stereotypes lead to various problems in social equity, including educational and job discrimination and the denial of economic power. The stereotyped differences between men and women are assumed to be innate rather than cultural or socially acquired. Historically, women have been denied access to educational opportunities at the precollege, college, and graduate level. Lessened opportunities are reflected in lower salaries, less prestige and influence, and fewer opportunities to advance. Job discrimination in hiring and promotions results from stereotypes about what work is appropriate for women. Accordingly, stereotypes can be used to justify denying civil and economic rights to women and granting preferential treatment to men.

Stereotypes of women as passive—even masochistic—and of men as aggressive and sexually driven contribute to the victimization of women by means of domestic abuse, rape, and pornography. These stereotypes are reflected in the psychoanalytic theories of Sigmund Freud and other psychodynamic theorists. “Natural” male aggression can be used as justification for violence; this argument removes ethical responsibility for actions from the aggressor. Stereotypes can even be used to suggest that the victim should be blamed for inappropriate conduct that led to the offense; for example, it may be suggested that a woman who enters a bar alone is inviting rape.

### ETHICAL ISSUES

The controversy regarding whether to emphasize equality between the sexes, or to recognize true gender differences remains an issue. Whether women should seek equality with men by attempting to reduce stereotypes to a minimum or should challenge

male domination with a different, feminine ideology is unclear. For example, Carol Gilligan has proposed that there are clear ethical differences in the kinds of reasoning that men and women use to analyze ethical dilemmas. Males usually describe their reasoning as being based on principles that are applicable to every situation. Females frequently make ethical decisions that are strongly weighted by a consideration of the particular situation and, especially, by social relationships and responsibilities. Although it is important to reduce stereotypes, it may also be important to maintain a diversity of gender perspectives.

Annette Baier proposes that a particularly feminine ethical stance is that of trust. Trust underlies cooperation and thus is significant for ethical interpersonal relations. Trust is significant in family relations, between husband and wife as well as between parent and child. Because trust is part of the feminine stereotype, however, it has been largely ignored by philosophy.

### OTHER FORMS OF STEREOTYPING

Sexual stereotypes; racial, ethnic, and religious stereotypes; and age stereotypes are similar. People who rigidly hold one kind of stereotype frequently espouse other stereotypes. Because such attitudes lead to discriminatory behavior, all such stereotypes tend to deny equality and opportunity to members of a stigmatized group. In Western society, older minority women experience a triple oppression because of stereotypes and discrimination.

Prejudice against homosexual males and lesbian women is also related to sexual stereotyping. Some prejudicial attitudes result from a perception that homosexual males and lesbians do not act in accord with commonly held stereotypes. Social stigmatization and other forms of harassment frequently result from such views.

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SEE ALSO: Ageism; Bigotry; *Feminine Mystique*, *The*; Homophobia; Pornography; Rape; *Second Sex*, *The*; Sexism; Sexual abuse and harassment; Social justice and responsibility.

## Sexuality and sexual ethics

**DEFINITION:** Sexuality: aspects of people's desires, perceptions, actions, interactions, and identities that influence or constitute their sexual behavior; sexual ethics: formal and informal codes of conduct governing the moral permissibility of specific acts and expressions of sexuality

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Sexuality is one of the most fundamental aspects of human identity and motivation. Even that statement is potentially controversial, however, because the proper relationship of one's sexual identity and experience to one's identity as a whole is a matter of ethical debate. Sexual ethics thus includes not merely the ethics of sexual activity and intimate relationships, but the ethically proper way to incorporate sexuality into one's life.

Men and women have most things in common. In that sense, the biblical view that one sex comes from the middle of the other is very appropriate. The biological view that the male is a modified female also indicates this strong commonality. Concepts of sexuality, however, focus on the differences associated with gender. Sexual assignment and the many behaviors associated with it are basic to personality. The most fundamental difference between male and female is that males produce sperm and females produce eggs, but to be classified as male or female does not involve merely the obvious differences in anatomy; sexuality has profound effects on how a person feels, thinks, communicates, and acts.

Attraction between the sexes and the pleasure inherent in the sex act constitute an efficient biological design that tends to continue the species, but sex is more than reproduction, and most human sex does not involve producing babies. Sex involves the desire for a meaningful, close relationship with another, and it involves the most pleasurable short-term act of which the body is capable. The intimacy of the sex act calls for trust and commitment. The philosopher Richard Solomon has stated, "To think that one can indulge in the traditionally most powerful symbolic activity in almost every culture without its meaning anything is an extravagant self-deception."

### HUMAN ASPECTS OF SEXUALITY

Several biological factors are unique to human sex. First, humans are apparently the only creatures that consciously understand that sex is linked to reproduction. Other animals do not know that intercourse may cause pregnancy. Second, human females may be sexually receptive at any time. In contrast, many mammals mate only seasonally, when the hormonal levels, especially of estrogens, cause females to signal their receptivity to males. At that time females are said to be in "heat." Some mammals have more frequent periods of heat. The sexual interest and activity of human females, however, is different. It is influenced, but not limited to, specific hormone-dependent times. Circumstances, judgments, cultural norms, mood, and emotions play larger roles than do hormones when it comes to the timing of the sex act by humans. A third factor is that humans often have sex face-to-face, which seems to be significant in that it promotes bonding and commitment for the protection of possible offspring.

Childhood experiences affect the choice of a mate. Certain characteristics come to be valued. If a person meets and gets to know another person and this person meets many of the desired characteristics, attraction occurs. At that point, the brain is affected by chemicals (especially phenylethylamine) that are similar to amphetamines. The person experiences a chemical high that can last several years, causing the feelings of being in love. The continued presence of a partner causes endorphins to be released internally, causing feelings of calmness and security. This promotes long-term attachment. Finally, another chemical, oxytocin, is released. This chemical is thought to cause cuddling and to enhance pleasure in sex.

There is much that is not known, but sexual behavior is definitely more than simply genes and chemical reactions. Human sexuality is formed by a complicated interplay and overlap of genetics, culture, experiences, and free will. The roles of these elements are difficult to define. One can always argue about the extent to which females are biologically bound to be passive, coy, and monogamous. Likewise, one can question the extent to which males are dealing with genes that compel them to be aggressive, dominating, risk-taking, and promiscuous. How much weight should people give to genetics? How free are human actions?

### GENETIC DETERMINATION

Genes, mainly but not exclusively, determine the production of hormones that cause the development of the sex organs and the various secondary physical differences such as body size, percentages of fat, tilt of the pelvis, muscle thickness, voice pitch, and thickness of body hair. Even the development of the brain and patterns of behavior are affected by the sex genes. Normally, two X chromosomes will basically program a woman, while having both an X and a Y chromosome will produce male characteristics.

In 1987, geneticist David C. Page and his colleagues found that there is a particular gene on the Y chromosome that is required to produce a male offspring. In a study of abnormal cases, Page found that a twelve-year-old girl was XY but that the Y chromosome was not complete, apparently lacking the male gene. About one in twenty thousand men is XX but also has inherited a small piece of the Y chromosome that includes the sex gene, causing him to develop as a male. Such XX males and XY females are usually

infertile. The location of the sex gene on the Y chromosome (and the additional discovery of a similar sex gene on the X chromosome) indicates that genetic factors in sex determination are not completely understood. While further study is needed, questions about whether homosexuality is a matter of choice or inheritance are being raised. Preliminary investigation indicates that a gene for homosexuality may also exist. Other studies also indicate a physical difference in the structure of the brain when homosexuals and heterosexuals are compared.

### CULTURAL INFLUENCE

Length of hair, type of dress, vocational choices, and many sexual behaviors seem to be mainly cultural values. Because every society has legitimate interests in sexual conduct, certain standards and norms of behavior are maintained. These may vary from culture to culture, but both religion and government tend to be involved, often reinforcing each other, as in the case of requiring marriage to be formalized as a way of providing family structure for the nurturing of children. Within a family, male and female children are usually raised quite differently. At times, these standards within a culture may change.

Many behaviors have more than one cause. For example, self-assertiveness, the ability to communicate openly and honestly in a functional way, appears to be related to gender. Hormones can certainly be given some credit for male aggressiveness in many activities, but women seem to be encouraged by society to be quiet, polite, and considerate of others' feelings, while men are encouraged to take charge. Change in this area can certainly be made by means of teaching and practicing communication techniques that allow both sexes to communicate openly and freely about their feelings, needs, and desires.

Only in the late twentieth century did significant numbers of girls and women begin participating in competitive sports. The positive results have shown that cultures may have mistaken ideas about fixed or natural sexual limits and roles.

### FREE WILL

One can argue that all behavior and even culture is programmed by genetics, but biological determinism is a gloomy mechanistic view of life. Are people free to choose or do they merely respond in programmed ways to various signals? Free will allows people to

accept, augment, or reject both nature and nurture. Individuals may choose to modify sexual characteristics, whether they are biological or cultural. One can shave hair or allow it to grow. One can wear high-heeled shoes that accent side movement in walking. A person may consciously choose to dress and act in ways that a society may generally see as part of the role of the opposite sex. Yet perhaps what is perceived as freedom is an illusion. Perhaps such modifications are also programmed. Are humans trapped by their biology? Biology is certainly not irrelevant to social behavior; however, as biologist Richard Lewontin has argued, there is simply not enough DNA to code for all the situations that humans face. Patterns of behavior can only be very generally coded. Humans do have choices.

### AREAS OF CONCERN

Sexual ethics is concerned with questions about how sexuality might influence one's behavior, how basic biology might require careful thought and control, and how the common good might be preserved. Sexuality can have many goals, but even if sex and reproduction could be completely divorced, sex and morality cannot. Sex almost always involves another person. Sex, or the choice not to have sex, involves valuing others as ends in themselves, not merely as the means to selfish pleasure. This is not a new principle, even with Immanuel Kant, but goes back to the ancient Jewish and Christian command to love one's neighbor: to be concerned for the emotional and physical welfare of others. Beyond being a means of procreation, sex is a form of communication.

Sex involves much of ethics: trust, truth telling, commitment, friendship, and fairness. There really is no special variety of sexual ethics, but ethics in the sexual realm is very special. This is because sexual behaviors reflect the core of one's personality and can allow the most intimate knowledge of one's being. At the same time, the way in which sexuality is treated profoundly affects all interactions in a society. If the most personal relationships are unethical, then all relationships are at risk.

Societies have a justifiable interest in the area of sexuality. Children need good parents to care for them. The spread of sexually transmitted diseases (STDs) should be prevented; casual sex can carry mortal risk. The education of teenagers should not be interrupted by extramarital pregnancy. Respect for

persons requires that sex should never be forced on another person.

### ADULTERY

If two people consent to have sexual intercourse outside marriage, is this immoral? If it is a private matter between consenting adults, what is the harm? Richard Wasserstrom argues that this activity involves the breaking of an important promise. First, the breaking of this promise involves deep hurt and pain to the innocent spouse. Second, such activity almost always involves deception about where a person was and about what was occurring. Third, sexual intimacy should reflect a person's real feelings for another. Western culture teaches that sexual intercourse involves the strongest feelings that one person can have for another. Therefore, the restriction of sexual intercourse to a marriage is logical.

To engage in extramarital sex involves the deepest deception about true feelings, toward either the innocent spouse or the extramarital partner. Society has yet to answer various questions. Can one separate sexual activity from its deep meanings of commitment to a single person? What is sexual love? How could it be different? What price would people pay if sexual relations came to mean something else? Would the institution of marriage be lost and the nurture and protection of children suffer?

### NATURAL OR UNNATURAL

Sometimes in arguments about sexual matters, a judgment will be made regarding whether an activity or behavior is natural. The implication is that perhaps "the laws of nature" can be violated, but the laws of nature are only descriptive and by their nature cannot be violated. They are not prescriptive for behavior, and life would be gloomy if it were so. As Sarah Blaffer Hrdy has said, people need to rise above nature in sexual ethics. Arguments that will convince the general population must be based on ethical traditions that consider the consequences of an action (teleological theories) or traditions that maintain that people have duties (deontological theories).

### SEXISM

False assumptions about the intrinsic worth of either females or males often cause trouble in society. Children of the "wrong sex" may be devalued and even aborted. Programs or instruction in schools

should not favor one sex. Equal work and responsibility calls for equal pay and equal opportunities for promotion. To use biological differences such as sex or race, over which a person has no control, as a systematic basis for denying anyone their rights violates individual human dignity and autonomy.

A most serious danger is to describe one sex as setting the standards for the species. When this is done, the other sex is viewed as not fully developed, abnormal, and therefore is devalued. For example, during the nineteenth century, Paul Broca claimed that female brains were smaller than normal (“normal” was a European white man’s brain) and therefore not capable of higher learning. Educational policies and women’s aspirations were affected until this view was overcome, when people realized that general body size and many other factors must be considered. Female brains are normal for females. Female intelligence is not limited by sexuality.

### **GAY RIGHTS**

Although the issue of respect for privacy discourages and complicates the enforcement of laws that regulate sexual behavior, the courts are not silent regarding such matters. In 1993, a Virginia County Circuit Court found that a woman’s lesbian relationship made her “an unfit parent.” The judge noted that the woman admitted to engaging in oral sex, which is a felony in Virginia, concluded that her conduct was immoral, and left the woman’s child in the custody of the grandmother. The grandmother testified that the child might grow up confused about sexuality. The judge cited a 1985 Virginia Supreme Court ruling that said that a parent’s homosexuality is a legitimate reason for losing parental rights. Since 1985, however, more than one hundred gay people have gained parental rights through the Virginia courts by means of what is called coparent, second-parent, or same-gender adoption. The issue is far from settled.

### **SEX SELLS**

Advertising plays an important role in society. The device of associating a product with a beautiful or handsome model raises the issue of honesty. The ethics of using sexuality to sell products and to promote messages is questionable and is demeaning to the persons so used. Interesting cases have developed involving the hiring of women as newscasters. What

is really going on when management tells a female newscaster to wear her hair differently?

Billions of dollars are spent annually on cosmetics, especially by women, to enhance beauty and sexuality. (The testing of cosmetic products on animals is an ethical issue in itself.) The clothing fashion industry is also keyed to promoting attractiveness. Models are selected to promote particular images of female body shape and beauty. These images may be unrealistic for most females and may lead to the development of low self-esteem or even serious illness (anorexia, bulimia). Furthermore, Cornel West has pointed out that the ideology of white female beauty even tends to permeate black thinking. “The ideal of female beauty in this country puts a premium on lightness and softness mythically associated with white women and downplays the rich stylistic manners associated with black women.” Damaged self-image and lack of self-confidence can cause fundamental harm to a whole race.

How sexuality is treated in society and how individual humans act sexually involves all of ethics. Making responsible decisions in this area may be more difficult than in others because of the effects of biology and culture. Nevertheless, the effort must be made to affirm sexuality, to recognize it as fundamental to human existence. In all its uses, however, sexuality also needs to be disciplined to communicate truth. William Starr has pointed out that one can have purely casual sex. There is pleasure in it or the act would not be performed. “But what sort of pleasure is it?” Starr continues. “It is short term, transitory, lacks lasting value, lacks continuity with the rest of one’s life . . . and adds nothing to the quality of one’s life.” Sexual relations with a person who is loved, however, represent “a part of the ongoing process of the enhancement of one’s existence.”

*Paul R. Boehlke*

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SEE ALSO: Clinton, Bill; Dress codes; Equal Rights Amendment; Gay rights; Homosexuality; Marriage; Personal relationships; Rape; *Second Sex, The*; Sexual revolution; Sexually transmitted diseases.

## Sexually transmitted diseases

DEFINITION: Venereal and other diseases that are often, but not exclusively, spread by sexual contact

TYPE OF ETHICS: Bioethics

SIGNIFICANCE: The existence of sexually transmitted diseases (STDs) complicates sexual ethics in general, because it further raises the stakes of an already ethically charged relationship. In addition to this broad theoretical complication, definite knowledge that one or one's partner has an STD may have specific, practical ethical consequences.

Sexually transmitted diseases, whose incidence is rapidly increasing, are caused mainly by specific bacteria and viruses. Gonorrhea, chlamydia, and syphilis are bacterial and can be treated with antibiotics. Untreated cases of these diseases can result in sterility, infections of newborn children, and other serious problems. Among the viral infections are herpes 2, genital warts, and acquired immunodeficiency syndrome (AIDS). Herpes 2 and AIDS have no cures. Herpes 2 causes painful sores on the sex organs that heal but reappear. A mother can infect her child with herpes 2 at birth. Genital warts may lead to cancer of the cervix and other tumors.

Although all STDs are serious, AIDS is devastating. The human immunodeficiency virus (HIV) damages the immune system by taking over and killing CD4 white blood cells. A person is said to have AIDS when his or her CD4 count falls below 200 per microliter (normal is 800-1,200 per microliter). At that point, the victim is likely to die from various opportunistic infections.

The risk of getting any STD varies with behavior. Practicing abstinence until marriage is the best safeguard against STDs. Risk increases with the number

of sexual partners. Latex condoms offer some protection but are not perfect.

About 64 percent of AIDS cases in the United States involve homosexual men and correlate with high-risk anal intercourse. Another 28 percent of AIDS cases are caused by the sharing of contaminated needles during drug abuse. About 3 percent are the result of receiving transfusions of infected blood. HIV can also cross the placenta or be in a mother's milk and infect a baby. HIV transmission by heterosexual intercourse is increasing. The risk of HIV infection increases ten to one hundred times if sores from another STD are present.

### ETHICAL PRINCIPLES

In *Grounding for the Metaphysics of Morals* (1785), Immanuel Kant wrote that people must not treat others only as a means to some end. All people must be valued as ends in themselves. Respect for persons, fairness, truth telling, and promise keeping are vital to meaningful sexual behavior. Margaret Farley of Yale University concluded that sexual desire without interpersonal love leads to disappointment and loss of meaning. Justice must discipline sexuality so that no one is harmed and the common good is considered. Farley added that sexuality should be freed and nurtured while also being channeled and controlled. One cannot allow that "anything goes" even between consenting adults. Society has legitimate interests regarding the care of offspring, the limiting of extramarital pregnancies, and the control of disease.

### ETHICAL ISSUES

To transmit disease carelessly by sexual means violates standards of love, commitment, respect, fairness, and honesty. Consider, for example, that a man might, through extramarital affairs, give his wife HIV. What are the responsibilities of any sexual partner?

In 1991, Kimberly Bergalis died at age twenty-three from a nonsexual HIV infection transmitted to her from her dentist. Other patients were also infected. Before her death, Bergalis asked that health workers be tested and their conditions be made public. Should health workers be tested? Are health workers in greater danger from their patients? Are these private matters? Often, privacy must be balanced with other concerns. Should an infected person reveal or tell all previous sexual partners? Should

even the fact that a person has been tested be kept private?

In many cases, fear of AIDS has fed apathy and discrimination. The parents of the late Ryan White, who contracted HIV from a blood transfusion, had to file a discrimination suit against his school to allow him to attend. Many STD clinics fail to act sympathetically toward patients. Homosexuals are thought by some to deserve AIDS as punishment. How should people act when others carry an infectious disease? Should research monies be allocated for prevention or cure? Preventive and therapeutic HIV vaccines will need to be tested on animals and humans. What concerns will have to be met?

### LEGAL ISSUES

Individuals can sue former partners for damages caused by STDs. Such civil actions are based on tort law. A tort is a wrongful act or injury that is committed either intentionally or negligently. Furthermore, many states have passed laws against STD transmission that set fines and prison terms.

In a 1979 landmark case, Margaret Housen of Washington, D.C., was awarded \$1.3 million in compensatory and punitive damages for a gonorrhea infection. Also, when movie star Rock Hudson died of AIDS in 1985, his homosexual lover, Marc Christian, sued Hudson's estate. Christian was found to be HIV negative but was awarded \$21.75 million for "grave emotional distress."

In sum, individuals must inform a sexual partner of possible infection. Noninfected partners are under no obligation to ask. Consenting to have sex does not imply consenting to being exposed to an STD. In a landmark legal case in 1993, it was decided that a Texas woman who was raped at knife point was not consenting to have sex merely because she asked the assailant to wear a condom. In another case, a prisoner with AIDS was convicted of attempted murder because he bit the hand of a prison guard.

### ETHICAL DECISION MAKING

The "sexual revolution" of the 1960's, which involved improved contraception, sexual behavioral studies, the women's movement, and trends toward openness, challenged the traditional structures of monogamous relationship: marriage and the family. Mixed messages in the popular culture often neglect birth control and concern for the partner.

Meanwhile, the Centers for Disease Control (1992) reported that 73 percent of U.S. high school seniors have experienced sex and that 4 percent of secondary students have STDs. The World Health Organization (WHO) reported in 1992 that 350,000 cases of STDs were being transmitted each day worldwide. The only current disease that is more infectious is the common cold.

A pandemic makes ethical considerations seem like a luxury. Nevertheless, some experts place hope not in medical breakthroughs but in changes in sexual behavior. As Robert Ashmore of Marquette University has stated, “we must not lose sight of the idea that the purpose of moral inquiry is practical.” Can people who are “in love” be rational? Making responsible decisions in an area involving biological desires, peer pressure, society’s concerns, moral standards, and individual autonomy may be a formidable task, but it is a necessary one.

*Paul R. Boehlke*

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SEE ALSO: Acquired immunodeficiency syndrome (AIDS); Marriage; Promiscuity; Self-control; Self-respect; Sexual revolution; Sexuality and sexual ethics.

## **Shaftesbury, third earl of**

IDENTIFICATION: English philosopher

BORN: Anthony Ashley Cooper; February 26, 1671, London, England

DIED: February 15, 1713, Naples, Italy

TYPE OF ETHICS: Renaissance and Restoration history

SIGNIFICANCE: In *Characteristics of Men, Manners, Opinions, Times* (1711), Shaftesbury argued that the source of human morality was an innate “moral sense” that was allied with, and promoted, the good of society.

The third earl of Shaftesbury’s education was placed in the hands of the philosopher John Locke by the boy’s grandfather, the first earl of Shaftesbury. He was fluent in classical Latin and Greek in his early youth, as well as in modern French; in his later youth, he spent three years on the European Continent and became thoroughly familiar there with art and music. His later writings, in fact, are of equal importance in both aesthetic and moral philosophy. In Shaftesbury’s time, English moral philosophy was heavily influenced by Thomas Hobbes, who maintained that human nature is essentially selfish and that unless they are coerced by society, people will not cooperate to act decently.

In direct contradiction of Hobbes, Shaftesbury maintained that the very existence of society demonstrates a predisposition for moral cooperation—the “moral sense” that he was the first to name. Because it was bound up with society, the moral sense found its greatest virtue in pursuing the public interest. Shaftesbury also believed that morality and religion were separable, which enhanced the status of the moral sense as an innate human attribute. Shaftesbury’s views directly influenced the British philosophers Francis Hutcheson and David Hume.

*Robert M. Hawthorne, Jr.*

SEE ALSO: Hobbes, Thomas; Hume, David; *Leviathan*; Locke, John; Moral-sense theories; Secular ethics; Selfishness.

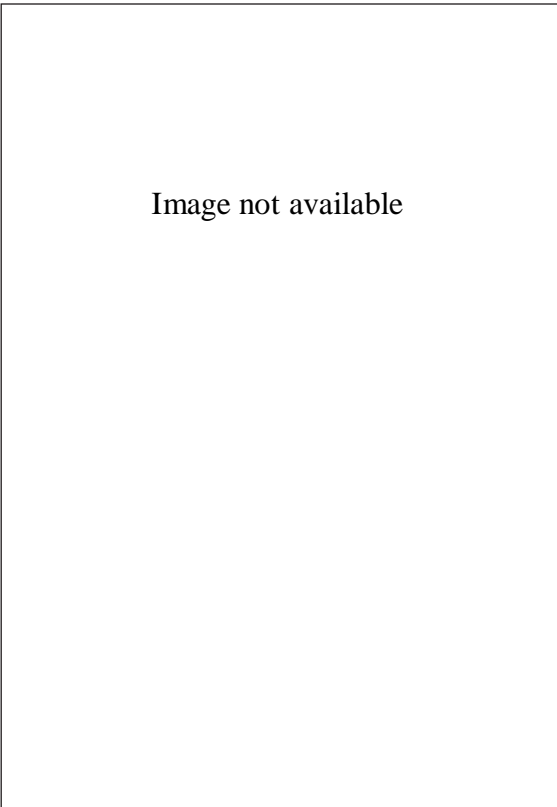


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*Amina Lawal, one of the women sentenced to be stoned to death for adultery in northern Nigeria, in early 2003. (AP/Wide World Photos)*

### The Price of Adultery in Northern Nigeria

In 2002, the conservative Islamic legal traditions still in force in northern Nigeria made headlines around the world as word got out that two young women were sentenced to be stoned to death for committing adultery. Northern Nigeria's twelve predominantly Muslim states all practiced Sharīʿa law, which calls for death by stoning of Muslims convicted of adultery or rape. Plans to execute the young women might have gone unnoticed by the outside world, had not Nigeria been about to host the Miss World beauty pageant, which brought large numbers of foreign journalists into the country. Under growing pressure from other world governments, Nigeria's secular national government ordered the Islamic executions stopped. Meanwhile, continuing strains between conservative Muslims of the north and non-Muslims, including Christians, of the south were leading to violent clashes in which thousands of Nigerians were dying.

## Sharīʿa

**DEFINITION:** Any of the several traditions of Islamic law

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** All of Islamic ethics—including personal ethics—is connected to *sharīʿa*, since Islam does not separate the private, political, and religious realms of behavior.

Within Islam, no clear distinctions can be made between law and ethics. They are seen, instead, as facets of the single effort to build a community that is guided by the will of God. The Qurʾān (the primary source of Islamic law), for example, provides religious law (“Set not up with Allah any other God”), moral rules (“come not near unto adultery”), social regulations (on fiduciary management of the property of orphans), and guidance for the development of good character—all intermingled in *sūra* 17:22-39.

In issues not addressed by the Qurʾān and its exegesis, the next recourse is usually to the traditions in *Ḥadīth* of the life of Muḥammad. There is a broad diversity of views about possible additional sources of law, which could include *ʿijmā* (consensus among the learned, which is important in Sunnī traditions) or the *imām* (the leader of the faithful, who is important in Shīʿa traditions). There can be no “wall of separation” (Thomas Jefferson’s phrase) between church and state in Islam, since all sovereignty resides with God and human authorities administer only through his will.

**SEE ALSO:** *Ḥadīth*; Islamic ethics; Law; Muḥammad.

## Shīʿa

**DEFINITION:** One of the two main sects of Islam  
**DATE:** Founded around 661-680  
**TYPE OF ETHICS:** Religious ethics  
**SIGNIFICANCE:** Shīʿa Islam provides a different interpretation of Islam and its tenets from that supplied by the Sunnī majority.

Islamic religion is divided into two main sects: Sunnīs and Shīʿites. Shīʿites are followers of ʿAlī ibn Abī Ṭālib, a cousin and son-in-law of the Prophet Muḥammad, and ʿAlī's sons, Ḥasan and Ḥusayn. Shīʿites contend that ʿAlī should have succeeded Muḥammad at his death. They view the other three caliphs, Abū Bakr, ʿUthmān, and ʿUmar, as usurpers. ʿAlī was chosen caliph after the third caliph, ʿUthmān, was assassinated.

After ʿAlī's death, Muʿawiyya assumed the caliphate despite opposition from many followers of ʿAlī, who considered ʿAlī's sons, Ḥasan and Ḥusayn, the rightful successors. After Muʿawiyya's death, his son Yazid succeeded him. ʿAlī's second son, Ḥusayn, tried to claim the caliphate but was defeated and killed by Yazid's forces. The anniversary of Ḥusayn's death is commemorated by Shīʿites as a major religious event.

There are two main branches of Shīʿites: the Twelvers, or Imāmīs, and the Seveners, or Ismāʿīlites. The Twelvers believe that there were twelve Imāms, or leaders, after ʿAlī, each chosen by his predecessor. The twelfth Imām disappeared when he was a small child. Shīʿites believe that he will appear at an appropriate time as Mahdī, or savior, to rescue the world and restore the glory of Islam. The Ismāʿīlites believe that Ismāʿīl should have succeeded Imām Jafar, the sixth Imām. Ismāʿīl was Jafar's son. The Twelvers are the predominant branch of Shiism. Currently approximately 10 percent of the world's Muslim population is Shīʿite.

*Khalid N. Mahmood*

SEE ALSO: Abū Bakr; Islamic ethics; Sunnīs.

## Shinran

**IDENTIFICATION:** Japanese Buddhist monk  
**BORN:** Matsuwaka-Maru; 1173, near Kyōto, Japan  
**DIED:** November 28, 1262, Kyōto, Japan  
**TYPE OF ETHICS:** Religious ethics  
**SIGNIFICANCE:** Shinran founded the True Pure Land Sect (Jōdo Shinshū) of Japanese Mahāyānist Buddhism. His teaching differentiated between real truth (faith), the gift of salvation in the next world; and common truth (morality), one's duty to society in this world.

A monk at Mount Hiei from age nine to age twenty-nine, Shinran had a vision in which Kannon (Avalokiteśvara, the bodhisattva of compassion) directed him to follow the teachings of Hōnen. Both men taught that salvation could be achieved through reciting the nembutsu, the phrase "Hail [or 'I place . . . my faith in'], Amida Buddha." Amida was understood as a Buddha who lived in the Western Paradise and would bring there all persons who came to him in faith. While Hōnen thought that the nembutsu should be repeated over and over, Shinran thought that it was sufficient to pray sincerely to Amida once, since reciting the nembutsu was an act of gratitude for the gift of salvation, not a work by which one earned salvation. In the salvation experience, the believer experiences undoubting faith in Amida and simultaneously utters the nembutsu. Upon death, the devotee is reborn in the Western Paradise, which Shinran identified with nirvana. There the devotee would become a Buddha and return to the earth to enable others to achieve salvation. Shinran broke with his master over the celibacy of monks, married, and fathered six children.

*Paul L. Redditt*

SEE ALSO: Avalokiteśvara; Bodhisattva ideal; Buddhist ethics.

## Shintō ethics

**DEFINITION:** Moral values central to the dominant religious system of Japan  
**TYPE OF ETHICS:** Religious ethics  
**SIGNIFICANCE:** Shintō ethics played a major role in the development of the national state of Japan and of Japanese nationalist ideology. It emphasizes



that there is no timeless and universal formula guiding moral action. Rather, the context of each action must be thoroughly considered before a decision is made.

Shintō, the “Way of the Gods,” is the indigenous religion of Japan. After several centuries of development of traditions, rituals, and observances, it evolved into an organized religion between the third and sixth centuries. Shintō is best described as a religion of daily life. Love and respect for spirits and ancestors are far more important than is appeasement of deities or immortality.

### HISTORY

From the beginning, Shintō was influenced by or through China. Confucianism infiltrated Japan from northern China in the third century and was followed in the sixth century by Buddhism. Buddhism, when united with Shintō, gave Japanese religion renewed vitality, universal ideals, and transcendental speculation. Confucianism, which is basically an ethical system, provided the ethical foundation for the social and political development of Japan.

In spite of the infusion of Confucianism, Western scholars have had difficulty in discovering concrete ethical principles in Shintō. Although earlier Shintō reveals very little ethical thought, Confucian contributions brought a major increase in ethical thinking.

This growing ethical consciousness experienced great change and adaptation in later centuries. One of the most serious changes was the Meiji (“enlightened government”) Restoration in 1868. This event officially established Shintō as the state religion of Japan and set the nation on a path of imperialism and conquest. The ethical consequences of this path are abundant. Shintō ethics, as used by the state, helped to formulate the conduct and blind obedience of Japanese military personnel during World War II. Negative examples of such behavior include the brutal treatment of prisoners by the Japanese on the Bataan Death March and the work of the Kamikaze suicide pilots near the end of the war. State Shintō was disestablished after the national humiliation of military defeat in 1945, but it was not eliminated as a national faith.

### ETHICAL PRINCIPLES

A careful study of Shintō ethics reveals at least eight principles that are dominant influences on the

daily lives of the Japanese people. The foundational principle of Shintō ethics is embodied in the Three Sacred Treasures of Shintō. These treasures, to which are attached moral and ethical values, are displayed in all significant Shintō shrines. The mirror stands for wisdom, integrity, purity, and righteousness. The sword reflects valor and justice. The last treasure, the stone necklace, symbolizes benevolence, affection, and obedience.

The second principle is tribal ethics, or the authority of the community. In this ethic, the individual melts into unreasoning submission to communal authority. At key points in Japanese history, this has been the power that solidified the people, but it also has been used to justify aggressive national conduct. Tribal ethics fosters a tendency to refer ethical decisions to government offices. It emphasizes a contextual approach and glorifies the ethics of intention.

A strong social ethic is built on the position of the emperor as a direct descendant of the sun goddess and also as the head of a giant family. The roof over the family has often been extended to include the entire world. This ethic has established an almost unbreakable relationship between the emperor and the people, with very few attempts at revolutionary change.

Consistent with the situational nature of Shintō ethics is the concept of *makoto*, or “truth.” Truth is relative, thus in Shintō there is no ultimate truth. *Makoto* involves an inner heart-searching while confronting any ethical issue.

Related to *makoto* is the principle that all evil is external. When a person is untrue to himself or herself or to others, it is only a result of a lack of awareness caused by external influences.

The Shintō ethic of guilt is better understood as shame. A person who fails to fulfill his or her proper role, as determined by the communal authority, is often consumed by an overwhelming shame, even to the point of suicide.

A unique principle of Shintō ethics is *naka-ima*, or the “middle present.” *Naka-ima*, which first appeared in the imperial edicts of the eighth century, means that the present moment is the most important moment of all times. Shintōists are thus exhorted to make each moment as true and as worthy as possible.

The last ethic of Shintō is a strong concept of racial superiority. This concept became extremely important after the inauguration of State Shintō in the

nineteenth century. It produced a jealous contempt for all non-Japanese culture and a major attempt to keep such influences out of Japanese life. Officially, this principle was abolished by imperial decree on January 1, 1946.

#### CONCLUSION

Japan's military defeat in 1945 unleashed long-suppressed forces of change. The embodiment of moral and ethical truth in the community headed by the emperor was forever broken. Replacing that sentiment was a feeling of individual cooperation by morally responsible citizens of the community. Although many traditional Japanese values have been retained, there is now more freedom to accept the ethical principles of other cultures.

Problems related to State Shintō did not all disappear in 1945. The ethics involved in shrine worship—particularly the Yasukuni Shrine, which honors as deities more than two million war dead—remained as a continual dilemma for many Japanese people. The basic ethical nature of State Shintō has, however, been replaced by the ethic of world peace and an attempt to contribute to the well-being and advancement of all world cultures.

*Glenn L. Swygart*

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SEE ALSO: Buddhist ethics; Christian ethics; Daoist ethics; Religion; Situational ethics.

## Sidgwick, Henry

IDENTIFICATION: English philosopher  
 BORN: May 31, 1838, Skipton, Yorkshire, England  
 DIED: August 28, 1900, Cambridge, Cambridgeshire, England  
 TYPE OF ETHICS: Modern history  
 SIGNIFICANCE: Sidgwick attempted, in *Methods of Ethics* (1874), to discover a rational means of making ethical decisions and further developed the utilitarian ideas of John Stuart Mill by applying to them Immanuel Kant's notion of the categorical imperative. His work is considered by some scholars to be the most important English-language work on ethics of the nineteenth century.

In *Methods of Ethics*, his greatest book, Henry Sidgwick argues that there are no grounds for rational action in judging an act either on the basis of the happiness it brings to the actor (egoism) or on the basis of criteria other than the promotion of happiness (intuitionism). Instead, he proposes a system of "universal hedonism" in which one seeks to reconcile the conflict between one's own pleasures and those of others. His argument is similar to that of Kant and is parallel to the latter's "categorical imperative."

Sidgwick's interests went beyond formal systems of ethics; he also engaged in psychic research and studied political economy. Among his works are *Principles of Political Economy* (1883), *Elements of Politics* (1891), and *The Development of European Polity* (1903), which was published after his death.

*Robert Jacobs*

SEE ALSO: Egoism; Golden rule; Hedonism; Intuitionist ethics; Kant, Immanuel; Mill, John Stuart; Utilitarianism.

## Sierra Club

IDENTIFICATION: Oldest and largest environmental organization in the United States  
 DATE: Founded in 1892  
 TYPE OF ETHICS: Environmental ethics  
 SIGNIFICANCE: Since the organization's foundation, the mission of the Sierra Club has been to protect the natural environment.

The Sierra Club was founded on May 28, 1892, with an initial membership of 182 persons. Naturalist John Muir was selected as the club's first president. Many of the organization's early activities were concerned with the preservation of natural resources and the establishment of national parks in the United States. Its initial campaign in 1892 focused on defeating a proposed reduction of the boundaries of Yosemite National Park in California.

From this beginning, the Sierra Club grew to an international organization claiming a membership of approximately 700,000 people at the beginning of the twenty-first century. It retained as its primary mission today the protection and enhancement of Earth's natural environment by sustaining natural life-support systems, facilitating the survival of species, establishing and protecting natural reserves, controlling population growth and pollution, developing responsible technology managing resources and educating the public about environmental protection.

Critics of the Sierra Club have charged that the organization's policies to preserve and protect the environment may sometimes infringe on individual rights and restrict public access to property. Some critics also assert that the Sierra Club is composed of an economic, social, and political elite interested in preserving the wilderness for a select few who are not sincerely concerned with environmental justice at the grass-roots level. For example, in 1972 the club opposed the attempt by Walt Disney Enterprises to build a highway through Sequoia National Park in California to a proposed ski resort that was expected to attract fourteen thousand visitors a day. The club argued that the valley should be kept in its natural state for its own sake. The club has also advocated breaching the Glen Canyon Dam on the Colorado River and draining Lake Powell in order to return the region to its natural state. The dam provides flood control and electricity for four million people, and Lake Powell is one of the most popular camping sites in the United States. Controversies such as these illustrate an ethical dilemma repeatedly faced by the Sierra Club: how to balance individual rights and the protection of the environment for all people.

*William V. Moore*

SEE ALSO: Animal rights; Bioethics; Conservation; Deep ecology; Ecology; Environmental movement;

Leopold, Aldo; Muir, John; National Park System, U.S.; Pollution.

## Sikh ethics

**DEFINITION:** Monotheistic ethical system centered in Punjab, India, that espouses the equality of all people

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Sikhism presents a challenge to the Hindu conceptions of polytheism and caste hierarchy that predominate in India. It offers the model of the "saint-soldier" for whom spiritual insight and physical courage are complementary virtues.

The Sikhs are a religious group that constitute approximately 2 percent of the total population of India. The majority of the Sikhs live in the state of Punjab in the northwest, but followers of the Sikh faith are also in diaspora across north India and in the United States, the United Kingdom, and Canada. By the turn of the twenty-first century, there were about sixteen million Sikhs living throughout the world.

Sikhism, which began in the fifteenth century, draws from elements of both Hinduism and Islam, the predominant religions of the Indian subcontinent. Persecuted by both Hindu and Muslim rulers at various points in their history, the Sikhs have developed a firm sense of themselves as a separate community and have recently begun agitating for separate nationhood. Issues concerning the use of violence in maintaining Sikh autonomy are at the forefront of ethical debates within the Sikh community.

### DEVELOPMENT OF SIKHISM

Sikhism as a system of faith was initiated by Nānak, the first of a series of ten Sikh gurus, or teachers. Guru Nānak, drawing on meditative traditions within Hinduism but rejecting its elaborate ritualism, gathered a group of disciples (*sikhs*) around him to form a community called the *Panth*. Within the *Panth*, caste differences were eradicated, as were inequalities between men and women. In addition, the multiple deities of Hinduism were replaced by devotion to a single god something like that of Islam.

Sikhism quickly acquired converts from the lower-caste levels of the Hindu system. In this, it fol-

lowed the pattern of several other heterodox religious movements of India, notably Buddhism and Jainism. For many, however, Sikhism remained heavily intertwined with Hinduism, with many villages and even many families incorporating both Sikhs and Hindus in relative harmony.

Guru Nānak himself is venerated not only as the religion's founding figure but also as a kind of mediator between the human and the divine. He was followed by a succession of nine other gurus who took up the leadership of the Panth. Two of these in particular left a lasting stamp on the nature of the Sikh faith. Hargobind, the sixth guru, donned the double-edged sword that has become symbolic of the Sikhs, representing the recognition that Sikhism must wield both spiritual and temporal power to be successful. This theme was carried further by the tenth and last guru, Guru Gobind Singh, who, after years of persecution, came to the conclusion that the Sikhs had to

become militant to defend their religious beliefs and social order.

Guru Gobind Singh created a brotherhood of militant Sikhs called the Khalsa, or "pure," who were ready to die in defense of their faith. They all took on the surname of Singh ("lion") and adopted the five symbols of Sikh identity: uncut hair, comb, breeches, sword, and steel bangle. One effect of these five signs was to make Khalsa Sikhs highly visible, with the characteristic turbans into which their uncut hair was bound their outstanding feature. Probably this innovation was related to an awareness of the fate of other rebellious religious movements in Indian history, which tended to become merged into the overarching Hindu framework. Guru Gobind Singh believed, however, that physical violence on the part of the Khalsa was to be used only in *defense* of the Sikh faith, and only after all other means had failed.

Sikh communities in India and abroad cluster



*Sikh temple in El Centro, a California town near the border with Mexico. (National Archives)*



### The Five Signs of the Sikh (Five “K’s” in Punjabi)

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|------------------|--------------|
| 1. <i>kesh</i>   | uncut hair   |
| 2. <i>kangi</i>  | comb         |
| 3. <i>kachch</i> | breeches     |
| 4. <i>kirpan</i> | sword        |
| 5. <i>kara</i>   | steel bangle |

around their *gurdwaras*, or temples (literally, “gateways to the Guru”). The communal kitchen is a key feature of the Sikh community, symbolic of the Sikhs’ rejection of caste rules forbidding interdining. (The kettle and the sword are said to be representative of Sikh beliefs—the kettle for feeding the hungry and the sword for defending the weak.) Worship services at Sikh *gurdwaras* may involve readings from their scripture, the Guru Granth Sahib, as well as the singing of hymns, recitation of poetry, or other kinds of contributions from community members including, recently, political statements.

The holy city of the Sikhs and center of the Sikh faith is Amritsar in Punjab, India. (*Amrit* is the nectar stirred by the sword and drunk to consecrate a commitment; Amritsar is the “pool of nectar.”) The so-called “Golden Temple” is the main Sikh shrine at Amritsar, and it has been the focal point of the dispute between the Sikhs and the government of India. In 1984, the Golden Temple complex was the scene of intense fighting between the Indian army and Sikh insurgents agitating for an independent state of Khalistan (“Land of the Pure”). The perceived desecration of this shrine by Indian troops and the Hindu-Sikh rioting that followed pushed many Sikhs to take a more militant political posture. Upheaval has continued in Punjab, and it is one of the major security concerns of the Indian government. Human rights issues surrounding India’s handling of the Punjab problem have become a focus of several international investigations.

#### ETHICAL ISSUES OF CONTEMPORARY SIKHISM

Sikhism is at its heart an ethical system as well as a theology and a design for living. The foundation of Sikh ethics is the principle of equality, which is better understood as an ideal than as an accomplishment.

(Aspects of caste still persist in Sikh communities, and relationships between women and men remain inequitable in many ways.) Other ethical precepts followed by Sikhs include admonitions against theft, lying, and adultery, and a ban on smoking. Many Sikhs regard charity and courage as among the noblest virtues; the “saint-soldier” is the model emulated by many.

The most problematic issue for modern Sikhs, given the political violence endemic in the Punjab, is that of legitimate defense of the faith. Sikhism has never advocated a policy of “turning the other cheek,” but it does seek to restrain the aggressive, as opposed to the defensive, use of force. Whether actions in which noncombatants are killed fall within the realm of defensive violence, and whether the Sikh community is actually under a threat substantial enough to evoke the use of force, are deeply disturbing questions for many Sikhs. For outsiders, conditions in the Punjab are very difficult to evaluate because of extreme limitations on press coverage and travel in the region. It is clear, however, that many thousands of Sikhs were killed during the 1980’s and 1990’s and that there is a strong feeling of being a community under siege on the part of both Indian and overseas Sikhs.

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SEE ALSO: Hindu ethics; Nānak; Religion.



## *Silent Spring*

**IDENTIFICATION:** Book by Rachel Carson (1907-1964)

**DATE:** Published in 1962

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** *Silent Spring* increased popular awareness of chemical pollution by illustrating the demise and death of organisms that had once been a part of a rural spring.

During the late 1950's, a proliferation of the manufacturing and use of chemical agents as insecticides and herbicides seemed to stimulate the agricultural industry. Initially, these chemicals provided relief to farmers who could now control and obliterate insect pests and weeds from cropland. Insufficient testing and monitoring of the use of these chemicals, however, led to widespread contamination of water and land, resulting in the destruction of a great variety of animals and plants.

The popular book *Silent Spring* aroused public awareness of a sinister development in which streams and springs became silent as birds, frogs, fish, and other organisms died from the toxic chemicals used in adjacent fields. Ethically, the realization that humans can quickly and easily pollute and blight large regions through the careless use of chemicals illustrated the necessity for good stewardship of natural resources. As an alternative to control insect pests, Rachel Carson suggested the use of nonchemical methods that were more environmentally wholesome. Carson's landmark book led to the formation of numerous environmental groups that have committed themselves to protecting natural resources.

*Roman J. Miller*

**SEE ALSO:** Clean Air Act; Clean Water Act; Conservation; Earth and humanity; Environmental ethics; Environmental movement; Environmental Protection Agency; Nature, rights of; Pollution; Toxic waste.

## Sin

**DEFINITION:** Violation of religious moral law

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Although sometimes used in a secular context, sin carries strong connotations of transgression against the ethical system of a monotheistic religion. The term therefore implies that one's actions are objectively wrong and that they constitute a rejection or failure of one's duty to God. Sin also evokes the Christian concept of Original Sin, the notion that all people are inherently guilty from the moment of their birth.

The concept of sin has its origin in the prehistoric past in the magical attempt to deal with the forces of nature. Some of these forces are taboo—that is, dangerous to handle. The breaking of taboos is not essentially sinful, since the behavior is typically unavoidable. In ancient Mesopotamia, a moral dimension entered the picture. The creation myth, the *Enuma elish*, explained that humans were created to serve the gods. The *Gilgamesh Epic* took that thinking further. It tells of the creation of Enkidu, a savage of whom the other beasts knew no fear. Enticed to participate in civilization by a prostitute, he lost his innocence, joined with the hero Gilgamesh, put on clothing, and learned to eat and drink in proper proportions. In short, he became human and ultimately met the fate of all humans: death. The Greeks further developed the idea of moral guilt. Plato saw moral failure as a matter of error; no one who knew what is best would choose to do otherwise. It was, however, the Judeo-Christian tradition that more fully developed the notion of sin.

### **SIN IN THE HEBREW BIBLE**

The story of the origin of sin occupies the third chapter of the Bible, and its scope, effects, and forgiveness occupy much of the remainder. Sin is introduced in Genesis 3 as a deliberate act of disobedience by Adam and Eve. Sin was experienced both as the rupture of their relationship with God and as a power that grasped them. It spread to all other humans like a contagious disease, disrupting both the natural and the social order as well as the standing of each sinner before God. Forgiveness for sin in the Hebrew Bible could involve animal sacrifice coupled with human contrition or intercession by a prophet or priest.

The biblical Hebrew language employed about twenty different words for sin, but four in particular stand out. The first root (the basic form of a word from which various parts of speech can be derived) was used 457 times and originally meant to “miss” a target or “fail” to follow the proper order. Hence, sin was understood as the failure to comply with moral standards or obligations. This failure might include obligations to another person (parent, superior, spouse) or to God. Still other sins constituted a failure toward both: for example, murder, robbery, adultery, giving false testimony, and perverting justice.

The second root, which appears 136 times, originally meant “breach” and is used of sin in the sense of a breach of a covenant or “rebellion.” Hence, sin carried with it the idea of persons revolting and dissolving the relationship between themselves and God. A sinner not only commits wrong acts but also lives in a state of rebellion against God.

The third and fourth roots can be dealt with more quickly. The third, used more than 254 times, originally meant “bend” and emphasized the condition of guilt as a consequence of bending the rules. The fourth, used 19 times, meant to “err” and emphasized that the sinner had gone astray and become lost.

The later idea of moral (or cardinal) sins derived from passages in the Hebrew Bible that associated death with the commission of certain sins (for example, premeditated murder, striking one’s father, kidnapping, bestiality, and sorcery). Some passages associated a more general state of sinfulness with death (for example, Ezek. 18:20: “The soul that sins shall die”).

Atonement for sins in the Hebrew Bible was conceived as a covering for sin. It was achieved primarily through sacrifice. The “sin offering” was made for unintentional offenses that broke a person’s relationship with God and endangered the welfare of the community. The “guilt offering” atoned for offenses that required restitution along with a sacrifice. Less bloody means were also used. On the Day of Atonement, the high priest would symbolically lay the sins of the people upon the scapegoat and drive it out of the community, carrying their sins with it. Exodus 30:16 suggests that money could be given for the same purpose. Finally, the Hebrew Bible also speaks of prophets and priests interceding for sinners. For genuinely minor sins, penitents might pray for themselves.

### SIN IN RABBINIC JUDAISM

The rabbis, who led Judaism to think through its theology after the destruction of Jerusalem by the Romans in 70 C.E., used a term meaning “pass over” for sin. They spoke of two inclinations within humans. Literally, the names of these inclinations can be translated the “good inclination” and the “bad inclination,” but these translations are misleading. The so-called “good” inclination consisted of characteristics humans were thought to share with the angels: They walk upright, have eyes on the fronts of their faces, reason, and speak. By contrast, the “evil” inclination consisted of characteristics humans share with animals: eating and drinking, voiding, mating, and dying. Clearly, none of these latter characteristics is “evil” in a moral sense, though several may lead to sin if not held in check. Just as clearly, Rabbinic Judaism did not derive from Genesis 3 a doctrine of Original Sin as Christianity did.

The rabbis also thought in terms of sins as transgressions of the individual commandments of the law. Thus, all sins constituted rebellion against God. Even so, the rabbis distinguished between light and severe sins. The most serious were murder, idolatry, adultery, and incest. They also distinguished sins of omission (in which one failed to follow a commandment) from sins of commission (in which one committed a prohibited act). Sins of commission generally were thought to be worse.

### SIN IN THE NEW TESTAMENT

The New Testament employed two words for sin. The first originally indicated missing a target and was a near equivalent of the first word discussed above in connection with the Hebrew Bible. The second word designated lawlessness and usually indicated a state of hostility toward God.

The books of Matthew, Mark, Luke, and Acts did not speak of the nature of sin but of specific wrong deeds. The angel informed Joseph that Jesus would save his people from their sins (Matt. 1:21), and Jesus said that he came to call sinners to repentance (Matt. 9:13). A person who recognized Jesus’ mission through the Holy Spirit but refused to confess Jesus and the salvation he brought committed a sin that both Matthew and Mark declared unpardonable. The Gospel of John conceptualized the mission of Jesus in terms of the sacrificial victim of the Hebrew

Bible: The sinless lamb of God took sin upon itself and carried it away.

The apostle Paul extended further the New Testament conceptualization of sin by raising the issue of the power of sin over human nature and the world. Paul argued that sin entered the world through Adam's act of opposition of God in the Garden of Eden. This opposition arose from Adam's freedom. Sin brought death into the world with it. Indeed, Paul portrayed death as the wages paid by sin, the workmaster. For Paul, then, sin consisted of more than individual misdeeds; it was a state of self-assertive rebellion against God in which all humans lived. An act was sinful insofar as it was a rejection of God or his law. He argued (in Rom. 1-3) that Gentiles had refused to accept God as the origin of good, and Jews (who had the law and should have known better) had rejected the law. The result was that all human beings were enslaved to sin.

With such a view of sin and humankind's entanglement in it, the New Testament considered its proclamation of forgiveness for sin "good news." Furthermore, it employed a number of analogies to explain the role of Jesus in that forgiveness. Three examples follow. The first analogy has been mentioned already: sacrifice. Jesus' death was understood as atoning for sins in the same way that sacrifices did in the Hebrew Bible. The book of Hebrews carried that thought further by conceiving of Jesus as both the perfect High Priest (because he was sinless) and the perfect victim (because he was offered once only and for all sins). Another analogy was that of ransom; Jesus' death was understood as the ransom price paid to set sinners free. Third, Paul employed legal language in speaking of atonement as justification; the death of Jesus delivers the sinner from sin, finitude, and death.

### SIN IN MUSLIM THOUGHT

Sin is also an important concept in Islam, which derives its ideas on the subject more from the Hebrew Bible and Rabbinic Judaism than from the New Testament and Christianity. Human beings are not considered inherently evil, as in Christianity. Rather, in thinking akin to the rabbinic notion of the two inclinations, Muslim doctrine holds that humans have both a lower nature to which evil spirits appeal and a higher nature to which angelic creatures appeal. People sin by disobeying God's commands and thus committing individual misdeeds.

### SIN IN EARLY AND MEDIEVAL CHRISTIANITY

The first Christian to write a systematic account of his theology was Saint Augustine. In his book *The Enchiridion on Faith, Hope and Love* (421 C.E.), he defined sin as a word, deed, or desire in opposition to the eternal law of God. Sin began with Adam's turning away from God, who was unchangeably good. The fall left Adam ignorant of his duty and lustful for what was harmful. Through Adam's fall, all humans were corrupted and were born under the penalty of death. Augustine's thinking on Original Sin was echoed by the Roman Catholic Church at the Council of Trent (1545-1563): The transmission of sin comes by propagation, not by the imitation of others.

Augustine is well known for his ideas about concupiscence. Concupiscence is a characteristic considered unique to human beings, who—unlike either angels or animals—are a mixture of flesh and spirit. Concupiscence grows out of that mixture. It is the fruit of past sin, part of the punishment for that sin, and the seed of future sin. Concupiscence in the first two senses is the result of Original Sin and the sins of one's parents as well as of one's own past sins. Concupiscence in the third sense is a nondeliberate desire pitted against a person's freedom to choose. Hence, it is the seed of future sins, without itself being a sin. It is not, however, exclusively an impulse to act immorally. Even less can it simply be equated with the sexual drive, though it was that aspect of concupiscence that concerned Augustine most.

Augustine recognized that not all sins were of equal severity, but he thought that distinguishing trivial from heinous sins should be left to God. Later churchmen did not share his caution. They distinguished between mortal (or cardinal) sins, which disrupt one's relationship with God, and venial sins, which only introduce disorder into one's relationship with God. Mortal sins merit eternal punishment, while venial sins merit only temporal punishment. Mortal sins must be confessed; venial sins need not be. Cardinal sins are not the same as the mortal sins of the Hebrew Bible or Rabbinic Judaism, but are characteristics that render the sinner liable for Hell and are forgivable only through penance. Enumerated as seven as early as 604 C.E., they have typically included pride, covetousness, lust, anger, gluttony, envy, and sloth.

Redemption from sin was the work of God through the death of the mediator Jesus. Furthermore, Augus-

tine thought that God's grace was ultimately irresistible; if God chose a person to receive it, sooner or later that person would do so. Pardon for sin is offered through the church, specifically through three sacraments. Baptism was held to remove Original Sin and personal sins in cases other than those of infants. Confession removes sins one commits along the way. Extreme unction (now often called the sacrament for the sick) offered the opportunity for final confession or (for unconscious persons) complete final absolution.

### SIN IN REFORMATION THOUGHT

The reformers reacted against much in Roman Catholic thinking; for example, limiting the sacraments to two (or three) and denying that baptism cleanses one from Original Sin. They differed little, however, on the doctrine of sin per se. Indeed, John Calvin, one of the leaders of the Swiss Reform movement, developed the thinking of Augustine to its logical conclusion. In his *Christianae religionis Institutio* (1536; *Institutes of the Christian Religion*), he too accepted the idea of Original Sin and the imputation of guilt to all of Adam's descendants. In speaking of total depravity, he said that everything in humanity (specifically including understanding, will, soul, and body) is polluted and engrossed by concupiscence. In short, human beings are corrupt through and through. Calvin drew from this analysis the further conclusion that everything the sinner does is accounted by God as sin.

Calvin also pushed Augustine's thinking on irresistible grace. Both men applied the idea of omnipotence to the idea of grace, concluding that God would not be omnipotent if his grace could be rejected. Calvin carried the thinking one step further: If humans are thoroughly corrupt and incapable of turning from sin, and if God chooses those who will receive grace, by implication, he also chooses those who will not receive grace.

Not all Protestants agreed with Calvin. In the Dutch Reform movement, Jacobus Arminius (d. 1609) opposed Calvin's view of predestination as too harsh in favor of what he called "conditional election," which he thought placed greater emphasis on the mercy of God. Arminius argued that God elects to eternal life those he knows will freely respond in faith to his offer of grace. His thinking was more influential in England than in Holland. Anglicans, General

Baptists, and Methodists followed him instead of Calvin. American Protestantism, even within the Reform or Presbyterian tradition, generally speaking stands closer to Arminius than to Calvin, though one can still find staunch defenders of Calvin's view of Original Sin and the imputation of Adam's sin to his descendants.

### SIN IN MODERN THOUGHT

The concept of sin has continued to occupy some of the best thinkers, particularly theologians, of the modern period. One theologian deserving mention is Paul Tillich, who reinterpreted Christianity in terms of existentialist philosophy. For Tillich, humans find themselves in a state of estrangement from God, from others, and from themselves. Tillich retains the word "sin" to characterize this estrangement precisely because it includes the personal act of turning away from God. Hence, human estrangement is sin. The New Testament scholar Rudolf Bultmann also speaks of sin in existentialist terms by saying that being divided against oneself is the essence of human existence under sin.

Modern philosophers have been interested in the concept of sin because of its importance to ethics. Two examples must suffice. The first is the nineteenth century Danish philosopher of religion Søren Kierkegaard. As one of the founders of existentialism, he exercised great influence over Tillich, Bultmann, and many others. He argued that despair (in the sense of not willing to be oneself) is as much a form of sin as murder, theft, unchastity, and the like. It is sin because it constitutes a lack of faith in God not to be all that one could be. Likewise, he denied that sinfulness is inherited through biological generation; he did, however, find its presupposition in the anxiety common to all people. This anxiety is caused by the awareness of one's finitude and the threat of nonbeing. In their condition of anxiety, humans commit sinful deeds.

The second philosopher is Richard Swinburne, who defines sin as failure in one's duty toward God, the creator. He is more concerned, however, with the idea of Original Sin. Swinburne argues that one may not be held accountable for that over which one has no control. Original Sin properly may be said to have begun with the first hominid (who might even be called Adam), but it arose out of characteristics inherited in the process of human evolution. Adam's responsibil-

ity lay solely in initiating a historical and social process. Furthermore, sin arises within every hominid, whether descended from Adam or not; it is not a consequence of choices by one's forebears. It is also not the case that all humans who come after Adam are held accountable (guilty) for Adam's choices.

Kierkegaard and Swinburne have reinterpreted the concept of sin in the light of modern life and thought. Other thinkers, however, see less value in the concept of sin. Reacting against them, the psychologist Karl Menninger has complained about what he sees as the result of ignoring the concept of sin: a society that more and more has difficulty in finding grounds to condemn any behavior.

*Paul L. Redditt*

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1967. A thorough study of sin and guilt within the larger context of its presentation in mythology. The chapter on sin provides an excellent discussion of the subject within theism in general and the Bible in particular.

Smith, H. Shelton. *Changing Conceptions of Original Sin*. New York: Scribner's, 1955. A clearly written study of diverse views in American theology from 1750 to 1950 about the idea of Original Sin.

Swinburne, Richard. *Responsibility and Atonement*. Oxford, England: Clarendon Press, 1989. A defense of a self-proclaimed "liberal" Christian understanding of morality, sin, and atonement by a leading religious philosopher.

SEE ALSO: Augustine, Saint; Calvin, John; Christian ethics; Guilt and shame; Islamic ethics; Jewish ethics; Right and wrong; Taboos.

## Singer, Peter

IDENTIFICATION: Australian philosopher and ethicist

BORN: July 6, 1946, Melbourne, Australia

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: A prolific author, Singer is a leading spokesperson for the modern animal rights movement and is also the leading utilitarian bioethicist of his generation.

Peter Singer is best known for his work in two areas of ethics, the first of which is animal rights. His book *Animal Liberation* (1975) builds a case for an animal rights movement similar to the civil and women's rights movements of mid-twentieth century America. His arguments rest upon his belief in equality as a foundational principle of ethics. This is evidenced by the many parallels Singer draws between speciesism—the treatment of nonhuman species in ways that would be considered unethical or immoral to treat human beings—and human racism and sexism. Singer asserts that all forms of animal subjugation are immoral, including domestication, experimentation, and raising animals for food.

A second area of moral thought in which Singer has worked is bioethics. His book *Practical Ethics* (1970) reveals that he holds to pure consequentialist



Image not available

*Peter Singer in 2001.* (AP/Wide World Photos)

utilitarian ethics, regarding acts as moral if they produce more happiness, or equality, for all affected parties than do alternative courses of action. In the field of bioethics, Singer has generated much controversy as his ethics have resulted in his endorsement of many beginning-of-life issues such as in vitro fertilization, cloning, and sex selection, as well as many end-of-life practices such as abortion, euthanasia, and infanticide for disabled children.

Singer's views regarding end-of-life issues, such as euthanasia and infanticide, have engendered the greatest amount of discussion. Regarding such issues, it is important to note that Singer does not advocate taking a person's life against the persons' expressed will—or that of the person's guardians. Moreover, in line with his consequentialist utilitarian ethics, the rationale behind Singer's endorsement of end-of-life issues rests upon the notion that end-of-life practices can sometimes result in happiness for the greatest number of people—oftentimes including the individual who is put to death instead of being forced to endure a substandard life.

*David W. Jones*

SEE ALSO: Animal research; Animal rights; Euthanasia; Exploitation; Infanticide; Lifeboat ethics; Merit; People for the Ethical Treatment of Animals; Sentience; Vegetarianism.

## Situational ethics

**DEFINITION:** Process of making moral decisions based upon particular contexts and individual circumstances rather than universal moral laws

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Situational ethics differs from applied ethics, as the latter involves taking pre-constituted values, universal laws, or inflexible rules and applying them to a given situation. Situational ethics, on the other hand, derives both ethical principles and fundamental values from a given moral context, and so involves no ground beyond the situation itself. In colloquial speech, “situational ethics” has become a euphemism for lack of ethics, for doing whatever one wants without regard to right and wrong.

Situational (or contextual) ethics is largely a reaction against legalism, the so-called “old morality” of reliance on laws and rules as dependable guides to conduct. Situational ethics emphasizes love rather than law; it begins with the unique elements of a specific ethical situation rather than with any set of laws or rules that are to be applied in every situation. Situational ethics thus takes an inductive rather than a deductive approach to ethical decision making.

### JOSEPH FLETCHER

Situational ethics was popularized in 1966 by the publication of Joseph Fletcher's *Situation Ethics: The New Morality*. In this best-selling book, Fletcher states his belief that there are only three basic approaches to ethical decision making; legalism, antinomianism (the rejection of all laws and principles, sometimes called subjectivism), and situational ethics. He depicted situational ethics as being “in between” the other two extremes. The primary purpose of *Situation Ethics* was to oppose legalism, because Fletcher believed that almost all people in Western culture, especially Christians, are and have been legalistic.

Fletcher, along with other proponents of situational ethics, insisted that both Jesus and Paul taught this approach to ethical decision making. Other persons, however, find the roots of situational ethics in the philosophical approaches of existentialism and utilitarianism. Existentialist ethics has often emphasized the free choice of persons as the only avenue leading to authentic existence; such free choice is denied by any reliance on principles and rules in ethical decision making. Although Fletcher tended to categorize existentialist ethics as “antinomian,” he readily incorporated into his approach the utilitarian principle of “the greatest good for the greatest number.” He thus translated the principle of love into the principle of utility; the moral quality of actions derives directly from their consequences. The most loving thing to do in any ethical decision-making situation is determined by a kind of utilitarian calculus: What course of action will bring about the most good for the most people?

Among the many Christian theologians who influenced Fletcher and others who subscribe to situational ethics, Rudolf Bultmann and Paul Tillich stand out. Bultmann held that a Christian can, in love, perceive a neighbor’s greatest need through a kind of moral intuition. Similarly, Tillich believed that moral judgments are based on an intuitive grasp of the potentialities of being. Fletcher quoted with approval Tillich’s statement that “The law of love is the ultimate law because it is the negation of law. . . . The absolutism of love is its power to go into the concrete situation, to discover what is demanded by the predicament of the concrete to which it turns” (Tillich, *Systematic Theology*, 1951-1963).

### FLETCHER’S SIX PROPOSITIONS

The heart of situational ethics, according to Fletcher, is found in six propositions that demonstrate how the principle of love works itself out in concrete situations involving ethical decision making. These propositions are:

(1) “Only one thing is intrinsically good; namely, love: nothing else at all.” No law, principle, or value is good in and of itself—not even life, truth, chastity, property, or marriage. (2) “The ruling norm of Christian decision is love: nothing else.” Fletcher, using several admittedly extreme examples, attempted to demonstrate how the most loving thing to do might involve violating each of the Ten Commandments.

(3) “Love and justice are the same, for justice is love distributed, nothing else.” Justice is love working itself out in particular situations; it is Christian love “using its head.” (4) “Love wills the neighbor’s good whether we like him or not.” Loving and liking are not the same thing; according to Fletcher, there is nothing sentimental about love. Love is attitudinal rather than emotional; therefore, it can be commanded. (5) “Only the end justifies the means; nothing else.” Fletcher contested the classical Christian dictum that the end does not justify the means. In a world of relativities and uncertainties, one may do what would normally be considered evil if good results come from it. (6) “Love’s decisions are made situationally, not prescriptively.” The rightness or wrongness of an action does not reside in the act itself, but in the whole complex of all the factors in the situation.

Situational ethics has been, and remains, extremely controversial. In 1952, Pope Pius XII condemned “situation ethics” as an individualistic and subjective appeal to the concrete circumstances of actions in order to justify decisions that are in opposition to natural law or God’s revealed will. Fletcher and others, however, represent a serious attempt to develop a Christian ethic that is based on the principle of love yet is free from the restrictions of a moral code.

In response to his critics, Fletcher said that he would “personally would adopt nearly all the norms or action-principles ordinarily held in Christian ethics.” Yet he added, “I refuse, on the other hand, to treat their norms as idols—as divinely finalized. I can take ’em or leave ’em, depending on the situation. Norms are advisers without veto power.”

*C. Fitzhugh Spragins*

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SEE ALSO: Absolutism; Bentham, Jeremy; Consequentialism; Distributive justice; Existentialism; Mill, John Stuart; Pluralism; Relativism; Subjectivism; Tillich, Paul; Utilitarianism.

## Skepticism

**DEFINITION:** Method of philosophical inquiry involving rigorous or systematic doubt of apparent truths

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Philosophical skepticism always represents a self-conscious investigation of the foundations of knowledge, but it can lead to very different results for different philosophers. Some skeptics seek to doubt self-evident beliefs temporarily, in order ultimately to prove that they are indeed objectively valid. Others seek to demonstrate that knowledge has no foundation and that all values and beliefs are therefore necessarily subjective.

A society and the individuals who constitute it confront many situations that have moral significance, such as those involving abortion, euthanasia, racism, and war. Morally these situations involve decisions concerning the goodness of actions and the value of life that is reflected in those decisions. A practical perspective is to view ethics as a summation of the decisions made by individuals and groups in those situations. A theoretical perspective is to derive ethics from a set of first principles, such as "All pleasure is good" or "The only unconditionally good thing is

a good will." Skepticism is not primarily concerned with the practical perspective. Ethical skepticism mainly involves theories about the nature of goodness, and especially the status that is accorded first principles (that they be absolutely certain or necessarily true).

### CLASSICAL SKEPTICISM

The origins of Western philosophy are typically traced to Greece and Socrates in the fifth century B.C.E. Greek society at that time was undergoing many pervasive and rapid changes, in large part because of successes in commerce and trade that had been made possible by the defeat of the Persians and the advent of writing. These changes represented a challenge to accepted beliefs and values. A group of professional teachers known as Sophists made a living by offering Greek citizens a variety of theories concerning the ultimate nature of reality and the good life.

In Sextus Empiricus's *Outlines of Pyrrhonism* (c. 200), skeptical responses to exaggerated claims about hidden realities are elaborated. For Sextus, something is considered questionable and worthy of inquiry if it is not an immediate sensory presentation. Inquirers do not generally question appearances. Inquirers are interested in observing something that has not been observed or in reasoning beyond appearances to determine underlying and unobservable phenomena in order to explain something that has been observed. Skeptical inquirers are reluctant to exceed the evidence of the senses, and when they do, they hold those views with some degree of doubt. For example, a skeptic might claim that suspending judgment with regard to imperceptible realities leads to peace of mind but might admit that this may not always hold true.

Sextus imagines three possible outcomes of an inquiry: The object of the search is found; the object being sought is declared inapprehensible; or the search continues. When the thing being sought is beyond the limits of human perception, Sextus calls the first position *dogmatic*, the second *academic*, and the third *skeptical*. Ironically, only the skeptic's position leaves room for more inquiry, yet skeptics are often accused of shutting the doors to speculation.

### NONEVIDENT REALITIES

A nonevident reality is one that does not make itself immediately manifest to the inquirer. There are

several ways in which things might be nonevident. Referenced items might be temporarily hidden from view, as in this claim: "There is a pen locked in this desk drawer." Another way of being nonevident involves the need for special instruments of observation, such as an electron microscope or a radio telescope. Because the things being observed are extremely small or distant, there is still some uncertainty about what has been observed. Such uncertainty is evident in conclusions such as this: "There was something there, but what it was and where it is now are difficult to determine." Subatomic particles and distant quasars are less manifest and obvious than is the pen in the desk drawer.

Philosophical skeptics are not generally concerned with realities that could be made manifest to an inquirer. Instead, they are concerned with claims made about things that are permanently hidden from an inquirer's view. For example, no person can observe all things. Consequently, claims made about all things remain somewhat doubtful (unless these claims are meant only as definitions). It follows that claiming to know that "all pleasures are good" or that "only a good will is unconditionally good" is a form of exaggeration.

### SKEPTICISM IN ETHICS

Skepticism is properly elaborated in response to a particular dogmatic position. It is possible, however, to identify patterns of skeptical argumentation. One positivist challenge to absolute ethics is that ethical claims are without definite meaning. Ethical claims lack meaning because, unlike ordinary factual claims, they are neither verifiable nor refutable. At the most general level, ethics is about the value or the sense of the world, of everything. That value or sense, if it exists, is something transcendental, beyond this world. Therefore, ethics may be thought of as being about something higher, but something that remains beyond words.

The emotivist challenge to the language of an absolute ethics is that ethical claims such as "All abortions are evil" can be interpreted as an expression of the speaker's likes and dislikes. Ethical claims are not true or false; they merely communicate the speaker's attitudes.

The subjectivist attack is based on the argument that the ultimate criterion of an ethical truth is the individual. Differences in ethical beliefs have existed since recorded history and seem likely to continue far into the future. People choose, and thus create, their own individual ethics.

These patterns of skeptical argumentation are responses to a dogmatically held absolute ethics. Any of these views can be transformed from a skeptical response into a dogma. For example, the statement "the individual is the criterion of ethical truth" can become exaggerated and changed into the statement "there is no higher or transcendental reality."

*J. Michael Spector*

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SEE ALSO: Emotivist ethics; Epistemological ethics; Hume, David; Intrinsic good; Relativism; Socrates; Subjectivism; Wittgenstein, Ludwig.

## Slavery

**DEFINITION:** System in which human beings are owned as property by other human beings and forced to perform labor for their masters

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Slavery has historically constituted a significant denial of human rights and has a particularly significance in the human rights history of the United States.

One of the oldest institutions of human society, slavery was present in the earliest human civilizations, those of ancient Mesopotamia and Egypt, and it has continued to exist in several parts of the world into the twenty-first century. Despite the near universality of slavery, however, there is no consensus regarding what distinctive practices constitute slavery. In Western societies, slaves typically were persons who were owned as property by other people and forced to perform labor for their owners. This definition, however, breaks down when applied to non-Western forms of slavery. In some African societies, for example, slaves were not owned as property by individual persons but were thought of as belonging to kinship groups. Such slaves could be sold, but so too could nonslave members of the kinship group. In some African societies, slaves were exempted from labor and were used solely to bring honor to their masters by demonstrating the masters' absolute power over other human beings.

Sociologist Orlando Patterson suggested that slavery is best understood as an institution designed to increase the power of masters or ruling groups. Slaves can perform that function by laboring to make their masters rich; however, they can also do that simply by bringing honor to their masters. One of the defining, universal characteristics of slavery is that individual slaves cannot exist as socially meaningful persons. Slaves relate to their surrounding societies only through their masters. Slavery includes many mechanisms to remove slaves from membership in any groups, such as families, through which slaves might derive independent senses of identity. By placing masters in a dominant position over other human beings, slavery is believed to increase the honor and power of the master. The status of slaves is usually permanent and is typically passed down to the slaves' children.

## HISTORY OF THE INSTITUTION

The use of slavery was widespread in the ancient Western world, especially in Greece and Italy. During the classical ages of Greek and Roman society, slaves constituted about one-third of the population. Following the collapse of the Roman Empire in Western Europe during the fifth and sixth centuries, declining economic conditions destroyed the profitability of slavery and provided employers with large numbers of impoverished peasants who could be employed more cheaply than slaves. Over the next seven hundred years, slavery slowly gave way to serfdom. Although serfs, like slaves, were unfree laborers, serfs generally had more legal rights and a higher social standing than slaves.

Familiarity with the institution of slavery did not, however, disappear in Western Europe. A trickle of slaves from Eastern Europe and even from Africa continued to flow into England, France, and Germany. Western Europeans retained their familiarity with large-scale slave systems through contacts with southern Italy, Spain, and Portugal, and with the Byzantine Empire and the Muslim world, in which slavery flourished. Western Europeans also inherited from their Roman forebears the body of Roman law, with its elaborate slave code. During the later Middle Ages, Europeans who were familiar with Muslim sugar plantations in the Near East sought to begin sugar production with slave labor on the islands of the Mediterranean.

As Western Europe entered the age of exploration and colonization, Europeans had an intimate knowledge of slavery and a ready-made code of laws to govern slaves. During the sixteenth century, as European nations sought to establish silver mines and sugar plantations in their new colonies in the Western Hemisphere, heavy labor demands led to efforts to enslave Native Americans. This supply of laborers was inadequate because of the rapid decline of the Indian population following the introduction of European diseases into the Western Hemisphere. The Spanish and Portuguese then turned to Africa, the next most readily available source of slave laborers. Between 1500 and 1900, European slave traders imported perhaps nine million African laborers into the Western Hemisphere. Every European colony eventually used slave labor, which became the principal form of labor in the Western Hemisphere. Because the wealth of several modern nations was created by



slave labor, some modern African Americans have claimed the right to receive reparations payments from nations such as the United States, which continue to enjoy the wealth accumulated originally by slave laborers.

### SLAVERY AND RACE

The large-scale use of African slaves by European masters raised new moral issues regarding race. There is no necessary connection between slavery and race. A massive survey by Orlando Patterson of slave societies throughout history found that within three-quarters of societies with slavery, both the masters and their slaves were of the same race. Slavery in the Western Hemisphere was unusual in human history because European slaves were drawn almost exclusively from Africa.

In most colonies of the Western Hemisphere, the use of African slaves was accompanied by the rise of racism, which some scholars claim was a new, unprecedented phenomenon caused by slavery. Scholars seeking to understand modern race relations in the United States have been intrigued by the rise of prejudice in new slave societies. Did Europeans enslave Africans merely because they needed slaves and Africa was the most accessible source of slaves? If so, then prejudice probably originated as a learned association between race and subservience. Modern racial prejudice in the United States might be broken down through integration and affirmative action programs aimed at helping whites to witness the success of African Americans in positions of authority. Did Europeans enslave Africans because they saw the Africans as inferior persons ideally suited for slavery? If so, then modern racism may be a deeply rooted cultural phenomenon that is not likely to disappear for generations to come. African Americans will receive justice only if the government establishes permanent compensatory programs aimed at equalizing power between the races.

Historical research has not resolved these issues. Sixteenth century Europeans apparently did view Africans as inferior beings, even before the colonization of the Western Hemisphere. Their racial antipathies were minor, however, in comparison to modern rac-

ism. Emancipated slaves in early settled colonies experienced little racial discrimination. The experience of slavery apparently increased the European settlers' sense of racial superiority over Africans.

After the slave systems of the Western Hemisphere became fully developed, racial arguments became the foundation of the proslavery argument. Supporters of slavery claimed that persons of African descent were so degraded and inferior to whites that it would be dangerous for society to release the slaves from the control of a master. In the United States, some proslavery theorists pushed the racial argument to extreme levels. In explaining the contradiction between slavery and the American ideal that all persons should be free, writers such as Josiah Nott and Samuel Cartwright claimed that black African were not



*This Louisiana man named Peter had been severely whipped by a plantation overseer while he was a slave. Peter's owner discharged the overseer—probably not for wanton cruelty, but for damaging his valuable property. (National Archives)*

fully human and, therefore, did not deserve all the rights belonging to humanity.

A minority of proslavery writers rejected the racial argument and the effort to reconcile slavery and American egalitarian ideals. Writers such as George Fitzhugh claimed that all societies were organized hierarchically by classes and that slavery was the most benevolent system for organizing an unequal class structure. Slavery bound together masters and slaves through a system of mutual rights and obligations. Unlike the “wage slaves” of industrial society, chattel slaves had certain access to food, clothing, shelter, and medical care, all because the master’s ownership of the slaves’ bodies made him diligent in caring for his property. Slavery was depicted by some proslavery theorists as the ideal condition for the white working class.

### THE ANTISLAVERY MOVEMENT

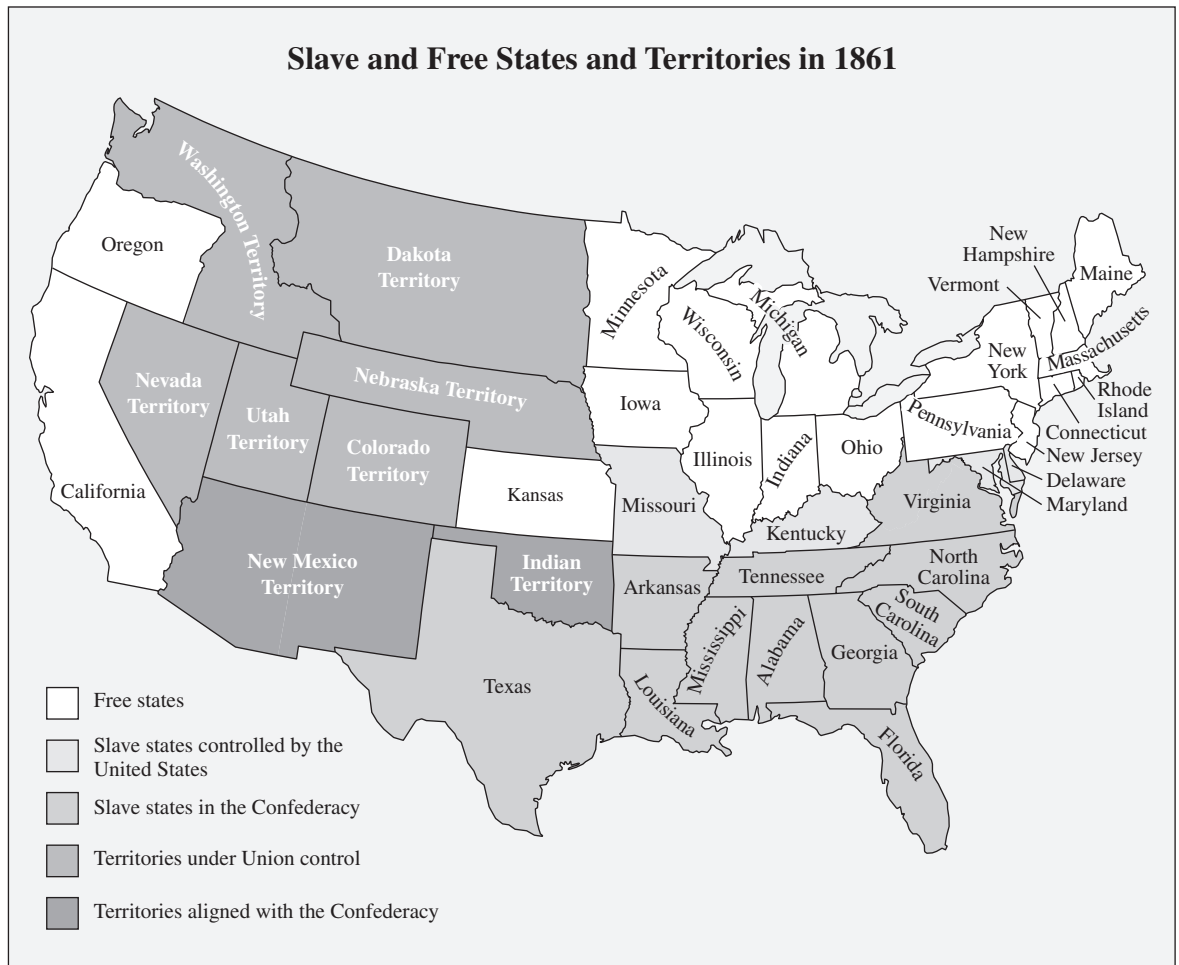
From the dawning of recorded human history until the middle of the eighteenth century, few persons appear to have questioned the morality of slavery as an institution. Although some persons had earlier raised moral objections to certain features of slavery, almost no one appears to have questioned the overall morality of slavery as a system before the middle of the eighteenth century. Around 1750, however, an antislavery movement began to appear in Britain, France, and America.

The sudden rise of antislavery opinion appears to be related to the rise of a humanitarian ethos during the Enlightenment that encouraged people to consider the welfare of humans beyond their kin groups. The rise of the antislavery movement was also related to the growing popularity of new forms of evangelical and pietistic religious sects such as the Baptists, Methodists, and Quakers, which tended to view slave-holding as sinful materialism and slaves as persons worthy of God’s love. The rise of antislavery was encouraged by the American and French Revolutions, whose democratic political philosophies promoted a belief in the equality of individuals. The rise of antislavery also coincided in time with the rise of industrial capitalism. The West Indian historian and statesman Eric Williams argued in *Capitalism and Slavery* (1944) that the economic and class interests of industrial capitalists rather than the moral scruples of humanitarians gave rise to the antislavery movement.

Antislavery activism initially focused on the abolition of the Atlantic slave trade. Reformers succeeded in prompting Britain and the United States to abolish the slave trade in 1807. Other nations followed this lead over the next half century until the Atlantic slave trade was virtually eliminated.

The campaign to abolish the slave trade achieved early success because it joined together moral concerns and self-interest. Many persons in the late eighteenth and early nineteenth centuries were prepared to accept the end of the slave trade while opposing the end of slavery itself. Even slaveholders were angered by the living conditions endured by slaves on crowded, disease-infested slave ships. Some masters, in fact, attempted to justify their ownership of slaves by claiming that the conditions on their plantations were more humane than the conditions on slave-trading ships or in allegedly primitive Africa. Some slaveholders supported the abolition of the slave trade because they realized that limiting the supply of new slaves from Africa would increase the value of the existing slave population. Finally, many persons believed that it was wrong for slave traders to deny liberty to freeborn Africans, but that it was not wrong for slave masters to exercise control over persons who were born into slavery. Indeed, supporters of slavery argued that the well-being of society required masters to exercise control over persons who had no preparation for freedom and might be a threat to society if emancipated.

The campaign to eradicate slavery itself was more difficult and was accompanied by significant political upheavals and, in the case of Haiti and the United States, revolution and warfare. British reformers such as William Wilberforce, Thomas Clarkson, and Granville Sharp made perhaps the most significant contributions to the organization of a worldwide antislavery movement. In 1823, British activists formed the London Antislavery Committee, soon to be renamed the British and Foreign Antislavery Society. The Antislavery Society spearheaded a successful campaign to abolish slavery in the British Empire and, eventually, worldwide. The society remained in existence into the 1990’s. Known by the name Antislavery International, the society had the distinction of being the world’s oldest human rights organization. Antislavery reformers were also active in the United States. From the 1830’s through the 1860’s, abolitionists such as William



Source: Adapted from Eric Foner and John A. Garraty, eds., *The Reader's Companion to American History*. Boston: Houghton Mifflin, 1991.

Lloyd Garrison, Wendell Phillips, and Frederick Douglass sought to arouse the moral anger of Americans against slavery. More effective, however, were politicians such as Abraham Lincoln, Charles Sumner, and Salmon P. Chase, whose antislavery messages were a mixture of idealism, self-interest, and expedience.

### EMANCIPATION

Beginning in the late eighteenth century and accelerating through the nineteenth century, slavery was abolished throughout the Western Hemisphere. This was followed in the late nineteenth and twentieth centuries by the legal abolition of slavery in Africa and Asia.

In evaluating the success of abolition in any society, it is necessary to distinguish between legal and de facto emancipation. Changing the legal status of a slave to that of a free person is not the same thing as freeing the slave from the control of a master. Legal emancipation often has little impact on persons held as slaves if the governments of their societies fail to enforce abolition. For example, Great Britain outlawed slavery throughout its colonial empire during the nineteenth century. However, fearing a disruption of economic production in some of its colonies, its colonial administrations simply abstained from enforcing the country's own abolition laws until pressure from reformers put an end to slavery.

A similar situation existed in Mauritania, where slavery was prohibited by law three separate times:

1905, 1960, and 1980. However, neither the colonial nor the independent governments of Mauritania enacted penalties against masters who kept slaves in violation of the emancipation law, and the governments waged no campaigns to inform slaves of their emancipation. As a result, journalists and investigators for the International Labour Organisation found *de facto* slavery still flourishing in Mauritania during the 1990's.

Even within societies that vigorously enforced their acts of abolition, legal emancipation was usually followed by periods of transition in which former slaves were held in a state resembling that of slavery. The Abolition of Slavery Act of 1833, which outlawed slavery in most colonies of the British Empire, provided that slaves would serve as apprentices to their former masters for periods of four to six years. In the American South after the Civil War, former slaves were subject for a time to "black codes" that greatly reduced their freedom of movement and required them to work on the plantations of former slave masters. After the Civil Rights Act of 1866 and the Fourteenth Amendment outlawed such practices, southerners created the sharecropping and crop-lien systems that allowed planters to control the labor of many African Americans through a form of debt bondage.

Efforts of former masters to control the labor of former slaves in all former slaveholding countries were a part of a larger effort by post-emancipation societies to determine what rights freemen should exercise. In the United States, for example, legal emancipation raised many questions regarding the general rights of citizens, the answers to which often remained elusive more than a century after the abolition of slavery. Should freemen be considered citizens with basic rights equal to other citizens? How far should equality of citizenship rights extend? Should equality of rights be kept at a minimum level, perhaps limited to freedom of movement, the right to own property, and the right to make contracts and enforce them in a court of law? Should citizenship rights be extended to the political realm, with guarantees of the right to vote, serve on juries, and hold political office? Should citizenship rights be extended to the social realm, with the protection for the right to live wherever one wanted, to use public spaces without discrimination, and to marry persons of another race?

### **ANTISLAVERY AND IMPERIALISM**

Ironically, the international effort to abolish slavery raised troubling new moral issues. During the last quarter of the nineteenth century, in the name of suppressing the African slave trade at its source, Great Britain and other European nations demanded of African rulers certain police powers within sovereign African domains. The Europeans also organized new African industries to encourage the shift from the slave trade to the "legitimate trade" in other commodities. In this manner, the humanitarian impulse of antislavery combined with less humane motives to produce the New Imperialism of the 1880's through the 1910's. During this thirty-year period, nearly all of Africa fell under European domination. Time and again, the campaign to suppress the slave trade became a cloak for the imperialist ambitions of the European powers. It is worth remembering that the two international conferences in which the European powers agreed to carve up Africa among themselves, the Berlin Conference of 1884-1885 and the Brussels Conference of 1889-1890, both devised significant agreements for ending the African slave trade.

### **SLAVERY IN THE MODERN WORLD**

During the twentieth century, most Westerners believed slavery to be nothing more than a memory of the past. Major international treaties such as the Slavery Convention of the League of Nations (1926), the Universal Declaration on Human Rights (1948), and the United Nations (U.N.) Supplementary Convention on the Abolition of Slavery (1956) seemed to indicate the emergence of an international consensus that slavery in all its forms should be eradicated. In reality, throughout the twentieth century, new forms of slavery continued to appear. The U.N. Supplementary Convention defined debt bondage, serfdom, bridewealth (bride-price), and child labor as modern forms of slavery. Many persons considered the use of compulsory labor by authoritarian regimes such as those of Nazi Germany and the Soviet Union to be forms of slavery.

International cooperation toward ending slavery in the twentieth century sometimes faltered because of Cold War rivalries. Communist states were often hostile to the antislavery work of the United Nations because Westerners sought to define the compulsory labor systems in several communist states as a form of slavery. The Soviets, likewise, charged that the

wage system of capitalist countries constituted a type of slavery, since the wage system compelled people to work in jobs they did not like out of fear of starvation.

At the end of the twentieth century, investigations by international human rights organizations and journalists found that millions of people still served as slaves in Haiti, the Dominican Republic, Brazil, Peru, Sudan, South Africa, Mauritania, Kuwait, Pakistan, India, Bangladesh, Thailand, and China. Even in countries such as the United States, where slavery had long been actively suppressed by the government, isolated cases of the enslavement of workers occasionally came to light with regard to migrant farmworkers and illegal aliens.

### SLAVERY IN THE TWENTY-FIRST CENTURY

In the early twenty-first century, human rights organizations continued to report a few examples of traditional forms of slavery from various impoverished, traditional Southeast Asian and African countries, such as Sudan. Sometimes the governments of the countries in which the abuses occurred opposed slavery but lacked the resources to bring such practices to an end. A variety of international groups targeted these practices, with or without the help of the governments in question.

Meanwhile, it was becoming increasingly clear that it was no longer helpful to think of slavery as the public recognition of the private ownership of property in the form of other human beings. Almost nowhere on the globe did a government exist that officially allowed slavery. However, that did not mean that conditions close to slavery did not continue to exist in a number of countries. The world had a growing awareness of these conditions and the fact that they occurred in some of the most advanced nations on the globe.

The first of these conditions is what was once known in the United States by the name of “white slavery”—the domination, if not ownership of a person, for sexual purposes. This was not, strictly speaking, the same as prostitution, a trade that a person could enter voluntarily and retain the freedom later to quit. As a modern form of slavery, there was a recognition that many sexual workers had no such freedom. People forced into sexual employment generally have so little choice in the matter that they may be considered slaves in an ethical, if not a legal sense.

The very term “white slavery” betrayed its racial past. During the slave era in the United States, when only the ownership of African Americans was allowed, the term “white slavery” applied indiscriminately to all female sexual workers (of whatever race), while ignoring the prostitution of young males, especially children. The stigma attached to such work often reinforced the power the controller of the prostitute had over the sexual worker.

In the United States and some advanced countries in Western Europe, the prospect of improved economic conditions to people from poorer countries was so great that the entering those countries illegally was a risk worth taking. However, undocumented aliens were especially susceptible to extortion and sometimes found themselves virtually enslaved in their new homes. Moreover, if they attempted to flee their situations, they were themselves subject to prosecution for violating immigration law. Thus, facing either deportation or imprisonment, they endured their slavery silently. Even children tend to remain silent, although legal authorities are likely to offer them protection rather than prosecution. Sexual workers were not alone in this. Frequent reports of slavery, or near slavery, occurred in the domestic and household care industries and in industrial settings, such as the sweatshops that produce clothing. Illegal immigrants were often controlled as completely by their employers as they would be if they were owned legally. There have also been reports of such workers being bought and sold in the United States and advanced European nations.

Such conditions so closely approximated traditional slavery that the early twenty-first century opened the door to a new phase in the ethical debate over slavery. There was a curious similarity in the arguments of pre-Civil War American slavery apologists and the political masters in communist nations before the end of the Cold War. Both sought to divert attention from their own failings by pointing out the domination they saw as inherent for wage-earners in free enterprise economies. To the extent that wage earners are not free because of conditions resembling extortion, they may be considered “slaves” in a new sense, and the ethical debate shifts to ways in which improper domination can be exposed and eliminated.

*Harold D. Tallant  
Updated by Richard L. Wilson*



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SEE ALSO: Abolition; Apologizing for past wrongs; Colonialism and imperialism; Developing world; Emancipation Proclamation; Lincoln, Abraham; Racism; Reparations for past social wrongs; *Scott v. Sandford*; *Uncle Tom’s Cabin*.

**“Slippery-slope” arguments**

DEFINITION: Arguments objecting to actions on the grounds that once such actions are taken, they may lead to other actions that proceed down a “slippery slope” until some undesirable consequence results

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Slippery-slope arguments arise frequently in applied ethics debates, particularly, in debates concerning bioethics issues such as euthanasia and embryo experimentation.

Slippery-slope arguments attempt to prove that objectionable initial actions will inevitably lead to worse actions and that the latter will lead to other and even worse actions, all the way down a “slippery slope” to terrible calamities at the bottom. In slippery-slope arguments, whatever would justify the first step would also justify all the others, but since the last step is not justified, the first one is not either. The final dangerous step, as the last link in the chain, is presented as a reason for rejecting the first step.

### Baseball, Spider-Man, and the Slippery Slope

In May, 2004, millions of American baseball fans were dismayed to learn that Major League Baseball had made a deal to sell advertising space on its playing fields to promote the release of the new film *Spider-Man 2* in June. Having commercial advertisements inside ballparks was nothing new. What shocked fans was the plan to put Spider-Man web logos on the bases and on-deck circles. Although the logos were to appear for only a single weekend, many commentators decried the plan, charging that it was merely the first step on the “slippery slope” to unrestricted advertising that would culminate in the players wearing uniforms with as much advertising on them as NASCAR drivers wore. In response to a massive public backlash, Major League Baseball commissioner Bud Selig quickly announced that Spider-Man logos would not be placed on bases after all.

#### STRUCTURE OF THE ARGUMENTS

Slippery-slope arguments are constructed in either logical or causal chains, or both together. The logical form shows that accepting *A* rationally commits one to accepting *B*, *C*, and finally *N*. The causal variant predicts that adopting *A* causes *B*, which in turn causes *C* and ultimately *N*. However, actions of type *N* are always undesirable, either for intrinsic reasons, or because of their bad consequences, or both.

There are four basic types of slippery-slope arguments. Precedent arguments involve the warning that if some new step is permitted, it will function as a precedent that will set another precedent, and so on until a disastrous outcome results.

Causal arguments involve the claim that once a certain action is performed, it will cause a second event, that will in turn precipitate a causal sequence of increasingly worse consequences.

Sorites arguments involve the observation that an argument contains a critical concept that is vague and difficult to define precisely, thus leading to paradoxical consequences.

Combined arguments combine all the previous types to suggest that taking the first step will trigger a

contagious series of steps, eventually ending in a “parade of horrors”—a horror such as a police state or ecological annihilation.

#### ASSESSMENT OF THE ARGUMENT

The tendency to treat slippery-slope arguments as fallacious is not fully warranted. Slippery-slope arguments can, in fact, be used correctly as a reasonable type of argumentation to shift a burden of proof in a critical discussion. For example, when school-based health clinics were first introduced to American schools, some parents complained that they represented a first step toward the distribution of birth-control devices through the schools. That argument proved to be valid, as many school-based health clinics eventually did begin offering birth control and reproductive counselling.

A slippery-slope argument might be misused because of logical or causal gaps in the sequence; however, the argument should be judged fallacious only if it is advanced to prevent posing appropriate critical questions in the course of dialogue. Slippery-slope arguments are commonly strong or weak in particular respects, but they are seldom so bad to be fallacious. Generally, they are as strong as the weakest links in their chains.

*Majid Amini*

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SEE ALSO: Euthanasia; Medical ethics; Photojournalism; “Playing god” in medical decision making; Right to die.

## Smith, Adam

IDENTIFICATION: Scottish economist

BORN: June 5, 1723, Kirkcaldy, Fifeshire, Scotland

DIED: July 17, 1790, Edinburgh, Scotland

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: The author of *The Theory of Moral Sentiments* (1759), and *An Inquiry into the Nature*

*and Causes of the Wealth of Nations* (1776), Smith was one of the inventors of the field of political economy and a major advocate of laissez-faire economics and the division of labor.

Born in Calvinist Scotland, bereft by the early death of his father, and extremely precocious, Adam Smith spent his life trying to reconcile Providence with the needs of the individual and the greater society. He became professor of moral philosophy at the University of Glasgow in 1752, and it was there that he completed his first important work.

### THE THEORY OF MORAL SENTIMENTS

During Smith's time, moral philosophy embraced a series of disciplines in what today would be considered the humanities and the social sciences. At that time, philosophers of the Enlightenment were developing the discrete social sciences, especially psychology and economics.

Although basically a skeptic, Smith never became completely skeptical, as did his close friend David Hume. Smith took Providence into account when formulating his theories of personal and social ethics, especially in the field of economics, in which he became most famous.

Smith sought to reconcile humankind's selfish nature and self-love with its dependence on the greater society. There is in human nature, believed Smith, some principle that makes the fortune of others and their happiness agreeable, even necessary. The individual has a capacity for sympathy and the ability to put himself or herself into another's place and to observe that other as an "impartial observer." Hence individuals, while not compromising their own selfish needs, are able to approve of and to support that which makes others happy and to disapprove of measures that have a negative effect. Self-interest, however, remains dominant. For Smith, self-interest accounted for the habits of economy, industry, discretion, attention, and application of thought.

Smith's theories were well received, but had he written only *The Theory of Moral Sentiments*, he would have become no more than a footnote in the history of philosophy. A trip to France between 1764 and 1766, however, was to change both his outlook and his life. There he met many of the Physiocrats, early economists who began to challenge the prevail-

ing theory that economic wealth was a static commodity and that one nation could grow rich only by impoverishing others. The Physiocrats were free traders who sought to end governmental control of the economy. Smith also had cause to observe the effect of a controlled economy on England's American colonies. What disturbed Smith was the emphasis the Physiocrats placed on land as the major source of wealth. Were this true, then Scotland, with its thin rocky soil, would be forever condemned to poverty. Smith also had occasion to observe the work of the skilled French artisans and to see that the export of their wares provided a major source of revenue for the French state. Smith became convinced that it is labor rather than land or commodities such as bullion that is the true source of wealth.

### THE WEALTH OF NATIONS

Smith's monumental and seminal work, *An Inquiry into the Nature and Causes of the Wealth of Nations*, appeared in 1776, the year of the Declaration of Independence by Britain's American colonies. In it, Smith posited three important points: that wealth is created by labor and is thus organic or growing, that the division of labor can enormously increase productivity, and that free trade among states or nations can vastly improve the welfare of humankind. By "wealth," Smith did not mean accumulated treasure, but rather the minimal amount of money needed to keep human beings decently fed, clothed, and housed.

Smith's great problem was the reconciliation of his theory of ethics with theories of economics. He reconciled these theories by emphasizing the selfish nature of humankind, the impulse of self-interest, the greed for material gain. He stated his position succinctly when he wrote that it was not the benevolence or sympathy of the butcher, the brewer, and the baker that put the dinner on one's table, but rather their self-interest. One speaks to them not of one's necessities, but of their advantage.

Smith would remove all bureaucratic impediments and permit individuals and nations alike to pursue what they do best economically. The result, and here Smith waxed lyrical, again falling back on Providence, would be that a wonderful universal machine would be created and a "hidden hand" would distribute equitably the ever-increasing bounty of the earth and with it the greatest possible happiness.

Smith's name is inextricably linked to what came to be called *laissez-faire* economics, or free trade.

#### IMPLICATIONS FOR ETHICAL CONDUCT

It would seem that Smith condoned any individual action as long as it benefited the economy. Indeed, Smith's theories were often used to justify the most extreme kind of "rugged individualism" and the unconscionable exploitation of labor; economics was well on the way to becoming the "dismal science." Smith recognized the danger and exhorted that the laws of justice not be violated, appealing to instinctive human feelings of sympathy for others. He realized that his division of labor by concentrating on a single mindless operation could result in the brutalization of labor, and he called upon governments, through education, to ameliorate the lot of workers.

*Nis Petersen*

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SEE ALSO: Capitalism; Christian ethics; Economics; Exploitation; Free enterprise; Hume, David; Marxism; Self-interest; Utilitarianism.

## Social contract theory

**DEFINITION:** Philosophical system positing that legitimate governments are formed when individuals freely and rationally agree to cede their political sovereignty to the state or that all members of civil society are implicit parties to such an agreement

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Social contract theory, in all its forms, strongly asserts that it is the individual will, subject to reason, that is the ultimate source of morality.

Social contract theory is a framework for understanding the origin and organization of human society. It begins with the basic assumption that people are autonomous rational moral agents who agree to give up some of their individual power to do as they please in order to live in cooperation with others who also agree to give up some of their individual power. This theory is discussed in the works of many philosophers but is probably given its clearest and most powerful voice in the works of Thomas Hobbes, John Locke, and Jean-Jacques Rousseau. It is a theory that underlies many aspects of modern political life; for example, the U.S. Constitution and Bill of Rights, the United Nations, trade agreements, and military treaties.

#### THOMAS HOBBS

According to Thomas Hobbes, perhaps the clearest enunciator of social contract theory, people are naturally inclined to be in the society of others. In society, however, it is necessary that there exist a sovereign to protect each person against every other person. Without such protection, people are in what Hobbes identifies as the state of nature. In the state of nature, people have two basic rights: the right to self-preservation and the right to take anything they have the power to take. In the state of nature, there is a war of all against all as people seek to exercise these rights. Each person experiences the constant threat of violence against his or her self and property. In fact, to secure their rights, people will begin to act in anticipation of their being abrogated. They will kill those who are perceived as potential threats.

This insecurity is ever-present and makes society something to be avoided rather than enjoyed. Life in

this state of nature is “solitary, poor, nasty, brutish, and short.” Reason leads people to find this situation intolerable. Therefore, as rational autonomous individuals, people agree to form a contract, giving up some of their power to a sovereign in return for that sovereign’s protection. They are then bound, absolutely, by that sovereign’s laws. This contract is formed out of logical self-interest.

### JOHN LOCKE

John Locke offers a kinder picture of the state of nature but reaches much the same conclusion as Hobbes. For Locke, the state of nature is a state of plenty in which each person is able to fulfill his or her needs. Each has a right to as much of anything as he or she can use, if enough is left for others. The only real limitation on how much a person should take is the fact that most goods will spoil if they are not used promptly. With the introduction of money, a nonperishable unit of exchange, the limits on consumption are removed and hoarding and competition begin.

This state of an unbounded right to property would be chaotic except that each person possesses reason. The state of nature is not necessarily synonymous with the state of war (as it is for Hobbes) because of the use of reason. Reason dictates a state in which people seek peace, a state in which the natural rights of life, liberty, and property are honored. This state requires that judgments be made concerning what threatens the life, liberty, and property of an individual. There is the danger here that if one person misjudges what is necessary for his or her own safety or the safety of others and becomes preoccupied with achieving security, he or she may act in anticipation of harm and threaten the security of others.

For Locke, it is the absence of a common judge that distinguishes the state of nature and causes uncertainty and potential disharmony. To protect against misjudgment, people form a contract. This contract is to form a government that will hold the power of the people in trust. It will act as a judge, and it must act to preserve its citizens. The purpose of civil society is to provide each person with security.

### JEAN-JACQUES ROUSSEAU

Jean-Jacques Rousseau offers an approach that differs significantly from those of Hobbes and

## Alienation and Social Contract Theory

Jean-Jacques Rousseau grappled with the problem of how human beings can form a society in which sovereignty would be legitimate, yet one in which the governed would not lose their autonomy or alienate their freedom. He believed that he found the solution in the social contract. In order to form a social contract, each person would alienate his or her rights to the entire community, to the general will. Such alienation would not entail the loss of autonomy or liberty, however, because each member, as a part of the general will, would be governed by laws to which each person consented. Legitimate authority and individual freedom would be guaranteed by the accord between private wills and the general will.

Locke. Rousseau idealizes the state of nature. People are pure and innocent in the state of nature, whose typical inhabitant is the noble savage. It is civil society itself that has corrupted people and led to strife. In the state of nature, people’s wants and needs are simple and easily satisfied. Furthermore, Rousseau’s goal is not so much to show the legitimate power of the individual (though he does intend to do this as well) to achieve the collective good—the general will.

Rousseau begins with the assumption that nature is good and that those things that have gone wrong are the result of the wrong actions of human society. He seeks not to explain the origins of civil society, but to create a state in which people can retain their original freedom. One should not be dependent on the opinion or will of others; one should also not be dependent on possessing power over and above one’s needs or at another’s expense. The general will requires that each person be free from these particular dependencies. One should not come to believe, however, that this freedom entails being independent in the sense of being free from influence or obligation.

Rousseau’s individual has a duty to be aware of the general well-being, act in accord with it, and make sure that others do so as well. There is no greater sense of social obligation. Each individual feels an obligation to society through the realization of individual interdependence and equality. Rousseau thinks that as a result of showing individuals that



ultimately there is no difference in vulnerability among people—that they are equal—rationality and feeling will then direct such people to form a community that is in the interest of all. Provided that they have been instilled with the correct sentiments, reason will lead to the formation of a general will in which each is bound only by his or her own will and therefore is not enslaved.

### CRITIQUE

The social contract tradition has its critics. Some challenge the notion that it is possible for free, autonomous, rational people to form a contract at all. Such challengers argue that no one is free from pressure and coercion; therefore, it is not possible to tell if the contract is valid or for whom it is valid.

One particular example of this problem is the place of women in the contract. In the writings of the main proponents of the social contract theory, it is made clear that it is free, autonomous, rational men who form the primary contract, though women, children, and slaves are somehow to be bound by it as well. Carole Pateman offers an interesting reading of this issue in her book *The Sexual Contract* (1988).

*Erin McKenna*

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SEE ALSO: Capitalism; Civil rights and liberties; Enlightenment ethics; Environmental ethics; Hobbes, Thomas; Human rights; Individualism; Locke, John; Natural law; Rousseau, Jean-Jacques; *Theory of Justice*, A.

## Social Darwinism

**DEFINITION:** Application of Charles Darwin’s theory of biological evolution by means of natural selection to the development of society and human social behavior

**DATE:** Concept coined during the late nineteenth century

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** Social Darwinism, used in the nineteenth and twentieth centuries to justify the mistreatment of colonial and working-class peoples and various forms of racism, is described by some sociologists as a misapplication of Darwin’s theory based on an extremely dubious analogy between biological species on the one hand and social or economic groups on the other.

Western colonialism and imperialism and the Industrial Revolution of the late nineteenth century did little to benefit all people equally. Disparity in access to resources, wealth, and social status was nothing new, but as non-Western peoples and their natural resources were exploited by those in the West, a justification for such behavior was sought. Western governments were motivated to expand their political and economic power and influence, while industrialists sought to fulfill their desires for wealth and fame. The Western clergy, in turn, saw colonial expansion as an opportunity to consummate their mission of spreading the Gospel.

### HERBERT SPENCER

In 1857, Herbert Spencer, a British social philosopher, published “Progress: Its Laws and Causes,” in

which he expressed his early ideas on social evolution. Later, after Charles Darwin had published *On the Origin of Species* (1859), Spencer sought to apply the ideas outlined by Darwin to human society. Spencer's ideas then were used to perpetuate the conservative status quo of the unequal distribution of wealth associated with the changing capitalist environment. Indeed, it was Spencer and not Darwin who coined the metaphors "struggle for existence" and "survival of the fittest," which Darwin later incorporated into his fifth edition of *On the Origin of Species* (1869).

Darwin's ideas on natural selection were employed to account for biological evolution. Specifically, Darwin demonstrated to the world that evolution took place and that its requirements were variation, inheritance, natural selection, and time. Since Darwin's ideas preceded those of the pioneering geneticist Gregor Mendel by six years, Darwin believed that the environment was critical to explaining variation and that biological success was measured by the frequency with which one reproduced. Successful reproduction in turn was influenced by various environmental forces. For Darwin, the term "struggle" was illustrated by the subtleties of environmental influence. Simply stated, although animals and plants attempted to survive heat, cold, wind, rain, and competition with other species, they were not involved in within-species warfare and bloodshed, as was implied by those who later promoted Social Darwinism as a natural and expected precondition of human social evolution.

When Spencer introduced the groundwork for what became known as Social Darwinism, he failed to recognize the importance of Darwin's subtleties. Spencer included various value and moral judgments in his suggestion that the struggle for existence within society or between societies was a natural condition for cultural evolution. He believed that societies were comparable to biological organisms, slowly evolving from simple to complex by means of competition for resources, and that such competition was natural and to be expected within and between societies. Social Darwinists believed that those individuals, institutions, and societies that attained the greatest political and economic power were by definition more fit, while those that did not were by their nature less fit.

#### WILLIAM GRAHAM SUMNER

William Graham Sumner, an American sociologist and economist, became a strong advocate of Spencer's ideas. He was a supporter of laissez-faire economic policy, arguing that people were not born equal and that millionaires were a product of natural selection. Typical of the industrialists who accepted Social Darwinism was John D. Rockefeller, Sr., the rugged individualist and successful capitalist who founded the Standard Oil Corporation. Rockefeller is quoted in Hofstadter (1959) as having said, "The growth of a large business is merely a survival of the fittest. . . . It is merely the working-out of a law of nature and a law of God." His statements express the attitude of many Social Darwinists. Indeed, Spencer and Sumner opposed social and economic planning and any attempts to offer social assistance to the poor because of their belief that such practices interfered with the natural process of social evolution.

Sumner argued in his book *Folkways* (1906) that customs and morals were instinctive responses to drives such as fear, sex, and hunger. Thus, Social Darwinists sought scientific justification from nature to promote individual competition and the exploitation of the poor by the rich classes. Because the concept and its followers supposed that social progress demanded that competitive struggle occur between nations, states, and races, Social Darwinism was used to justify Western ethnocentrism, racism, and eugenics. Such ideas were carried to a horrifying extreme by Nazis in Germany during World War II. Under Adolf Hitler, the Nazi belief in a master race and the inferiority of Gypsies and Jews led to the genocide of millions of people who were believed to be inferior. It was partly because of the world's revulsion toward the acts of the Nazis that the popularity of Social Darwinism and racism began its decline.

*Turhon A. Murad*

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SEE ALSO: Anthropological ethics; Colonialism and imperialism; Darwin, Charles; Ethnocentrism; Eugenics; Evolutionary theory; Genocide and democide; Human rights; Humanism; Marxism; Nazism; Normative vs. descriptive ethics.

## Social justice and responsibility

**DEFINITION:** Moral obligations to participate in or ensure the fair and equitable distribution of wealth and resources throughout a society or across all existing human societies

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The values of social justice and responsibility represent ethical responses to liberal individualism and to rights-centered theories of morality.

Rights-centered theories of morality assert individual and collective obligations to allocate resources as fairly as possible, both within and between nations, and they presuppose that the economic realm is a central and appropriate venue for considerations of justice. Most individualist and rights-centered ethics would respond to these assertions by saying that, while distribution of resources to those who lack them may be a morally admirable act, it is certainly not one that is in any sense required, as such a requirement would infringe upon such values as merit, individual sovereignty, and a conception of fairness that concentrates on opportunity rather than outcome.

Questions about justice and responsibility arise because different needs, conflicting interests, and scarce resources exist in human society. There are conflicting demands upon society's scarce resources and there is uncertainty about who has the responsibility to meet those needs. How is it possible to adjudicate among competing claims to determine the just distribution of resources? Is it right to tax the rich to provide for the poor? Does society have an obligation to take care of the needy? These questions deal mainly with a form of justice called distributive justice.

Responsibility, too, can be interpreted in different ways. First, responsibility can refer to the character of a person. To say that a person is responsible in this sense means that the person has uprightness of character, can be trusted, and has a sense of duty. Second, responsibility means the same thing as the ability and capacity to perform some task. Third, responsibility also refers to the issues of praise and blame. Fourth, responsibility refers to position or office in accordance with which a person is entrusted with the performance of a particular task. The latter is closely tied to the question of social justice, because the concept of justice implies that someone is responsible for being just.

Distributive justice deals with the fair allotment of society's goods and services and presupposes the complementary issues of responsibility, equality, and the good society. A theory of distributive justice should determine what needs should be met and what goods individuals should give up for the common good. These issues can also be encompassed in the questions of entitlement, desert or merit, and equality.

### PHILOSOPHICAL VIEWS

Plato, who was not an egalitarian, developed a vision of a just society along lines of unequal status. In the *Republic*, Plato attempted to define the *dikaios*, the "just person," and the *kallipolis*, the "good city." The just person is one who possesses the virtues of wisdom, moderation, and courage. The just city is divided into three classes: the working class, the warriors, and the philosopher-rulers. The city is just if it is based on an aristocratic constitution and the three social classes embody their respective virtues. The aristocratic class is wisdom-loving, the warriors are courageous lovers of honor, and the artisans exercise

moderation in their pleasure seeking. Each individual and each class, by responsibly fulfilling its duty, contributes to the existence of a just society.

Another approach to social justice and responsibility has been offered by social contract theory, which holds that justice and society are produced by a general agreement—a social contract. People are obligated to obey rules and the government because they have agreed to do so. They have made a contract to live by certain rules because it suits their self-interest. The general will of the people creates rules, laws, and government. Individuals give up certain rights and privileges for the protections and mutual advantages of the state.

Jean-Jacques Rousseau wrote an essay called “On the Social Contract,” whose purpose was to explain the nature of authority. It was based on an optimistic view of human nature but a negative view about society. For Rousseau, human beings are born good, but they are corrupted by society. Social contract theory argues that human beings give up or alienate their rights by transferring them to society. The state becomes the sole possessor of political authority. The state is a legitimate power and guarantees the freedom and autonomy of its citizens through a social contract—a voluntary, unanimous agreement of all people of a society to form a united political community. Popular sovereignty is called general will.

Immanuel Kant formulated, in *Foundations of the Metaphysics of Morals* (1785), the categorical imperative, which holds that one should act only on that maxim that one can will to become a universal law. Kant presupposes that persons are rational creatures, that they have an infinite worth of dignity (that is, that they are ends in themselves), and that they are authors of moral law, or are autonomous. In short, human beings are ends in themselves. Therefore, Kant envisions society as a kingdom of ends.

Utilitarianism adheres to the rule that one should always try to make as many people happy as possible. This “greatest happiness principle” states that one ought to act so as to maximize pleasure and minimize pain. The principle of utility, which is derived from the happiness principle, is a rule that determines moral norms and actions according their ability to maximize or minimize happiness. Rule utilitarianism means that governments are to use this rule in establishing general laws and are to treat individuals

according to existing rules. In his essay *On Liberty* (1859), John Stuart Mill stated that society could progress to a higher state of civilization on the basis of what he called the basic principle—that individuals, groups of individuals, and the mass of people must refrain from interfering with the thoughts, expressions, and actions of any individual. The second principle, which is known as the “harm to others principle,” holds that government may not interfere in private life except to prevent harm to others. These principles function as regulative criteria for developing public policy that preserves individual rights, limits government intervention, and fosters general well-being.

Michael Candelaria

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SEE ALSO: Accountability; Hegel, Georg Wilhelm Friedrich; Justice; Mill, John Stuart; Plato; Responsibility; Rousseau, Jean-Jacques; Socialism; Utilitarianism; Welfare rights.

## Socialism

**DEFINITION:** Political and economic system characterized by collective ownership of the means of production and equitable distribution of goods and resources

**DATE:** Developed during the late nineteenth century

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Socialism represents an alternative vision for social ethics in which justice is realized through material equality and the eradication of exploitation, leaving all members of society free to associate in common productive efforts aimed at satisfying social needs.

Socialism is based in a positive conception of freedom, defined as a way of life that allows all humans to realize and express their inherent potential through their labor. This definition is generally in conflict with definitions of freedom based on individual rights and choice and with capitalist notions of labor as productive of increased wealth rather than expressive of humanity.

Socialism is a politico-economic system in which the struggle to eradicate social inequality is the highest ethical pursuit. Socialist morality generally extols the collective pursuits of the larger community and asserts that the vast potential latent in the human species can be fully realized only through freely associated, nonexploitative social relations. Throughout history, socialism has developed from its origins in the romantic visions of intellectuals and philosophers to an alternative social system that has been struggled for by exploited classes in virtually all corners of the globe. The legacy of socialism persists in the modern world, both as an ethical critique of capitalist values and as an alternative prescription for social justice.

### UTOPIAN SOCIALISM

Although some of the key ethical elements within socialism can be traced back to ancient times, their consolidation into a unified vision occurred at the beginning of the nineteenth century in what has since become referred to as utopian socialism. Claude Henri Saint-Simon, Charles Fourier, and Robert Owen, among others, created a comprehensive critique of early capitalist society as it entered its industrial phase. Although the socialist visions of each thinker

differed, all the utopian socialists shared a preoccupation with the morally bankrupt character of early industrial capitalism and saw the need for a more communal and egalitarian society in which an ethic of cooperation would prevail over individual greed.

Equally representative of utopian socialism was the notion that a socialist world could somehow be achieved through enlightened choice. Later socialists, such as Karl Marx and Friedrich Engels, argued that this idea amounted to a lack of a revolutionary strategy for realizing the utopian vision. Utopian socialists generally saw political violence as the historical baggage of presocialist society and believed that it would be unnecessary in a world that was being gradually civilized by means of emerging socialist values. In short, their moral critique of bourgeois society was not accompanied by an analysis of the way in which capitalist domination could be decisively broken.

Emile Durkheim, one of the founders of modern sociology, argued in his posthumously published work *Socialism* (1928) that Saint-Simon conceptually linked the ethical failures of the social era born of the Enlightenment with the urgent call for a consciously managed society—one in which production is cooperatively organized and the interests of the exploited classes are advanced through the socialization of industry. Saint-Simon's call for a "New Christianity" that would emphasize public concerns rather than the pursuit of individual self-interest made his utopian vision a complete one from Durkheim's perspective.

Robert Owen likewise espoused the notion that once socialist principles became enacted and shared, socialism's intrinsic desirability would automatically lead to its promulgation. Owen's contributions to socialism were vast, because of his agitation for reforms on behalf of the English proletariat as well as his sponsoring of experimental socialist communes that were based on socialist morality and cooperative business ventures. Charles Fourier added to the utopian socialist vision with his critique of the family and his agitation for sexual liberation. He became famous for his expression that the best measure of social freedom is the existing degree of women's freedom. Fourier argued that industrial bourgeois society repressed the human passion for love. Liberation could be gained only through smashing the prohibitions against human sexual expression, according to



Fourier, and the larger community needed to guarantee all of its members the support necessary for “basic” sexual and well as economic satisfaction.

### REVOLUTIONARY SOCIALISM

Utopian visions of socialism ultimately became overshadowed by the emergence of the revolutionary socialism pioneered by Karl Marx and Friedrich Engels. Marx, a German thinker, transformed socialism into a practical program for struggle out of which organized social classes within industrial capitalist societies could create a socialist society through revolution. Marx and Engels’s point of departure is their social class analysis, which argues that only the exploited working class is capable of successfully carrying out a socialist revolution. The ethical basis of what later became known as Marxian socialism is to be found in revolutionary “praxis,” or practical activity, designed to overthrow bourgeois domination. The moral basis for revolutionary activity, including armed struggle, was to be found in the larger historical mission of the working class, which was the ending of class exploitation.

An important distinction of Marxian socialism is its dialectical conception of ethics, which views all systems of morality as historically situated and dynamic insofar as morality changes in accordance with the ongoing struggle of social classes. The “contradictory” nature of morality thus rests in the notion that what is ethical at one stage of history becomes outmoded as human social relations continue to change and develop. The ethical basis of revolutionary armed struggle, for example, becomes transformed once new social circumstances become achieved and the need for violence has been surpassed. As Engels argued in *Anti-Duhring* (1878), a fully humanized morality can be achieved only after a socialist revolution has overcome social class inequalities and after the former system of morality has vanished from the collective memory.

### MODERN SOCIALISM

The twentieth century could be largely characterized by the struggle between the competing systems

of capitalism and socialism. Even the fall of the socialist bloc countries during the late 1980’s and early 1990’s can be related to an ethical crisis of particular political regimes and their relative inability to realize socialist goals. In the twenty-first century, most modern nations continue to experience political tensions between the status quo and powerful critics who argue for socialistic reforms or the need for a socialist revolution. The socialist critique of race, gender-based, and social class exploitation remains relevant in the modern era, and its advocates remain influential in world affairs.

*Richard A. Dello Buono*

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SEE ALSO: Capitalism; Communism; Communitarianism; Durkheim, Émile; Freedom and liberty; Individualism; Marx, Karl; Marxism; Revolution; Social justice and responsibility; *Utopia*.

## Society for the Prevention of Cruelty to Animals

IDENTIFICATION: Organization created by humanitarians to oppose the mistreatment of animals

DATE: Founded in 1824

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: As the first animal welfare organization in England or Continental Europe, the Society for the Prevention of Cruelty to Animals (SPCA) influenced all future western humane organizations.

According to the seventeenth century philosopher René Descartes, animals were soulless, God-created automatons lacking consciousness and the ability to feel pain. Any human use of animals was therefore justifiable. By the late eighteenth century, other philosophers challenged humanity's right to absolute dominion over animals, thus heralding the birth of the anticruelty movement. These new convictions were best summarized by the utilitarian philosopher Jeremy Bentham, who wrote in 1789, "The question is not, can they *Reason*? Nor can they *Talk*? But can they *Suffer*?"

Reflecting increasing concern over animal welfare, M. P. Richard "Humanity Dick" Martin in 1822 submitted and successfully promoted the passage of a bill protecting domestic farm animals from cruelty. Meanwhile, encouraged by the Martin Act, humane activists formed the SPCA, which began policing slaughterhouses, markets, and private citizens for animal abuse. With the bestowal of royal patronage in 1835, the organization became the Royal Society for the Prevention of Cruelty to Animals (RSPCA). During the late twentieth century, the United Kingdom remains a principal center of advocacy of animal rights.

Mary E. Virginia

SEE ALSO: Animal rights; Cruelty to animals; Humane Society of the United States; People for the Ethical Treatment of Animals; World Society for the Protection of Animals.

## Sociobiology

DEFINITION: Study of the evolutionary basis of human social behavior

DATE: Originated around 1975

TYPE OF ETHICS: Scientific ethics

SIGNIFICANCE: Sociobiological studies of humans are based on the premise that human behavior is the result of evolution. Thus, sociobiologists argue that morality has evolutionary value, and indeed that it results from processes of natural selection. This argument has been attacked, however, as a form of biological determinism.

In 1975, E. O. Wilson, a Harvard professor and world-renowned expert on ants, published a massive book in which he tied together decades of empirical research by animal behaviorists with decades of theoretical work by geneticists and evolutionary biologists. In so doing, he defined a new academic discipline, "sociobiology," the name of which is taken from the title of his book, *Sociobiology: The New Synthesis*.

The thesis of Wilson's book was that behavior, like any other attribute of an animal, has some of its basis in genetics, and therefore scientists should study behavior in the same way they do anatomy, physiology, or any other observable feature of an animal; that is, they should not only describe it but also try to figure out its function and the reasons why it evolved. Most biologists found no fault with this logic, and the discipline grew very rapidly, spawning hundreds of books and thousands of articles. Many predictions generated from this new perspective were corroborated, and many previously unexplained behaviors started to make sense.

The majority of biologists were rapidly convinced that this new approach was both useful and valid. Other scientists, however, as well as many sociopolitical organizations and representatives, immediately took a stand against it. In his book, Wilson had included a closing chapter on the sociobiology of human behavior, and his critics believed that the principles and methods used to study nonhuman animals simply could not be applied to humans. Academic critics tended to be psychologists, sociologists, anthropologists, and political scientists who believed that learning and culture, not evolution and genetics, determine most human behavior. Nonacademic crit-

ics tended to be either philosophers and theologians who believed that the human spirit makes people qualitatively different from other animals or left-leaning political organizations who believed that violent, discriminatory, and oppressive human behaviors might somehow be justified by calling attention to the existence of similar behaviors in other animals.

### THE ALTRUISM DEBATE

The first, and perhaps most significant, debate over sociobiology as it applied to humans involved explanations for altruism. Altruism, by definition, is behavior that helps another individual or group at some cost to the altruist. Since altruistic behavior would appear to help nonaltruistic recipients of altruism to survive and pass on their genes but not help altruists themselves, any genetic tendency toward altruism should rapidly die out; which would imply that altruistic behavior must be nonevolved; that is, either culturally learned or spiritually motivated, as the critics claimed.

Biologists, however, had documented altruistic behavior in a wide variety of nonhuman animals, suggesting either that other animals must also have cultural or spiritual motives (suggestions not accepted by most of the critics) or that altruism really must, somehow, increase the altruist's ability to survive and pass on genes, not merely help the nonaltruistic recipient. Two theoreticians provided explanations for how this might have occurred.

W. D. Hamilton proposed an evolutionary model based on the concept of "kin selection"; according to this model, altruistic behavior does not have to increase the altruist's chances of survival and reproduction, as long as it increases the survival and reproduction of the altruist's relatives. Since relatives share genes, even though an altruist may decrease his or her own chances of survival and reproduction, the genetic tendency for altruism can be passed on to subsequent generations because the altruist has increased the total number of his or her genes in the next generation by increasing the number of collateral, or nondirect, descendants.

Later, Robert Trivers proposed a model based on the concept of "reciprocal altruism"; according to this model, altruists do increase their own chances of survival and reproduction, because the recipients of their altruism remember them and help them out when the tables are turned. (This is often referred to

colloquially as the "You scratch my back and I'll scratch yours" model.)

Largely on the basis of these two models of altruism, sociobiologists argued that even the most complex and seemingly spiritually motivated behaviors of humans could be explained solely by evolutionary biology. This notion was widely publicized in Richard Dawkins's book *The Selfish Gene* (1976), E. O. Wilson's subsequent book *On Human Nature* (1978), and Richard Alexander's *The Biology of Moral Systems* (1987).

Although many anthropologists and psychologists have converted to the evolutionary perspective and found it fruitful, many remain antagonistic to it, and sociologists, philosophers, and theologians, in particular, remain highly critical. Their argument continues to be that human behavior is qualitatively different from that of other animals because of the complexity of human culture and spirituality. They argue that a reductionist approach to human behavior will inevitably miss the most important features of human nature and social interactions.

In addition, many individuals and political groups remain hostile to sociobiology because of the widespread belief that if something is genetic, it is inevitable and justifiable. Although these conclusions are not logically valid, there is legitimate concern that some people might use sociobiological arguments to try to undermine moral teaching or to promote or rationalize nepotism, aggression, racism, or sexism. To the extent that sociobiology is perceived as an ideological tool rather than a scientific enterprise, it has been argued that sociobiological research should not be funded or otherwise promoted by public institutions (such as universities). The debate has thus become one of politics and social goals as well as one of scientific philosophy and method.

Linda Mealey

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SEE ALSO: Academic freedom; Altruism; Anthropological ethics; Darwin, Charles; Determinism and freedom; Evolutionary theory; Ideology; Political correctness; Social Darwinism; Taboos.

## Socrates

IDENTIFICATION: Ancient Greek philosopher

BORN: c. 470 B.C.E., Athens, Greece

DIED: 399 B.C.E., Athens, Greece

TYPE OF ETHICS: Classical history

SIGNIFICANCE: Socrates objected to written language because he believed that it was inherently removed from truth, and he therefore never produced any written works. Thus, he is known primarily as a character in the dramatic philosophical dialogues of Plato, his greatest student. Socrates is believed to have shifted the focus of Greek philosophy from the natural world to the human psyche and ethics and to have argued that moral goodness is based on objective knowledge.

Socrates' views on ethics must be understood against the background of his main opponents, the Sophists. They were moral relativists who believed that ethical beliefs could never be more than a matter of convention and subjective human opinions. In contrast, Socrates thought that ethical truths were universal and objective and concerned the way in which humans

should best live. He said that the goal in human life was not simply living but "living well." To make an excellent ship, one must understand the purpose of ships and what constitutes the standard of excellence for a ship. Similarly, to live life well, one must understand what constitutes human excellence. For this reason, Socrates said that "the unexamined life is not worth living."

For Socrates, the goal of ethics was not obedience to some set of abstract duties. The whole purpose of ethics was to flourish as a human being, to fulfill one's true function, to achieve happiness. Hence, "Why should I be moral?" was a foolish question, for it was like asking, "Why should I live a happy, fulfilled life?" The problem is, Socrates said, that people tend to identify themselves with their bodies, and this gives them a false picture of what is the true goal in life. The body is, however, merely the outward shell, or instrument, of the soul. The immortal, non-physical soul within one is the real person. The proper goal in life, therefore, is to "care for one's soul," to make it as good as possible, and this is achieved by striving to achieve wisdom.

Socrates' position is sometimes called "ethical-intellectualism," because he believed that ethics is a matter of the intellect and that the moral person is one who has correct moral knowledge. Socrates' ethical conclusions are often called the "Socratic paradoxes" because they seem to contradict normal moral intuitions. Two of the key Socratic teachings are that virtue is knowledge and that no one knowingly does what is wrong.

### VIRTUE IS KNOWLEDGE

In the Greek language, the word for "virtue" has a much broader meaning than does its English counterpart. For anything to have "virtue" meant that it was excellent at its task or fulfilled its function well. Hence, the virtue of a shipbuilder is the skill of making high-quality ships. Human beings engage in many different and specific tasks (making music, playing sports, practicing medicine), and each activity has its appropriate goal and requires a certain sort of knowledge. Socrates believed, however, that people are all engaged in the more general task of living human life, and this is something that can be done poorly or well, depending on how well one understands this task. Hence, being a moral person requires having knowledge of what is genuinely valuable.

For Socrates, there is a difference between genuine knowledge and correct belief. Someone can be told the correct answer to a mathematics problem without really knowing why it is the correct answer. Similarly, simply having the correct moral beliefs is not enough. To truly have moral knowledge of the right way to live requires that one understand why that way is best. Socrates claimed that the end of human life is the achieving of wisdom; only wisdom will make one a morally excellent person.

### NO ONE KNOWINGLY DOES WHAT IS WRONG

Since moral goodness is knowledge of how to live well and flourish, it was inconceivable to Socrates that anyone could have this knowledge and not follow it. Since doing what is wrong will harm the soul, however, those who do evil do so through error, thinking that they are pursuing what is good for them. For example, a thief steals because he or she believes that money is the ultimate value. By starting out with this false assumption about what is important in life, the thief logically concludes that it is good to obtain money in any way possible. What is wrong with the thief, Socrates would say, is that he or she lacks a correct understanding of what is genuinely valuable. Still, it may seem that sometimes people knowingly do what is wrong. Socrates would say, however, that when one performs an action that is morally wrong and harmful to one's soul, one does so because one's mind is blinded by desire. In that moment, one actually believes that the pleasure of the moment is a better goal to pursue than one's long-range satisfaction. For the person who has wisdom and the true vision of life, reason will guide the emotions in the right direction in the same way that a chariot driver guides his horses.

### IMPLICATIONS FOR ETHICAL CONDUCT

For Socrates, being a moral person was more than simply doing the right thing. It also did not mean simply following a list of rules or duties. Instead, morality was a matter of making one's inner self as excellent as possible. This required an understanding of what is of enduring value in life as opposed to what is merely transitory and peripheral. One can gain this understanding by means of a process of self-examination in which one critiques the values by which one lives, abandoning those values that prove to be worthless, and getting a clear understanding of those

values that lead to human excellence. Once one's soul has a vision of what is truly good, one will have no reason to do anything else but to steer one's life in that direction.

*William F. Lawhead*

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SEE ALSO: *Apology*; Cyrenaics; Paradoxes in ethics; Plato; Platonic ethics; *Republic*; Sophists; Virtue ethics; Wisdom.

## Solzhenitsyn, Aleksandr

IDENTIFICATION: Russian novelist and historian

BORN: December 11, 1918, Kislovodsk, U.S.S.R.

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Recipient of the 1970 Nobel Prize in Literature, Solzhenitsyn produced both literary works, including *One Day in the Life of Ivan Denisovich* (*Odin den' Ivana Denisovicha*, 1962), *The First Circle* (*V krughe pervom*, 1968), and *Cancer Ward* (*Rakovy korpus*, 1968), and historical works such as *The Gulag Archipelago, 1918-*



1956: *An Experiment in Literary Investigation* (Arkhipelag GULag, 1918-1956: *Opyt khudozhestvennogo issledovaniya*, 1973-1975). In all his work, he advanced the idea of the mutuality of communal and individual ethics within the context of the Russian Christian tradition.

While confronted with mounting censorship from Soviet authorities during the 1960's and his eventual arrest and forced exile in 1974, Aleksandr Solzhenitsyn maintained an ethical identity with his homeland and his image of its historical traditions. Solzhenitsyn's ethical base was predicated on a renewal of traditional Russian Christian values; he was not attracted to the individualism or democratic institutions of the West.

Solzhenitsyn condemned the oppression of the Soviet (and especially the Stalinist) phase in Russian history and described the ethical and moral bankruptcy of the Soviet regime and its institutions. In particular, he condemned the depersonalization of Russian life under the Soviets. He advanced the cause of the individual living within a free but ethically based and directed society. Solzhenitsyn's exile came to an end in 1994, when he returned home to live in Russia. Although all the Solzhenitsyn canon is worthy of study, his most significant works from the standpoint of ethics are *One Day in the Life of Ivan Denisovich* and *The Gulag Archipelago*.

William T. Walker

Updated by the editors

SEE ALSO: Art; Christian ethics; Communism; *Gulag Archipelago*; Stalin, Joseph.

## Song lyrics

DEFINITION: Expressions of a wide range of subjects by means of words set to music

TYPE OF ETHICS: Arts and censorship

SIGNIFICANCE: The lyrics of contemporary popular music challenge the boundaries of taste and public notions of propriety and are central to the debate over limits to free expression.

Bawdy and subversive lyrics are as old as music, and the impulse to suppress them is as old as social hier-

archy. There is an ancient underground tradition of songs that defy the prevailing order, satirize the ruling class, and challenge commonly accepted precepts. Anthems such as France's "Marseillaise" and the communist "Internationale" began as often-banned incitements to revolution. In nineteenth century Italy, the politics of the reunification movement, the Risorgimento, circumscribed the texts of Giuseppe Verdi operas. Richard Strauss's opera *Salome* was shut down after one performance in New York in 1908, in part because of its allegedly indecent German libretto, which was based on a play by Oscar Wilde.

### MODERN POPULAR CULTURE

With the invention of sound recording and the advent of broadcast media, arguments favoring limits to the content of commercially distributed songs gained currency in the United States. Before the 1950's, most censorship incidents involved the proscription or laundering of Harlem Renaissance blues lyrics or Broadway show tunes such as Cole Porter's "Let's Do It." On occasion, records such as the Andrews Sisters' "Rum and Coca-Cola," whose unexpurgated lyrics refer to a mother-and-daughter team of Trinidadian prostitutes "working for the Yankee dollar," would be banned from the radio. During the Joseph McCarthy era, the socially conscious lyrics of leftist folksingers such as Woody Guthrie were widely suppressed as "communist" propaganda.

With the rise of rock and roll during the 1950's, the verbal content of popular music began to ignite moral panic. Rock, which evolved from African American rhythm and blues in the early 1950's, was considered "jungle music," a destructive combination of primitive rhythms and lewd lyrics. Early antirock music campaigns were sometimes unapologetically racist and always maintained that the music spread violence and promiscuity. The lyrics of some songs, such as the Kingsmen's "Louie Louie," did not even have to be decipherable to be deemed obscene by the Federal Bureau of Investigation and the Federal Communications Commission.

Although the sexual frankness that crept into pop lyrics as the 1960's progressed became increasingly overt, rock songs of that decade were most commonly censored or banned because of real or imagined references to drugs. The Beatles' "Lucy in the Sky with Diamonds" (1967), for example, was re-

viled in some quarters because it was assumed to describe the effects of LSD. More overt allusions to drug use, such as the Jefferson Airplane's "White Rabbit" (1967), with its exhortations to "feed your head," often caused the song to be denied radio play. Drug-culture jargon and four-letter words at times provided authorities with convenient excuses to keep antiwar and social protest songs off the air.

Within the United States, organized efforts to clean up rock music lyrics have come from across the political spectrum. Leaders of such campaigns have ranged from right-wing ideologue David Noebel to civil rights activist Jesse Jackson. In the late 1970's, the messages of punk bands such as the Sex Pistols, along with the continuing popularity of "heavy metal" music among young teenagers, created concern that "morbid" and "occult" lyrics were causing a rise in teenage suicide. In the late 1980's, artists were threatened with legal action by bereaved parents and in some cases sued. Evangelists and radio personalities such as Bob Larson popularized the idea that satanic messages were encoded in rock lyrics or subliminally injected into certain albums through sound engineering.

Upset by masturbation references in Prince's song "Darling Nikki" in 1985, Tipper Gore, the wife of future vice president Albert Gore, cofounded the Parents Music Resource Center (PMRC), an organization aimed at curbing the excesses of popular music. Congressional hearings held at PMRC's request resulted immediately in censorship activity at the state level. By 1990, the Recording Industry of America (RIAA) was pressured into instituting a voluntary warning-label system whereby some records would carry stickers with the label "Parental Advisory/Explicit Lyrics." The labeling scheme created a climate of censorship within the music industry and provided a foundation for efforts to restrict sales and criminalize certain lyrics in Louisiana, Washington state, and elsewhere.

### THE DEMONIZATION OF RAP

In the late 1980's, Florida attorney Jack Thompson began enlisting allies in a campaign against rap, an African American art form that he considered an affront to "traditional values." Thompson helped to inspire the arrest and obscenity conviction of a record-store owner who was guilty of selling the Miami rap group 2 Live Crew's album *Nasty as They*

*Wanna Be* (1990); the band itself was arrested in Fort Lauderdale following a live performance of such songs as "Me So Horny." Although 2 Live Crew was acquitted, Thompson continued to hound them and other outspoken rap musicians—especially NWA (Niggas With Attitude)—across the country and as far as the United Kingdom, where 22,000 copies of an NWA album were impounded.

Hysteria over "gangsta" rap reached fever pitch in 1992 with the release of Ice-T's *Body Count* album (technically a heavy metal record), an outpouring of rage over forms of racism. Its climactic song, "Cop Killer," was condemned for its venom:

I got my twelve gauge sawed off.  
I got my headlights turned off.  
I'm 'bout to bust some shots off.  
I'm 'bout to dust some cops off.  
COP KILLER, it's better you than me.  
COP KILLER, f—— police brutality!

Iran-Contra figure Oliver North retained Jack Thompson as counsel in July, 1992, for the express purpose of mobilizing his lobbying operation, Freedom Alliance, against musicians. North's strategy included encouraging police organizations to use various means to eliminate the sale, broadcast, or commercial release of "seditious" music. Ice-T and his distributor, Time Warner, were finally driven to excise "Cop Killer" from future pressings of the *Body Count* album. Other artists who were legally threatened or economically pressured included Ice Cube, Tupac Shakur, Almighty RSO, and Paris, whose "Bush Killa" vented rage at the White House.

### CENSORSHIP DURING THE 1990'S

In 1994, mounting a fresh campaign to force the recording industry to clean up rap and heavy metal lyrics, the PMRC created the unlikely team of liberal Democrat C. Delores Tucker, chairman of the National Political Congress of Black Women, and conservative Republican William J. Bennett, secretary of education under President Ronald Reagan. In joint press releases, op-ed columns, and public appearances, Tucker and Bennett decried "lyrics from the gutter" while paying little attention to actual content. In 1995, Tucker and Bennett successfully pressured Time Warner to drop its controlling interest in

Interscope Records, which carried such controversial artists as Snoop Doggy Dogg.

U.S. senators Joseph Lieberman of Connecticut and Sam Nunn of Georgia joined Tucker and Bennett in public condemnation of “obscene music,” citing such songs as Dove Shack’s “Slap a Ho.” In 1997, Senator Sam Brownback of Kansas held hearings designed to showcase complaints about objectionable lyrics and other elements of what Senator Lieberman, in testimony, called our “broken culture.” In Brownback’s media-tailored forum, the voices of artists, serious analysts of American culture, and free-speech advocates were almost absent; witnesses who deplored the moral turpitude of popular music were welcomed warmly. As Congress continued its attack, the Recording Industry Association of America, once fiercely opposed to censorship, began wavering in its support for freedom of expression.

By the mid-1990’s, the \$12 billion U.S. recording industry began backing away from nonmainstream music. The climate of censorship was aggravated by pressure from retailers and distributors. Wal-Mart, the largest record retailer in the nation, refused to sell albums with “parental-advisory” warning stickers and went so far as to demand censored versions of certain record albums, with problematic songs edited for content or dropped altogether.

After students gunned down fellow classmates at Littleton, Colorado’s Columbine High School in 1999, and similar incidents occurred elsewhere, the campaigners against rock and rap were eager to blame the incidents on the troubled teenagers’ taste in music. When it was erroneously reported that the Columbine shooters were fans of “goth-rock” singer Marilyn Manson, Senator Brownback and nine of his colleagues demanded that Seagram’s, which owned

Image not available

*Eminem (Marshall Mathers III) accepting a Grammy Award for best rap album of the year, in February, 2003. (AP/Wide World Photos)*

Manson's record label, put an end to the performer's career. They also called for an investigation into popular culture by the U.S. surgeon general.

In an era during which commercial music veered away from political content, the popular art being demonized was often material daring to critique contemporary American life. The so-called gangsta rap genre vented the outrage of an underclass whose real grievances received scant attention in congressional hearings. Critic Lawrence Stanley describes gangsta rap an "unmistakably black art form" that emerged at a time when white institutions were indifferent, if not hostile, to the concerns of African Americans.

For young people of all races who felt numbed by American middle-class life, Marilyn Manson offered an invigorating challenge to traditional gender roles, religious fundamentalism, and pressure to conform. White rapper Marshall Mathers III, who performs under the name Eminem, was vociferously condemned by everyone from Joan Garry of the Gay and Lesbian Alliance Against Discrimination (GLAAD) to Republican activist Lynne Cheney, wife of future vice president Dick Cheney, when his *Marshall Mathers LP* (2000) gained popularity, praise, and award nominations. Accused of nihilistic, misogynist ranting, Eminem was in fact an articulate chronicler of the ills of working-class Detroit. Describing the blighted industrial city in his song "Amityville," Eminem sings:

we don't call it Detroit, we call it Amityville ('Ville).  
You can get capped just having a cavity filled  
(filled). Ahahahaha, that's why we're crowned the  
murder capital still (still). This ain't Detroit, this is  
m——n' Hamburger Hill (Hill!). We don't do  
drivebys, we park in front of houses and shoot. and  
when the police come we f——n' shoot it out with  
them too! That's the mentality here (here), that's the  
reality here (here). . . .

Through the 1990's, song-lyric censorship in the United States was opposed by the National Campaign for Freedom of Expression, the National Coalition Against Censorship, and grassroots advocacy groups such as Rock Out Censorship and the Massachusetts Music Industry Coalition. The American Civil Liberties Union (ACLU) Arts Censorship Project worked to provide legal aid to embattled musi-

cians, producers, and retailers, helping to overturn an "erotic music" law in Washington state and to defend record stores across the country. Citing federal court rulings on speech, ACLU attorneys maintained that song lyrics, even if they extolled armed rebellion, did not constitute a direct and imminent threat—and that First Amendment protections did indeed apply to such works as "Cop Killer." The irreconcilable disagreements in this controversy illustrated a growing rift between opposing visions of American democracy.

Inspired by a growing worldwide concern about content restrictions on music, activists and musicians held the first World Conference on Music and Censorship in Copenhagen, Denmark, in November, 1998. In the twenty-first century, the debate over song lyrics and other popular expressive media pitted human aspirations toward freedom against a perceived need, real or imagined, for increased authoritarian social control in response to a growing terrorist menace.

James D'Entremont

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SEE ALSO: Art and public policy; Book banning; Children's television; Freedom of expression; Internet piracy; Jackson, Jesse; Napster; Pornography; Violence.

## Sophists

**DEFINITION:** Group of professional teachers active in ancient Greece and generally based in Athens

**DATE:** Fifth and fourth centuries B.C.E.

**TYPE OF ETHICS:** Classical history

**SIGNIFICANCE:** Known largely through their caricature in the work of Plato, the Sophists trained their students in rhetoric and oratory, among other subjects, and used formal logic to criticize traditional Greek values. For this reason, they are often represented as having believed that truth is irrelevant, morality is an empty construct, and the point of philosophical and legal argument is simply to win no matter what side one is on. Whether this is a fair assessment of some or all of the Sophists is a matter of ongoing debate.

First appearing in Greece during the period of Athenian empire-building (the *Pentekontaetia*), the Sophists established a general intellectual climate rather than a well-defined school of thought. The Sophists furthered the *Pentekontaetia*'s process of dynamic change by declaring that traditions were based on optional arrangements. In an era of sharpened competition, they also claimed that the value of actions varied according to circumstances, that knowledge was necessarily imperfect, and that truth was relative. Their relativistic, individualistic, and skeptical outlook was epitomized by their foremost representative, Protagoras of Abdera, who declared that "man is the measure of all things." The Sophists' ethical relativism was sharply attacked by a new philosophical movement, led by Socrates, reaffirming absolute values. Socrates and his followers, however, adopted the Sophists' critical spirit and concern with ethical issues; by further exploring Sophist topics such as the nature of truth and the justification of values, the Socratics built upon and partially perpetuated their work.

*Michael J. Fontenot*

**SEE ALSO:** Aristotelian ethics; Deconstruction; Derrida, Jacques; Plato; Platonic ethics; Situational ethics; Socrates.

## South Africa's Truth and Reconciliation Commission

**IDENTIFICATION:** Government commission established to investigate human rights abuse that occurred under the former apartheid regime

**DATE:** Established in July, 1995

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** The work of the Truth and Reconciliation Commission established that it is possible to negotiate a peaceful transition from a repressive, authoritarian regime to an open, democratic civil society and that restorative justice is achievable through public truth telling, dialogue, and reparations to victims, while extending amnesty to perpetrators of a previous brutal regime.

After centuries of white-minority rule, South Africa elected its first nonracial government in 1994 and put a final end to the notoriously rigid segregation policy known as apartheid. Under an agreement worked out between the outgoing National Party leaders of the old government and the incoming leaders from the nonracial African National Congress (ANC), the Truth and Reconciliation Commission was created to investigate human rights abuses perpetrated by all factions over the previous forty-four years—the period of time from South Africa's 1960 Sharpeville massacre to the inauguration of Nelson Mandela as president in 1994.

The commission was officially created by the 1995 Promotion of National Unity Act, which defined the commission's goals. Under its chairman, Archbishop Desmond Tutu, a winner of the Nobel Peace Prize and a long-time advocate of human rights in South Africa, the commission conducted its work from April, 1996, through July, 1998. Over that four-year span, it heard testimony from more than 21,000 victims of apartheid and received more than 7,000 petitions for amnesty from prosecution for crimes committed under apartheid. By 1998, the commission had rejected 4,500 of those petitions and granted only 125 amnesties. In October, 1998, it issued a 3,500-page report on its findings.

### BACKGROUND

During the early 1990's, shortly before the leaders of the National Party agreed to cede power to the



African National Congress, they demanded a general amnesty for the members of the government military and paramilitary forces responsible for atrocities, tortures, and human rights abuses under the past regime. That request was deemed unacceptable, but the interim parliament instead crafted a unique amnesty provision that found its way into South Africa's interim constitution of 1993. The amnesty provision provided for the establishment of a Truth and Reconciliation Commission by the new government that would deal with issues related to human rights abuses during the apartheid regime. The commission was tasked to serve as an outlet for citizens who were willing publicly to disclose details of gross violations of human rights they had committed during the apartheid regime and in turn were to be granted amnesty.

### **The Truth and Reconciliation Commission's Mandate**

The South African legislation that created the commission charged it with promoting national unity and reconciliation in a spirit that transcended conflicts and divisions of the past. The commission was specifically charged with these goals:

1. Establishing as complete a picture as possible of the causes, nature, and extent of the gross violations of human rights committed under apartheid through investigations and hearings.
2. Facilitating the granting of amnesty to persons who fully disclose all relevant facts relating to acts associated with political objectives and who comply with the requirements of this act.
3. Establishing and making known the fate or whereabouts of victims of past abuses and restoring the human and civil dignity of such victims by granting them opportunities to relate their accounts of the violations of which they were victims, and recommending reparation measures.
4. Compiling a report providing as comprehensive an account as possible of the activities and findings of the commission and offering recommendations of measures to prevent future human rights violations.

The more than seven thousand amnesty petitions filed with the commission revealed details of atrocities committed by agents of the apartheid regime and, to a much lesser extent, by members of the African National Congress. Those applying for amnesty included the perpetrators of some of apartheid's most publicized crimes, such as the murder of Stephen Biko in 1977. They testified before the commission and thereby escaped prosecution for their actions. Some critics decried this process of swapping "truth for justice" as unconscionable and immoral.

The legislation that established the Truth and Reconciliation Commission was the outcome of a confluence of political and social developments negotiated during South Africa's transition to democracy. The key political tensions were between the outgoing government's demands to protect members of the old regime and the liberation movement's insistence to hold the leadership of the apartheid government accountable for past wrongs. As a part of the transitional constitutional arrangements, both sides accepted the creation of a truth commission. Details of the exact balance between punishment and indemnity and accountability and impunity had to be negotiated as well. In the end, the final agreement produced a compromise that obligated the incoming majority-rule government to provide amnesty to human rights abusers in exchange for their "honest" contrition of what happened. The Truth and Reconciliation Commission was thus shaped more by the national political agendas at the time of its creation than by the needs of victims of historical abuses.

#### **SHORTCOMINGS**

Despite the laudable aims of the legislation that created the commission, the act was not clear on how the commission was to achieve the lofty goal of promoting "national unity and reconciliation in the spirit of understanding that transcends the conflicts and past divisions." The commission achieved the goal of restoring dignity to victims of apartheid abuses primarily by engaging communities in the process of collecting statements from local victims during community human rights hearings. Community hearings thus became the dominant focus during the first fourteen months of the commis-

sion's work, during which eight community hearings were held. The hearings focused on victims—giving them opportunities to tell their stories. The hearings provided forums for open discussions that helped promote understanding among different political parties and different ethnic groups. The community hearings also provided powerful media images that could be conveyed throughout the country.

The more difficult challenge of the commission was the goal of promoting justice and reconciliation. This facet of the commission's work proved a contentious point, as it was interpreted differently by various political parties and communities through the life of the commission. It could be argued that the commission actually denied justice through its very structure. For example, its amnesty provision robbed victims of their right to seek justice through a criminal and civil process.

Following the commission's final report in 1998, studies of the commission found a wide range of opinions on its work. While some community members, particularly the Inkatha Freedom Fighters opposed the commission in principle, most community members had mixed feelings about the process. Almost every aspect of the commission's work caused some level of controversy.

*Marc Georges Pufong*

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SEE ALSO: Apartheid; Collective guilt; Dirty hands; Forgiveness; Justice; Mandela, Nelson; Reconciliation; Torture; Truth; Tutu, Desmond.

## Sovereignty

**DEFINITION:** Legitimate and exclusive possession of autonomous political authority over a particular territory or citizenry

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** National sovereignty, essentially the right to demand that other countries respect a nation's absolute authority within its own borders, raises significant moral issues involving the limits of a government's right to remain unmolested if it mistreats its own people, as well as the ethical limits of a benevolent government's right to harm the people of other nations in order to preserve its own power. Internally, claims of sovereignty raise the moral questions of when and why one ought to obey the sovereign.

Sovereignty is a central concept in domestic and international law as well as in political theory, and its ethical implications are enormous.

To be sovereign in international law, a nation must be completely self-governing—recognizing no exterior legal authority to have the right to control its actions. The form of a national government is not an issue in determining sovereignty; a democracy, an absolute monarchy, a military junta, or a communist dictatorship may be sovereign if it submits to no higher, external legal authority.

In international affairs, one often contrasts *de jure* with *de facto* sovereignty, sovereignty in law versus sovereignty in fact. Some nations have been officially self-governing but have been, in fact, controlled by another. During the 1930's and 1940's, for example, Egypt was officially an independent nation but was, in fact, ruled by the British Empire in an arrangement that some historians have called an "informal empire."

Alternatively, some nations are nominally under foreign control but do, in fact, govern themselves. Such was clearly the case between the Balfour Declaration of 1926, wherein the British government promised not to interfere in the self-government of the dominions, and the Statute of Westminster (1931), which granted the dominions *de jure* independence.

During civil wars and wars of independence, questions of sovereignty are often blurred. The American colonies declared their independence from the British crown on July 4, 1776, but the Crown did not recognize that independence until the Treaty of Paris

(1783). When did sovereignty pass from the king in Parliament to the Continental Congress (or, more exactly, to the several states)?

Legally, such issues of sovereignty in international law are often solved by resort to competing interpretations by domestic law. American law views the date of the Declaration of Independence as the effective date of American sovereignty for all legal purposes, while in British law, the Treaty of Paris marks the end of British sovereignty in the thirteen American colonies.

In international law, land without a sovereignty over it is called *terra nullius* (or *territorium nullius*)—empty land—even though it may have a substantial human population. *Terra nullius* is open for annexation by existing sovereignties under international law on the theory that land without a sovereign is dangerously susceptible of producing lawlessness, such as piracy or terrorism, or armed conflicts between existing nations. Given the new dispensation in international affairs under the United Nations Charter, it is likely that an area of *terra nullius* that contained a large population but had not developed (or had lost) a governmental structure capable of asserting an “international legal personality” would be put in a trusteeship relationship with an established nation until such time as it might be capable of asserting sovereignty. By this means, the aura of direct colonialism might be averted.

#### SOVEREIGNTY AND POLITICAL PHILOSOPHY

The concept of sovereignty has application in political philosophy as well as in international law. Sovereignty is not only a claim of a right to rule made vis-à-vis other sovereignties but also one made domestically in regard to those subject to a governmental authority.

Political philosophers as divergent as Thomas Hobbes and Jean-Jacques Rousseau have recognized the essential truth that sovereignty is illimitable and indivisible. By the late twentieth century, these observations had fallen into general disuse, perhaps in the aftermath of the rise of the American Republic. In the British system, whatever Parliament passed and the king signed was law, without question and without limitation. Political theorists spoke of the legal omnipotence of the king-in-Parliament.

With the development of the U.S. Constitution, with its division of powers and its system of checks

and balances between the executive, legislative, and judicial branches, it may, perhaps, have seemed that sovereignty could be divided and limited. Writing in the *Federalist Papers*, Alexander Hamilton, James Madison, and John Jay propounded the new sovereignty, which was tamed not only by the relationships of the branches of the national government but also by a federalism that preserved a sphere for the power of states and a system of enumerated rights that protected the citizen from governmental abuse.

In fact, in the U.S. Constitution, as in all political systems, sovereignty remains undivided and without limitation. Within the constitutional order, an ordinary sovereignty operates with divisions and limitations of power, but an extraordinary sovereignty resides also. The process of constitutional amendment could create a monarchy, establish an official church, authorize torture, eliminate elections, abolish the Supreme Court, and so forth. Seeming limitations, such as the prohibition upon depriving a state of its equal suffrage in the Senate, prove to be only procedural variants, because an amendment reducing the senatorial representation of a particular state would need ratification by that state, and an amendment to abolish the Senate would require unanimous ratification by the states.

In all approaches to sovereignty, there are underlying implications of a moral right to rule, in addition to a legal right and a practical power to rule. Even with legal positivism, in which moral questions are not directly injected into the pure theory of law—in which law is seen as merely “the command of the sovereign”—morality reenters through the questions of why, when, and whether the subject ought to obey the sovereign.

Also concerned in the ethical issues surrounding sovereignty has been its origin: Is sovereignty natural, or is it the construct of a social contract arising out of a state of nature? Anarchists, furthermore, including theoretical anarchists, such as Robert Paul Wolff, have viewed sovereignty as a morally dangerous illusion.

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SEE ALSO: Anarchy; Constitution, U.S.; Hobbes, Thomas; International law; Intervention; *Leviathan*; National security and sovereignty; Nationalism; Social contract theory; *Two Treatises of Government*.

## Soviet psychiatry

**DEFINITION:** Use of psychiatric techniques and facilities in the Soviet Union as tools of political oppression

**DATE:** Approximately 1862 to the 1990's

**TYPE OF ETHICS:** Psychological ethics

**SIGNIFICANCE:** The confinement of religious and political dissidents by Soviet psychiatrists was been a vivid reminder of the ways in which a profession can function unethically as an agent of social control.

The persecution of both political and religious dissidents by mental health authorities in the former Soviet Union was long a source of great concern to organizations that monitor human rights violations. Extensive evidence exists that hundreds if not thousands of mentally healthy dissidents were involuntarily committed to Soviet psychiatric hospitals. These individuals were committed in order to remove them from society and thus suppress their dissenting ideas and opinions.

### HISTORY

Although psychiatric facilities in the Soviet Union practiced this type of abusive social control for many years, Soviet psychiatry was not always an eth-

ically compromised profession. The field of psychiatry was founded in the Soviet Union by Ivan Belinski, a Russian physician, who formed the first Russian psychiatric society in 1862. Belinski promoted psychiatric training and worked to establish outpatient treatment for the mentally ill. Under his leadership, the profession of psychiatry grew rapidly. In 1887, the first Congress of Russian Psychiatrists met in Moscow and endorsed the humane, scientifically informed treatment of mental patients as well as the notion that, if possible, psychiatric patients should be cared for in their home environments. Such ideas put Russian psychiatrists on an equal plane with their fellow practitioners in the rest of the world.

Positive developments continued to take place in the field of Soviet psychiatry after the Communist Revolution of 1917. At the time of the revolution, a People's Commissariat of Health was formed, with a special division devoted to psychiatry. Under the commissariat's leadership, many types of services were offered free of charge to the mentally ill, such as crisis intervention, sheltered workshops, and home care programs. Many Soviet psychiatrists also began to develop an interest in the young field of psychoanalysis, and the major works of Sigmund Freud were widely distributed.

### THE ADVENT OF ABUSE

Problems began to develop during the late 1920's, as Joseph Stalin consolidated his hold on the government of the Soviet Union. Stalin had little concern for the rights of the mentally ill, and he viewed involuntary psychiatric commitments as an effective way to control his ideological opponents. Although psychiatric hospitals continued to treat individuals who suffered from genuine forms of mental illness, they also became a place of involuntary confinement for individuals who openly disagreed with the political or religious doctrine of the government. Labor organizers and artists who advocated creative freedom were favorite targets of the psychiatric establishment. Placing such dissidents in psychiatric facilities served both to remove them from society and to discredit their ideas by allowing the government to label them as insane.

A special diagnostic category, known as "sluggish schizophrenia," was developed. Anatoly Snezhnevsky, a notorious Russian psychiatrist who rose to a position of high authority under the Stalinist regime, defined sluggish schizophrenia as delusions of

reforming the country's social system in the mind of an otherwise normal individual. This type of false diagnosis enabled psychiatrists such as Snezhnevsky to label mentally stable individuals as insane and have them involuntarily committed to psychiatric facilities. Even if such an individual was eventually fortunate enough to be discharged, his or her name was maintained on a national list of mental patients. This registry was distributed to prospective employers and schools, ensuring that the individual would suffer from lifelong discrimination. Doctors who refused to follow the unethical practices of this system were routinely disciplined or even imprisoned. Over time, Soviet psychiatrists became virtual servants of the state, with no professional autonomy and little room for ethical judgment.

### THE USE OF TORTURE

Psychiatric treatment in the Soviet Union eventually became so abusive that some dissidents were actually tortured during their hospitalization. A convincing account of such treatment has been provided by Anatoly Koryagin, a Soviet psychiatrist who was himself hospitalized involuntarily because he refused to carry out government policy. Throughout his fifteen-month hospitalization, Koryagin was kept on a virtual starvation diet, so that he was severely emaciated and in a constant state of hunger. He was forced to take various psychiatric medications and also reports having had a probe smeared with acid placed in his stomach in order to induce excruciating pain. This type of torture was apparently designed to force Koryagin and other dissidents to renounce their ideological beliefs. Because of such extreme violations of human rights, the World Psychiatric Association (WPA) condemned Soviet psychiatry in 1977. Six years later, the All-Union Society of Soviet Psychiatrists resigned from the WPA rather than face certain expulsion.

Such international condemnation, however, did little to change the field of psychiatry in the Soviet Union. Peter Reddaway, a political scientist who has written extensively about Soviet psychiatric abuse, has noted that only *glasnost* and the reorganization of Soviet society has brought about genuine reform. In what was once the Soviet Union, the reorganized profession of psychiatry appears to be returning to its humanitarian roots.

Steven C. Abell

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SEE ALSO: Farrakhan, Louis; Human rights; Institutionalization of patients; Mental illness; Oppression; Psychology; Stalin, Joseph.

## Sperm banks

**DEFINITION:** Places in which human sperm cells are frozen and stored for later use in artificial insemination and in vitro fertilization techniques

**DATE:** First established during the late twentieth century

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Although most often used to ensure that couples will be able to reproduce in the future, sperm banks can also be used as sources of anonymous genetic material for infertile couples, lesbian couples, or women who want to become single mothers. This application raises ethical issues involving genetic manipulation, as well as the rights and responsibilities of the genetic father of a child produced with donated sperm.

The freezing of tissue, or cryopreservation, is a procedure that is used to delay the normal degenerative



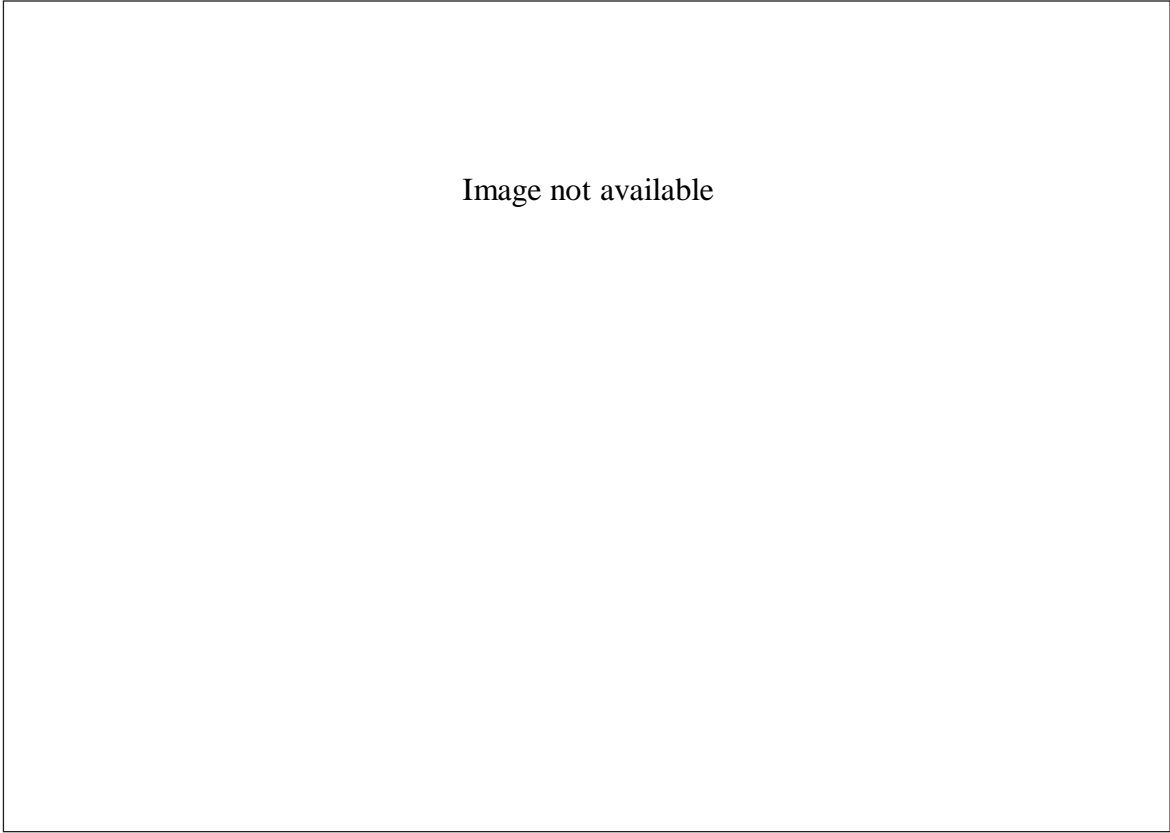


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*In 1983, the Sperm Bank of California became the first such facility in the United States to ask donors if they would be willing to be contacted by the offspring of their donated sperm after the latter reached legal adulthood. In early 2002, a young woman named Claire, seen here (at left) with her mother, made plans to become the first person to take advantage of the sperm bank's policy by contacting her anonymous father to learn about her genetic history. (AP/Wide World Photos)*

processes that occur when a tissue is removed from the body. Sperm banks acquire sperm from male donors and then deep freeze the sperm in liquid nitrogen, where they can be preserved for more than a decade. When needed, the sperm can be thawed out and used in processes such as artificial insemination and in vitro fertilization. Some sperm donors are husbands who cannot have children with their wives by ordinary means. Others are men who face sterilization through vasectomies or as the result of chemotherapy drugs for cancer. Still others are healthy men who donate their sperm for the money.

Those interested in obtaining donor sperm can often choose the sperm based on the physical characteristics, hobbies, and/or intellectual capacities of the

donor. This technology tends to tempt persons to manipulate the gene pool so as to create a superior class of persons, avoid individuals with undesirable traits, and attempt to create the "perfect child." One problem involves determining the true father of the child—the biological donor or the parent who raises the child but did not donate the sperm. Additionally, some people believe that the commercialism inherent in the business of sperm banking tends to lessen the value of procreation.

*Roman J. Miller*

SEE ALSO: Bioethics; Eugenics; In vitro fertilization; Parenting; Surrogate motherhood.

## Spinoza, Baruch

**IDENTIFICATION:** Dutch philosopher  
**BORN:** November 24, 1632, Amsterdam, United Provinces (now the Netherlands)  
**DIED:** February 21, 1677, The Hague, United Provinces (now the Netherlands)  
**TYPE OF ETHICS:** Renaissance and Restoration history  
**SIGNIFICANCE:** In such works as *A Theologico-Political Treatise* (*Tractatus theologico-politicus*, 1670) and *Ethics* (*Ethica*, 1677), Spinoza constructed a monistic philosophy of God and nature in which ethical behavior would follow naturally from understanding reality as a unified whole.

In the seventeenth century, academic Scholasticism, with its syllogistic reasoning and its Aristotelian epistemology, was withering away after a millennium of dominance. The empirical scientific methods of Nicholas Copernicus, Johann Kepler, and Galileo showed a new direction of philosophical understanding, and a rising interest in mathematics suggested new types of philosophical proof based on the methods of Euclidian geometry. Baruch Spinoza played a part in the movement that resulted, together with such notable thinkers as Francis Bacon, Thomas Hobbes, René Descartes, and Gottfried Leibniz.

### LIFE

Spinoza was born into a family of prosperous Jewish merchants in Amsterdam, an area with a tolerance for religious practice and dissent in advance of its time. His education was in the Hebraic tradition of his community, with studies of the Old Testament and the Talmud, as well as of Scholastic philosophy and theology. Preparing to become a rabbi, he continued his studies after finishing school, becoming acquainted with the Kabbala and the thinking of medieval Jewish philosophers. His own views, fueled by a determination to think everything through *ab initio*, diverged from orthodoxy to the point that he was expelled from the Jewish community (by civil, not religious, authority) in 1656. He renounced his Hebrew name, Baruch, and was thenceforward known as Benedict (de) Spinoza. He continued in Amsterdam for a time, studying Latin, Greek, physics, geometry, and the philosophy of Descartes, and associating with members of a number of free-thinking Christian

sects such as the Mennonites, the Collegiants, and the Remonstrants.

In 1660, Spinoza left Amsterdam to live successively in Rijnsburg, Voorburg, and finally The Hague (all on an axis of approximately thirty miles between Amsterdam and The Hague). In these places, he supported himself as an expert lens grinder and met for discussion with groups of philosophically minded friends. This activity led to his early writings, in which he set forth his views on God, humanity, and the universe, and produced an account of Descartes's philosophy. These were original and powerful enough that his reputation quickly spread beyond his immediate circle, and within a few years he was in correspondence with major philosophers in Europe and England, including Leibniz and the physicist Christiaan Huygens on the Continent, and in England Henry Oldenburg, secretary of the Royal Society of London, and the scientist Robert Boyle. *A Theologico-Political Treatise* was published anonymously in 1670 and was widely condemned for its religious skepticism. All of Spinoza's other works, including his major production, the *Ethics*, were published posthumously by his friends.

In 1672, the French general Condé (Prince Louis II of Bourbon) invited Spinoza to visit, possibly with a position in mind, but no position was forthcoming. In the following year, he was offered a position at Heidelberg University, but he declined it. Spinoza's last years were spent virtually as an invalid, and at the age of forty-four he died of consumption, probably aggravated by the silica dust from his lens-grinding activities.

### EARLY THOUGHT AND WORK

The *Short Treatise* of 1660 and the exposition of Descartes's philosophy were written when Spinoza's thinking was developing into the mature expression of the *Ethics*. The Descartes work, written for a group of students, was expressly not his own thinking. Nevertheless, he derived valuable ideas from it through reaction, notably his rejection of the dualism of mind and body (or spirit and matter) and his affirmation that the individual must form his own judgments in political and religious matters, free from the pressures of church and state alike. It was this conviction, as expressed in *A Theologico-Political Treatise*, that first aroused opposition that later became virulent. Spinoza's notion of freedom of thought and action is

absolute, a position that does not sit well with religious or political authority.

### ETHICS

The reason for this absolute freedom becomes evident in the *Ethics*. Laid out in Euclidian fashion with definitions and axioms, and propositions deduced from them, the *Ethics* first deals with God and nature, which are one. God/nature is its own cause, requiring no prior cause and encompassing all that is, including humankind. Properly understood, this eternally existing unity admits of no internal contradictions. It also admits of no free will and is absolutely impersonal about the fate of humankind. These last conclusions led to Spinoza's condemnation as a dangerous atheist, although his God informs his entire system of morality and ethics. In his deterministic universe, the ethical imperative is unending rational inquiry to learn the true nature of things. The free individual perceives what he or she must do and acts accordingly. Those with confused ideas about their universe are in some degree not free, and they act not through understanding but because they cannot help themselves.

### SIGNIFICANCE AND INFLUENCE

Morality and ethics are individual matters for Spinoza, and they lead to political and religious consensus only when enough people, made free by rational and empirical inquiry, act on the understanding they have gained. Spinoza's philosophical system is remarkably complete and self-contained, which has led to much misunderstanding by later thinkers who tried to extract and develop portions of it. This misunderstanding, together with the charge of atheism, produced an almost total lack of influence of Spinoza's work for more than a century. Only in the nineteenth century, in the time of rejection of monarchy and despotism, were his ideas taken up by the German and English romantics and idealists. No school of thought has grown from his writings, and his influence on philosophy has been more catalytic than structural.

*Robert M. Hawthorne, Jr.*

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SEE ALSO: Descartes, René; Ethics; Jewish ethics; Perry, R. B.; Truth.

## Stalin, Joseph

IDENTIFICATION: Soviet political leader

BORN: Joseph Vissarionovich Dzhugashvili;

December 21, 1879, Gori, Georgia, Russian Empire

DIED: March 5, 1953, Kuntsevo, U.S.S.R.

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Stalin was the leader of the Communist Party of the Soviet Union from 1928 to 1953, during which time he directed the transformation of the Soviet Union into a repressive totalitarian state and led the country in the Great Patriotic War against Nazi Germany.

Joseph Stalin was one of the most powerful leaders of the twentieth century. His rule would have a permanent impact upon not only the Soviet Union but also the entire international system. Stalin governed his political behavior according to the Marxist-Leninist tenet that the ends—the transformation of society along the lines anticipated by Karl Marx and Vlad-

imir Ilich Lenin toward socialism, under the undisputed leadership of the Communist Party of the Soviet Union (CPSU)—justified whatever means were deemed to be appropriate by the party leadership.

In addition, Stalin accelerated and eventually fully implemented many of the policies and trends initiated during the period of Lenin's active rule in the Soviet Union (1917-1922). These included the complete consolidation of CPSU totalitarian intrusion into all social, economic, cultural, political, and even personal aspects of life in the Soviet Union, as well as the acceleration and eventually the institutionalization of the centralizing, bureaucratic, authoritarian trends within the party itself. Finally, Stalin directed the industrialization of the Soviet Union, led the Soviet Union's tenacious defense during World War II, and significantly buttressed Soviet security in the war's aftermath. In doing so, however, Stalin applied a degree of mass coercion and terror rarely equaled in human history.

#### **STALIN AND TOTALITARIAN RULE**

Following the 1917 Revolution, Stalin rose rapidly to power largely as a result of his early institutional control over the CPSU Apparatus via his position as general secretary of the party's Central Committee, as well as his membership in the party's top decision-making organs. As a result of these institutional positions, particularly that of general secretary, Stalin was able to assign personal allies and protégés to strategic leadership positions not only within the CPSU organization itself but also throughout the Soviet state bureaucracy. Since that development was framed against the rapid expansion of CPSU and Soviet state totalitarian control over all aspects of Soviet public and even private life, by 1928, Stalin had successfully placed his lieutenants in virtually all key positions of power throughout the Soviet Union. Simultaneously, by the end of the 1920's, he had isolated and effectively eliminated or rendered politically powerless all of his political rivals from the early post-Revolutionary period.

Between 1928 and his death in 1953, Stalin was unquestionably the most powerful person within the Soviet leadership. As power increasingly concentrated at the highest level of the party hierarchy, Stalin continuously, but with extreme skill and perception, coalesced a sufficiently powerful, though ever-changing, body of allies and supporters to enable him

to remain the dominant Soviet leader, despite periodic challenges to his ruling position from within the party elite.

Conversely, within this dynamic but largely shrouded framework of coalitions and counter-coalitions that characterized Soviet politics at the political center, Stalin aggressively purged real or imagined policy dissidents and individuals who appeared to threaten his personal leadership from positions of power and authority. Although Stalin's practice of purging the ranks of the party can be traced to the precedent of Lenin's theory and practices regarding the enforcement of party discipline, the massive scope and degree of Stalin's use of terror, imprisonment, and physical liquidation within the CPSU were both qualitatively and quantitatively unprecedented in party annals prior to the 1930's.

Although the precise or even approximate number of party members and affiliated individuals purged during the Stalin period will never be known, it has been estimated that during the period of the 1930's alone, approximately one million party members perished. Furthermore, in addition to the physical decimation of the party's ranks caused by the purges of the Stalin era, the terror engendered within the party created a tone of fear, denunciation, and paralysis of individual initiative and willingness to assume personal responsibility that permanently influenced the character of the CPSU and the attitudes of its members.

Stalin's use of arbitrary arrest, imprisonment, torture, execution, and terror were not confined to the ranks of the party, but were extended on a much larger scale throughout the entirety of Soviet society. Indeed, as the tentacles of party control and the domain of its self-assigned responsibilities extended throughout the whole of the Soviet public and private sectors, and, further, as the Stalin-led Party leadership moved to reshape the entire character of the Soviet Union, those who individually or collectively offered actual or perceived resistance to the party's policies or who could be utilized by the party as scapegoats for the CPSU's failures to fulfill promises in return for societal sacrifices felt the harsh, cold, bureaucratic, deadly wrath of the authorities. Hence, tens of millions of Soviet citizens were killed or imprisoned, or simply disappeared during the two and a half decades of Stalin's rule. Between ten and fifteen million perished during the 1930's alone, not includ-

ing the victims of the famine associated with the collectivization of agriculture.

### TRANSFORMATION OF THE SOVIET UNION

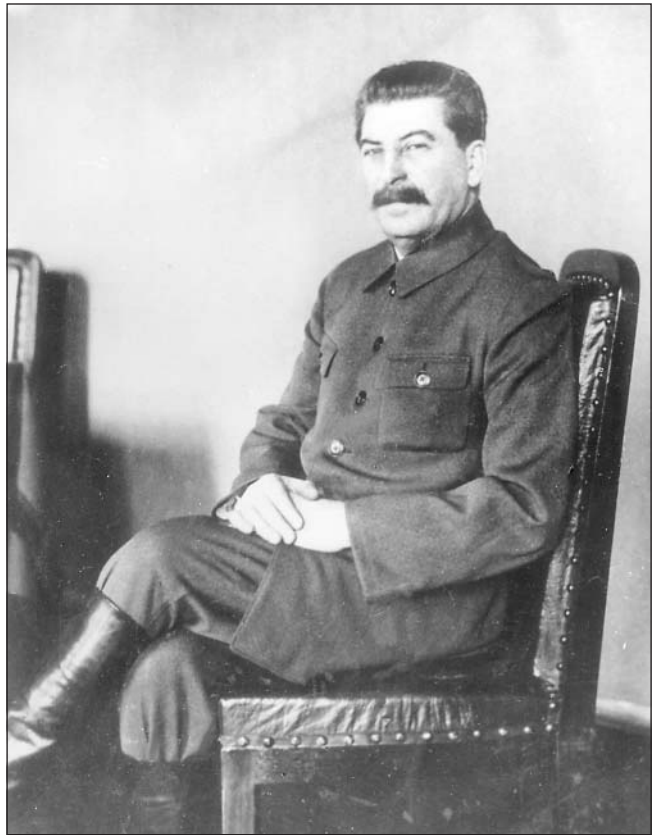
As the CPSU increasingly established totalitarian control over the entire Soviet Union, the tone, direction, and specific policies adopted in every sector of Soviet life were increasingly determined by Stalin and the party leadership. One of the aspects of Soviet life most transformed during the Stalin era was the Soviet economy. Stalin inaugurated and directed the collectivization of Soviet agriculture, which, though enormously costly in both human life and material resources, was designed to break permanently the politico-economic power of the Russian peasantry and to secure the agricultural resources necessary to sustain the accompanying industrialization effort.

The industrialization of the Soviet Union under the rubric of a series of centrally formulated and administered Five Year Plans, which were inaugurated during the late 1920's, rapidly expanded the Soviet Union's heavy industrial and defense output. As with the agrarian sector, the dramatic expansion of Soviet capital output was accomplished at a very high human, material, and environmental cost. Overall, the Stalinist economy left a legacy of over-centralization of economic direction; imbalances between sectors of the economy, with most resources dedicated to the priority heavy industrial and defense components of the economy at the expense of consumer industries and agriculture; and a resultant lack of material incentives for Soviet workers. Notwithstanding these human, material, and long-term systemic and environmental costs, however, in 1928 Stalin inherited an economy during the early stages of industrialization and transformed it into a major heavy industrial and defense production power by the time of his death in 1953.

In addition to directing the transformation of the Soviet economy and virtually every other aspect of Soviet domestic life, Stalin also orchestrated the successful defense of the Soviet Union during the 1941-1945 war against Nazi Germany—"The Great Patriotic War." Notwithstanding the initial

successes enjoyed by the Germans following their massive surprise attack upon the Soviet Union on June 22, 1941, a combination of German politico-strategic-operational errors, combined with the tenacious resistance of the Soviets themselves, enabled the Red Army to halt and drive the Germans back at the gates of Moscow in December, 1941, and on the banks of the Volga River, at Stalingrad, in late 1942 and early 1943.

Following the Soviet victory at the Battle of Kursk in July, 1943, the offensive capability of the German Army on the Eastern Front was permanently broken and the Soviet forces surged relentlessly westward. By mid-1944, when the Western allies successfully landed their armies on the beaches of Normandy, the Soviets had successfully liberated most of the pre-1939 Soviet territory. Finally, throughout the remainder of 1944 and into 1945, the Red Army fiercely fought across Poland and into the eastern portion of Germany, as well as up the Danube River Valley into



*Joseph Stalin.* (Library of Congress)



Austria and Czechoslovakia. The war, the largest land conflict in human history, left a tremendous wake of devastation throughout most of the western portion of the Soviet Union. Within the Soviet Union alone, between twenty-five and forty million Soviet citizens had died, tens of millions more were wounded in body or spirit, and massive urban, industrial, and agrarian destruction extended throughout the European half of the country.

### THE POSTWAR WORLD

By the conclusion of hostilities in Europe, the Red Army dominated eastern and much of central Europe. Capitalizing upon this unprecedented level of military power, combined with the inability of the United States and Great Britain to counter effectively Soviet postwar designs on the areas it dominated, Stalin not only successfully secured *de facto* Western acknowledgment of the Soviet annexation of Estonia, Latvia, and Lithuania, as well as portions of Finland, Poland, Czechoslovakia, and Romania, but also imposed Soviet satellite regimes in Poland, Czechoslovakia, Hungary, Albania, Rumania, and Bulgaria. These measures, combined with the establishment of a Soviet zone of occupation within prewar German territory, significantly enhanced Soviet security against the threat of future overland invasion from the West and extended Soviet influence over a large portion of Europe.

Similarly, in the Far East, in return for the Soviet Union's entry into the war against Japan in August, 1945, Stalin obtained direct Soviet control over the Kurile Islands and the southern half of Sakhalin Island. In addition, he oversaw the erection of satellite regimes in North Korea and, in 1949, over the entirety of mainland China. Finally, Stalin encouraged the prompt development and acquisition of atomic and thermonuclear weapons. In short, by the time of his death in 1953, Stalin had not only greatly enhanced the geo-strategic security of the Soviet Union but also had expanded Soviet influence to engulf a significant portion of the Eurasian landmass. Indeed, the entire character of the post-World War II international system was shaped, in large measure, by the policies of Stalin.

On March 5, 1953, Stalin died in circumstances that remain shrouded in mystery. True to the ethics of Marxism-Leninism, Stalin used any and all means necessary to reshape the Soviet Union in accord with

his plan for the advancement of the historical process toward his vision of socialism. Ultimately, however, after two and a half decades of Stalinist rule, the means had clearly consumed the ends, thereby permanently marring the achievements of the Stalin era.

*Howard M. Hensel*

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SEE ALSO: Cold War; Communism; Dictatorship; Fascism; Lenin, Vladimir Ilich; Orwell, George; Potsdam Conference; Solzhenitsyn, Aleksandr; Trustworthiness.

## Stanton, Elizabeth Cady

IDENTIFICATION: Pioneering American suffragist leader

BORN: November 12, 1815, Johnstown, New York

DIED: October 26, 1902, New York, New York

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: Stanton advocated woman's suffrage as necessary to achieve full moral and social equality between men and women.

Elizabeth Cady Stanton was one of the first Americans to call vociferously for full equality between women and men. After marrying abolitionist Henry

Stanton in 1840, she traveled with him to the World Antislavery Convention. As a woman, she was denied a voice or voting privileges at the convention, an experience that convinced her that women's rights must be promoted. She helped organize the first Woman's Rights Convention in Seneca Falls, New York, in 1848. She also contributed to the convention's principal document, the Declaration of Sentiments, which decried the oppression that made women irresponsible moral beings by denying them freedom to choose and act. More progressive than some of her contemporary suffragists, Stanton believed women and men were moral and social equals and called for woman's suffrage to achieve full equality.

As Stanton grew increasingly convinced of religion's role in oppressing women, she led a committee of women that prepared *The Woman's Bible*, a two-volume commentary on biblical passages dealing with women. The first volume, published in 1895, was criticized soundly by clergy and many other suffragist leaders. Despite opposition from the National-American Woman Suffrage Association, for which Stanton had previously served as president, Stanton and the committee published the second volume in 1898.

Following her death, Stanton was remembered as a great leader of the suffrage movement, a pioneer in feminist theology, and a woman committed to the ethical principle of the fundamental equality of women and men in all aspects of their moral lives and social relationships.

*L. Dean Allen*

SEE ALSO: Equal Rights Amendment; Feminist ethics; Gender bias; League of Women Voters; Sexual stereotypes; Suffrage; Women's ethics; Women's liberation movement.

## State of nature

**DEFINITION:** Theoretical formulation of the conditions of existence of individual persons prior to the advent of any social order

**DATE:** Concepted developed during the seventeenth and eighteenth centuries

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The concept of a pre-social state of nature was used by political philosophers to provide a foundation for social contract theory. It was meant to illustrate the motives behind and the alternative to the social contract.

The state of nature describes those conditions in which individuals find themselves prior to the existence of any society or government. To envision the state of nature, try to imagine what conditions would be like if there were no law, no society, and no government. The resulting image captures what is meant by the state of nature.

Thomas Hobbes, John Locke, and Jean-Jacques Rousseau make extensive use of the concept in their political writings to explain the origin of society and government. The resulting theory is known as the social contract theory. One goal of the social contract theory is to explain how and why individuals moved from the state of nature to form society and government. Their explanations, though they have the common thread of the social contract, vary as a result of their differing conceptions of the state of nature.

### THOMAS HOBBS

In *Leviathan* (1651), Thomas Hobbes spells out his account of the state of nature. Since there is no society, there is no right or wrong. There are no constraints, whatsoever, except for physical limitations, on human actions. Human beings, then, are completely free. In addition, human beings are essentially equal. There is an equality of need. All humans need more or less the same things; for example, food, clothing, and shelter. There is, however, a scarcity of the things that are needed. Resources are limited. All human beings have an equality of power. Although one individual may be physically stronger than another, no one person is so strong that he or she cannot be conquered, through cunning, intelligence, conspiracy, or other means, by another. Finally, there is limited altruism. In this state of nature, people will think and act for themselves first and rarely act for others.

According to this view, the state of nature is bleak and intolerable. Nothing productive could be done for fear that what one produced would be taken. Commerce and trading could not take place because there would be no guarantees that people would be fair in their dealings with one another. In short, peo-

ple would live in constant fear. Hobbes labels these conditions a state of war, and life in such a state would be unbearable.

It is no wonder, then, that individuals want out of the state of nature. Hobbes shows that the way to escape the state of nature is for individuals to cooperate with one another. The way to ensure cooperation is to have a strong government that will guarantee that individuals will coexist peaceably in society.

### JOHN LOCKE

In his *Second Treatise on Civil Government* (1690), John Locke also makes use of the state of nature to explain the origin of society and government, but his account is far different from that of Hobbes. In fact, one could make the case that the *Second Treatise on Civil Government* was written in response to and as a criticism of Hobbes's account. Locke disputes Hobbes's claim that the state of nature is identified with the state of war. Locke believes the state of nature to be peaceful, because he thinks that human beings by nature are rational and that there is a natural moral law that reason can discover. In Hobbes's account, there are absolutely no laws that bind individuals in the state of nature, while Locke contends that there are natural laws that individuals as rational agents will discover and follow. Such laws hold that one should not infringe on another's life, liberty, or property. The state of war comes about only when individuals fail to heed the dictates of the natural moral laws.

There is, then, for Locke, less of a motivation to escape the state of nature and form society. For Hobbes, conditions were quite intolerable. Locke can imagine, however, that conditions would be quite comfortable if everyone followed the natural laws. Unfortunately, what individuals ought to do and what they actually do are two different things. The individuals in Locke's state of nature get together to form society to ensure that those individuals who do not obey the natural law because it is a rational thing to do so will obey it because they will be punished if they do not.

### JEAN-JACQUES ROUSSEAU

In *A Discourse upon the Origin and Foundation of the Inequality Among Men* (1758), Jean-Jacques Rousseau spells out his version of the state of nature. It has elements in common with the thought of both

Hobbes and Locke but also is different in significant ways. Like Hobbes, Rousseau claims that individuals in the state of nature are motivated by self-interest and are not bound by laws of any kind. Unlike Hobbes, however, Rousseau does not believe that this will lead to intolerable conditions. Rousseau believes that humans are naturally good and will feel compassion for, not animosity toward, their fellow humans. This compassion is a by-product of an individual's self-interest. Unlike Hobbes, Rousseau acknowledges that natural inequalities of physical strength and talent exist, but he does not think that this will lead to problems because of the existence of compassion. Hence, the state of nature is not tantamount to the state of war but is an idyllic state that is to be sought and envied.

Like Locke, Rousseau believes that individuals possess a special quality that makes them noble and their situation tolerable. For Locke, that quality is rationality. For him, the individual is a noble thinker. For Rousseau, that quality is the sense of freedom. For him, the individual is a noble savage. Rousseau thinks that individuals in the state of nature live off the land, coming and going as they please, enjoying their freedom and self-indulgence while having natural compassion for all other individuals.

Why, then, would individuals give up this life and choose to live in society? For Hobbes and Locke, the formation of society was a positive step. For Rousseau, it entailed mixed blessings at best. Individuals in the state of nature noticed that their freedoms were secured and sometimes enhanced by engaging in social behavior. They entered naively into the social contract to form society without seeing the dangers to freedom that would result. In particular, they failed to recognize that the political, economic, and moral inequalities that forming a society generate would ultimately curtail rather than expand their freedom. Rousseau thought that the state of war that both Hobbes and Locke claimed arose in the state of nature could exist only after the formation of society.

*John H. Serembus*

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SEE ALSO: Hobbes, Thomas; Hume, David; *Leviathan*; Locke, John; Rousseau, Jean-Jacques; Social contract theory; *Two Treatises of Government*.

## Stem cell research

**DEFINITION:** Scientific studies of undifferentiated cells derived from fertilized human embryos less than one week old that have the ability to develop into virtually any other human cell

**DATE:** First discoveries announced in November, 1998

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Stem cells are uniquely valuable to medical research because they can be directed to become specific types of cells or tissues useful to treat such diseases as juvenile diabetes and heart disease. They can also yield new methods for screening and testing new drugs and provide insights into the earliest stages of human development. However, they are at the center of a major ethical debate over definitions of the beginning of human life.

In 1998, biologist John Gearhart of John Hopkins University and researcher James Thomson of the University of Wisconsin announced that they had isolated embryonic stem cells and induced them to

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Actor Michael J. Fox with former first lady Nancy Reagan at the Juvenile Diabetes Research Foundation dinner at which Reagan spoke out in support of stem cell research. (AP/Wide World Photos)

## Nancy Reagan's Endorsement of Stem Cell Research

During a May, 2004, fund-raising event for juvenile diabetes research in Beverly Hills, California, former first lady Nancy Reagan spoke out publicly for the first time in favor of human embryonic research. Alluding to her Alzheimer-stricken husband, former president Ronald Reagan (who died the following month), she said, "Ronnie's long journey has finally taken him to a distant place where I can no longer reach him. Because of this I'm determined to do whatever I can to save other families from this pain. I just don't see how we can turn our backs on this."

At the same event, actors Harrison Ford and Calista Flockhart read letters from former presidents Gerald Ford, Jimmy Carter, and Bill Clinton that endorsed her support of embryonic stem cell research.

begin copying themselves without turning into anything else. They had apparently discovered how to manufacture cells that could become human tissue.

Both Gearhart and Thomson called on the U.S. Congress to enact clear legal guidelines for future stem cell research. Instead, Congress placed a moratorium on federal funding for experimentation on most fetal tissue. However, no law governed what scientists could do using private funding. A situation then arose in which most stem cell research was in the hands of corporate-backed researchers. This proved to be a mixed blessing. While the situation permitted stem cell research to continue, albeit more slowly, the research was being done by privately funded scientists and was therefore not subjected to the multiple levels of peer review and disclosure normally required of publicly funded researchers. Producing even greater anxiety was the fact that stem cell research can make human cloning possible.

Because stem cell research uses cells from human embryos, controversy developed over the ethical question of when human life begins. Roman Catholic, evangelical, and Islamic religious theorists say that life begins at the moment sperm meets egg. By this view, a single cell can have sacred rights. Scientists counter, however, that technically that process is not what happens. DNA (deoxyribonucleic acid) sets from egg and sperm do not in fact immediately merge, as the egg divides once before the onset of genetic recombination.

Obstetricians sometimes mark the time when life begins at about two weeks after conception—when the fertilized egg implants itself in the mother's womb. *Roe v. Wade*, the 1973 Supreme Court decision permitting women to choose to terminate their pregnancies through abortion, held that viability (the moment when the fetus is capable of existing outside the mother) was significant. Other authorities argue that life begins at the moment when fetal brain activity commences, around the twenty-fifth

## George W. Bush on Stem Cell Research

Extracts from his August 9, 2001, speech in Crawford, Texas:

Research on embryonic stem cells raises profound ethical questions, because extracting the stem cell destroys the embryo, and thus destroys its potential for life. Like a snowflake, each of these embryos is unique, with the unique genetic potential of an individual human being.

As I thought through this issue I kept returning to two fundamental questions. First, are these frozen embryos human life and therefore something precious to be protected? And second, if they're going to be destroyed anyway, shouldn't they be used for a greater good, for research that has the potential to save and improve other lives?

I've asked those questions and others of scientists, scholars, bio-ethicists, religious leaders, doctors, researchers, members of Congress, my Cabinet and my friends. I have read heartfelt letters from many Americans. I have given this issue a great deal of thought, prayer, and considerable reflection, and I have found widespread disagreement.

On the first issue, are these embryos human life? Well, one researcher told me he believes this five-day-old cluster of cells is not an embryo, not yet an individual but a pre-embryo. He argued that it has the potential for life, but it is not a life because it cannot develop on its own.

An ethicist dismissed that as a callous attempt at rationalization. "Make no mistake," he told me, "that cluster of cells is the same way you and I, and all the rest of us, started our lives. One goes with a heavy heart if we use these," he said, "because we are dealing with the seeds of the next generation."

And to the other crucial question—If these are going to be destroyed anyway, why not use them for good purpose?—I also found different answers. Many of these embryos are by-products of a process that helps create life and we should allow couples to donate them to science so they can be used for good purpose instead of wasting their potential. . . .

As the discoveries of modern science create tremendous hope, they also lay vast ethical mine fields. My position on these issues is shaped by deeply held beliefs. I'm a strong supporter of science and technology, and believe they have the potential for incredible good—to improve lives, to save life, to conquer disease. . . .

I have concluded that we should allow federal funds to be used for research on these existing stem cell lines, where the life-and-death decision has already been made. . . .



week of gestation, indicating that the fetus has become human.

### THE CLINTON ADMINISTRATION

In September, 1999, the National Bioethics Advisory Commission appointed by President Bill Clinton released its final report recommending federal funding for research on the derivation and use of human embryonic stem cells. The commission recommended that voluntary consent to the research should be sought only from individuals or couples who have already decided to discard their embryos instead of storing them or donating them to other couples. It further recommended that the sale of embryos remain illegal, and that professional standards should be developed to discourage fertility clinics from increasing the numbers of embryos remaining after infertility treatments that might subsequently become eligible for research.

Ethical and moral problems are associated with manufacturing embryos in the laboratory to be used in research. Most members of American society do not want to see embryos treated as products or as mere objects, fearing that such a development will diminish the importance of parenting, risk commercialization of procreation, and trivialize procreation. Society, it is argued, has granted embryos a special standing in American law and culture because of their potential to become human beings. Manufacturing embryos for stem cell research would violate that status.

During the early years of the twenty-first century, several clinical trials were utilizing mature stem cells taken from adult human beings. There were, however, severe limitations to this line of research because adult cells are already functionally specialized and their potential to regenerate damaged tissue is thus limited. Adults do not have stem cells in many vital organs, so when those tissues become damaged, scar tissue develops. Only embryonic stem cells, which have the capacity to transform into any kind of human tissue, have the potential to repair vital organs. Moreover, embryonic stem cells have the ability to reproduce indefinitely in laboratories, while adult stem cells are difficult to grow, and their potential to reproduce diminishes with age. In 2003, a

study indicated that deciduous (baby) teeth were a source of stem cells. Research is ongoing.

### BUSH ADMINISTRATION AND STEM CELL RESEARCH

In a speech delivered on August 9, 2001, President George W. Bush announced that he would allow research on only existing human embryonic stem cell lines, provided that the stem cells came from embryos that no longer had the possibility of developing into human beings. He specifically referred to organs and tissues “harvested” from executed Chinese prisoners and stated that he was limiting federal subsidies to the more than sixty genetically diverse stem cell lines that already existed. (At the time of Bush’s speech, the National Institutes of Health identified thirty diverse stem cell lines). Some commentators applauded Bush’s decision because it could be used to justify policies such as organ harvesting. Others denounced it because they felt it justified the taking of human life.

*Marcia J. Weiss*

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SEE ALSO: Bioethics; Biotechnology; Brain death; Cloning; Genetic engineering; Human Genome Project; Life, meaning of; Life and death; Medical research; “Playing god” in medical decision making; Pro-life movement.

## Sterilization of women

**DEFINITION:** Medical procedure—including hysterectomies and surgical and chemical blocking of the Fallopian tubes—that render women incapable of bearing children

**TYPE OF ETHICS:** Sex and gender issues; Bioethics

**SIGNIFICANCE:** Whether sterilization is involuntary or voluntary, the procedure raises ethical questions about respect for the autonomy of individuals in making decisions about their own bodies.

Involuntary sterilization may be performed against the express wishes—or even without the knowledge—of the women who are sterilized. Sterilization may be more subtle, though still involuntary, when social conditions prevent subjects from making autonomous decisions. Justifications for involuntary sterilization include the desire to protect society from the financial burdens imposed by so-called degenerate or inferior types of people, to achieve ideals of “racial purity,” or to curb population growth, often of poor or racial minorities. Additional justifications for subtle coercion include economic constraints and birth control. Sterilization may also be a voluntary choice, and both involuntary and voluntary sterilization raise the issue of informed consent.

The earliest American laws permitting involuntary sterilization were inspired by the nineteenth century eugenics movement, a combination of scientific and social beliefs that aimed to improve society. The main assumptions of the eugenics movement were that all human defects, including feeble-mindedness, insanity, criminality, drug and alcohol addiction, and even epilepsy were determined by genetics and that people so afflicted constituted a threat to society and the very viability of humanity. The threat was often conceived in terms of cost, though arguments that sterilization improved the victim’s own life also appeared as if to soften the criticism that those sterilized were injured. As institutionalization proved too costly and limited, eugenicists turned to sterilization to achieve their goals.

### EUGENIC STERILIZATION IN THE UNITED STATES

The earliest eugenic measures targeted men because medical technology at the turn of the twentieth century could not sterilize women safely and inexpensively. Twelve state laws passed between 1907

and 1917 authorized sterilization, generally by vasectomies, for institutionalized men—criminal, rapists, and those regarded as imbeciles and idiots. However, seven of those state laws were challenged and found to be unconstitutional. For example, the New Jersey supreme court found that the sterilization approved in 1912 for Alice Smith, an epileptic and resident of a state facility, to violate the constitutional principle of equal protection. Meanwhile, by contrast, California’s sterilization laws remained unchallenged from 1909 through 1921, during which time more than 2,500 people were sterilized—a figure constituting nearly 80 percent of the total for the entire United States.

During the 1920’s, renewed efforts for sterilization laws succeeded in thirty states. A leading eugenicist, Harry Hamilton Laughlin found a way to avoid the unconstitutional aspects of the earlier laws that were imposed mainly on institutionalized people. He formulated a plan for appointing a state eugenicist who would examine the entire population to identify citizens who were unsuitable for reproduction. Hearings and jury trials would be held to recommend sterilizations, followed by the possibility of legal appeals. In a famous 1924 appeal case of Carrie Buck, the seventeen-year-old mother of a child conceived after she was raped, the U.S. Supreme Court upheld the law.

Most sterilizations in the United States were performed during the 1930’s. After a slowing down during World War II, sterilizations increased moderately. By the 1940’s, it also became apparent the hereditarian assumptions concerning the sources of mental weakness were false. However, in the 1950’s, involuntary sterilization took a racist turn, with the “Mississippi appendectomy”—sterilization of many southern African American women and girls without their knowledge. Only during the 1970’s did coercive sterilization become a central concern of the movement for reproductive rights after abuses of Native American, Mexican, African American, and Puerto Rican women became publicly known. Activists pushed for the enactment of rigorous measures requiring informed consent.

### STERILIZATION IN OTHER NATIONS

The successes of eugenics advocates in the United States inspired other nations, including Canada, Denmark, Germany, Sweden, Norway, Finland,

Mexico, Japan, and France to pass involuntary sterilization laws during the 1920's and 1930's. Only in Great Britain were such laws soundly rejected. In 1933, the German government enacted a comprehensive sterilization law. By some estimates, Germany sterilized 3.5 million people between then and 1945.

In many nations outside Western Europe and North America, sterilization was illegal until the late twentieth century. In developing countries, such as Peru, sterilization became legal and was used by governments as a means of coerced population control of the poor and minorities, especially indigenous peoples. China's official population control policies involve the employment of coercive means, including forced abortions and sterilization.

#### SUBTLE ABUSES AND INFORMED CONSENT

Many pressures on women to choose sterilization have existed. Where access to abortion or birth control is limited, women may have only the option of sterilization for family planning. Sometimes subtle forms of coercion are economic. For example, in 1978, the American Cyanamid Company in the economically depressed area of Willow Island, West Virginia, required women employees working in its lead-pigment department to be surgically sterilized; five women underwent the procedure. The ostensible purpose of the company's policy was to prevent fetuses from exposure to lead poisoning.

Other subtle reasons for sterilization include inadequate medical care. Undesired sterility can be caused by sexually transmitted diseases and by pelvic inflammatory disease caused by the use of intrauterine devices. The burden of these problems falls most heavily on the less advantaged.

Medical ethicists and legal scholars have argued that sterilization, whether surgical or chemical, may be performed only if the person has given informed consent, a criterion extended to repeat sex offenders. The standards of informed consent include two major principles. First, patients must make medical decisions voluntarily, as free from coercion as possible. The American College of Obstetrics and Gynecology advises physicians to refrain from making recommendations to patients that reflect their own values, social goals, or racial, ethnic or socioeconomic factors.

Informed consent also requires that patients must be fully advised concerning the risks and benefits of sterilization procedures. They must understand that

sterilization is irreversible. While informed consent may rest on a utilitarian principle that patients benefit from participation in decision-making processes, it is more often justified by appeals to respect for individuals' autonomy. Special difficulties arise with certain persons, such as those with chronic mental illnesses or mental disabilities—both of which are variable conditions. The permissibility of sterilization or its denial may be determined through extensive interviews with trained psychologists, according to definitions of legal competence, possibly in conjunction with court decisions.

*Kristen L. Zacharias*

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SEE ALSO: Birth control; Eugenics; Genocide and democide; Institutionalization of patients; Nazi science; Sperm banks.

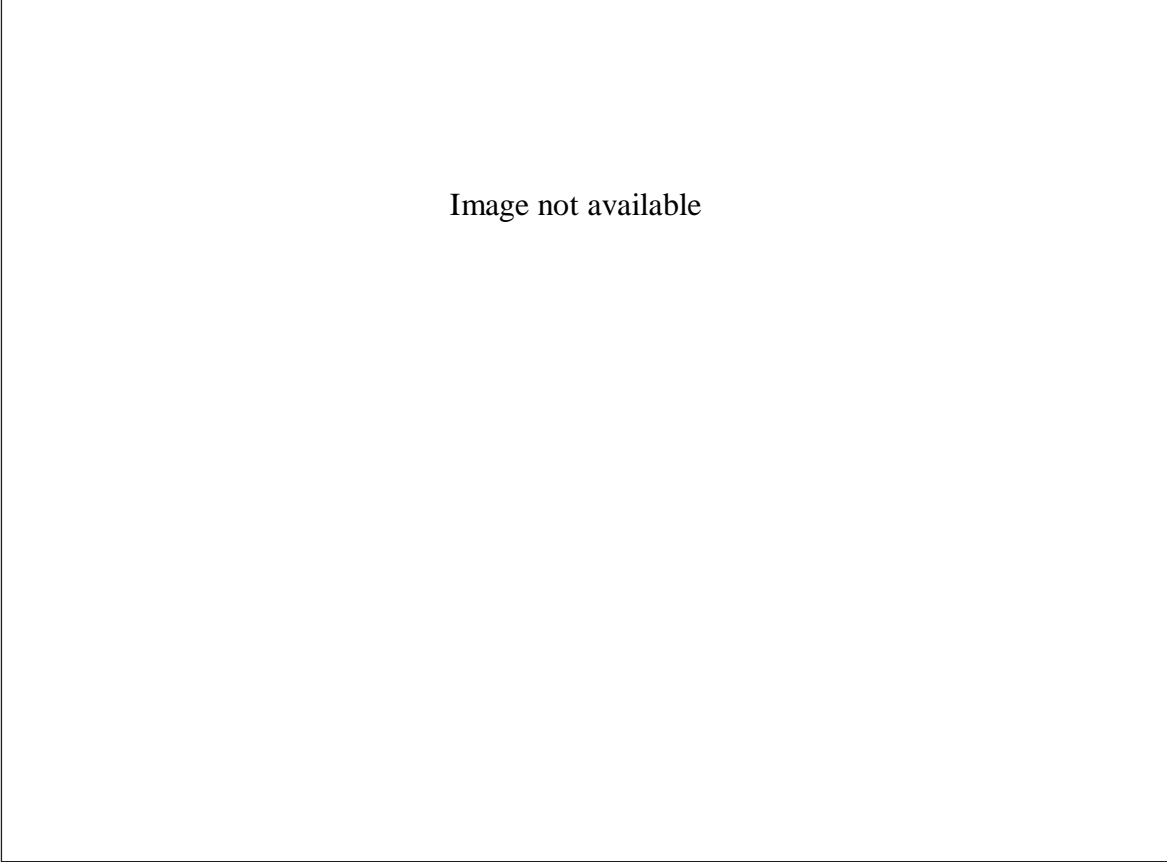
## Stewart, Martha

IDENTIFICATION: Entrepreneur and television personality

BORN: August 3, 1941, Jersey City, New Jersey

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: Stewart parlayed her homemaking and fashion skills into a multimillion dollar business empire and became a national icon of style and domesticity, but her ethical reputation took a severe blow when she was charged with insider trading and other offenses and was convicted on all counts in 2004.

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*Martha Stewart, immediately after learning that she has been convicted on all charges in March, 2004. (AP/Wide World Photos)*

Beginning with a modest catering service in 1976, Martha Stewart gradually built a homemaking and style empire of books, articles, syndicated television shows, magazines, and a line of products sold through her own mail-order business and at Kmart department stores all over the United States. Her total worth after she consolidated her enterprises as Martha Stewart Living Omnimedia and went public in 1999 put her for two years running on *Forbes Magazine's* list of the four hundred wealthiest citizens of the United States.

In December, 2001, the day before the stock of the ImClone company fell sharply because the Federal Drug Administration had refused to approve ImClone's anticancer drug, Erbitux, Stewart sold her ImClone shares. Her timely move gave the appearance of having been improperly influenced by inside information. Federal investigators were led to Stewart because of the arrest of Samuel Waksal, the chief

executive officer of ImClone and a personal friend of Stewart's, on insider trading charges in the summer of 2002. Now suspected of insider trading herself, Stewart told investigators that she had ordered her broker to sell her ImClone stock if the price per share went down to sixty dollars. The broker corroborated her statement, but his assistant, who had handled the sale, later said that he knew of no "stop-loss" order in this case. Stewart protested her innocence of any wrongdoing.

On June 4, 2003, Stewart was indicted, not for insider trading, but for conspiracy, making false statements, obstruction of justice, and securities fraud. The last charge was based on the allegation that she defrauded investors in Martha Stewart Living Omnimedia by making false statements about her company's worth. Stewart again maintained her innocence of all charges but immediately resigned

from the directorship of Omnimedia, though she remained on its board as “creative director.”

Stewart’s indictment occasioned much speculation about the reason for federal interest in a case involving a stock transaction worth less than forty-six thousand dollars—a tiny fraction of Stewart’s total assets—when nothing was being done about more serious cases, such as the multimillion dollar misdeeds of Kenneth Lay, the former chief executive officer of Enron. Many claimed that Stewart was singled out for attention not because she had committed a major transgression, but because she was a self-made and eminently successful businesswoman and a celebrity or because prosecutors believed that they would win an easy conviction.

Other speculation centered around the reasons why the original basis of the investigation of Stewart for insider trading was abandoned for the lesser, and perhaps farfetched, charge of misleading her investors. That charge was based on Stewart’s public claim in June, 2002, that she had done no wrong. It was also suggested that charges of insider trading are notoriously difficult to prove and more easily left to the jurisdiction of the Securities and Exchange Commission.

Before the scandal over ImClone broke, Stewart had been regarded as a paragon of competence, style and good taste. However, the apparent inconsistencies in the three accounts of the sale of her ImClone stock tarnished her reputation for honesty and forthright dealing, and her financial worth began to decline. CBS-TV cancelled her regular appearances on its weekday *Early Show* and relegated her popular daily homemaking show, *Martha Stewart Living*, to a 2 A.M. time slot.

Although Stewart retained the enthusiastic support of tens of thousands of her admirers and experienced no immediate decline in her line of products sold at Kmart stores, the popularity of her formerly best-selling magazine, *Living*, fell precipitously. Most damaging, however, was the nearly 50 percent fall between June of 2002 and June of 2003 in the value of Omnimedia stock, of which Stewart herself was the major shareholder. This was especially damaging because Stewart’s image and that of her company were virtually identical. Recovery of a lost reputation under such a circumstance is extremely difficult, if not impossible.

On March 5, 2004, Stewart and her stockbroker were convicted on all charges of obstructing justice

and lying to the government about her stock sale. In July, she was fined thirty thousand dollars and sentenced to five months in a federal prison. She began serving her term in a West Virginia minimum-security facility on October 8, 2004.

*Margaret Duggan*

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SEE ALSO: Corporate scandal; Insider trading.

## Stoic ethics

DEFINITION: School of ancient Greek philosophy that defined happiness as the result of making wise moral choices

DATE: Fourth century B.C.E. to third century C.E.

TYPE OF ETHICS: Classical history

SIGNIFICANCE: Stoic ethics are typical of and influential upon traditional Western philosophy, in that they begin from the premise that emotion is deceptive or untrustworthy and that reason is the only legitimate basis for moral choice. While this premise was generally accepted for many years, the critique of reason and “logocentrism” launched by feminism and poststructuralism in the second half of the twentieth century left it open to debate.

Stoicism was one of the most significant philosophical movements of the Hellenistic Age. The founder of Stoicism was the fourth century B.C.E. Greek philosopher Zeno, who lived and taught in Athens. He taught his disciples in the *stoa poikili*, the painted colonnade of the market place, from which the name of this movement was derived. Stoicism, like most philosophies in the ancient world, was concerned not only with abstract concepts but also with how an individual behaved in society. Therefore, the teachings and writings of Zeno and his later followers had a major ethical component.

The basic goal that undergirds Stoic ethics is humanity’s search for happiness. Happiness is not defined in the sense of emotional well-being, but is a description of living with what is good and moral. In



the Stoic system, this goal of happiness is ultimately achieved by making wise choices that are based upon nature. For the Stoics, the ultimate virtue was to live harmoniously with nature, which would result in a lifestyle that would guarantee happiness.

### **BASIC BELIEFS**

The Stoics believed that a person was constantly engaged by his or her passions. These passions were generated by outside images that would entice a person's internal impulses to choose that which was undesirable. The goal for the wise person in Stoicism was to allow the *logos* (the reason or intellect within a person) to rule. When the *logos* ruled, then one could choose what was best and be free of the passions. This freedom does not mean that one is unfeeling or is unpassionate, but that a person does not let these areas interfere with making the right and logical judgments in the ethical realms of life.

This decision-making process can be taught to a certain extent. There are those things in the world that can be classified as good, evil, and indifferent. The indifferent would be those areas such as death, life, fame, scandal, hardship, lust, wealth, poverty, sickness, and health. If one considers these areas as indifferent to one's life, these areas have no bearing upon the experience of happiness. Because of their indifference to such areas of life, the Stoics were often incorrectly labeled as passionless and perhaps unfeeling individuals. This perception has carried over into the modern usage of the word "stoic," when it is applied to a person who, in the face of what appears to be a traumatic and emotional event, does not express feelings.

The process of choosing between good and evil is more difficult and more intuitive in the Stoic system. This intuitive decision making of right judgments is assisted, however, when the wise person uses nature as a guide or criterion. The good is that which is in harmony with nature; the bad or evil is that which is against or in tension with nature. For the Stoics, nature becomes the all-encompassing norm that enables one to evaluate situations and make decisions. In observing nature, a Stoic could make some rational deduction regarding what is natural in relationship to plants, animals, and humanity. For example, it is not inherent in nature for a person to starve; it is unnatural. Therefore, the Stoics would render the logical action of feeding starving people. When one at-

tempts to live according to nature, one practices a strong social ethic. Therefore, a Stoic individual honors the kinship networks and his or her native land.

When events or situations occur within nature that do appear as natural, these only help to reinforce what is the norm. For example, the birth of a six-legged cat is an anomaly that helps illustrate that in nature, cats have four legs. The Stoic system illustrates that one considers the whole on the basis of its parts. When nature is considered as a whole, it becomes clear that it is perfect. It is humanity's task to strive for that perfection and to live in harmony with nature.

The founder of Stoicism, Zeno, used a metaphor to illustrate the choice that humanity could make regarding living in this harmonious relationship with nature. He compared the situation of humanity to that of a dog tied behind a cart. The dog has the choice to run freely with the cart or to be dragged along. The choice is the dog's to make. To freely follow along behind is to live in harmony with nature and to ensure one's happiness. To be dragged is to live contrary to nature and to ensure one's misery.

To live in harmony with nature was the ultimate goal for a Stoic because it culminated in happiness. Yet followers of the Stoic tradition lived with the realization that they could never truly attain this goal. The ideal toward which to strive was to become a sage who, when faced with a choice, would invariably choose the good. In the Stoic system, one always attempted to reach the level of sage, but it was a rare feat. One of the later Stoic teachers, Seneca, remarked that a good man (a sage) appeared only once every five hundred years.

### **CONCLUSION**

Although Stoicism as a movement no longer exists, its influence is evident in many areas of ethics and human behavior. The Stoics placed a great deal of emphasis upon those things that are indifferent, and one natural outcome of this emphasis is a form of asceticism. Groups that practice forms of abstinence or austerities often employ some of the ideological framework of Stoicism. Also, one can see traces of Stoicism in Immanuel Kant's categorical imperative: "Always act in such a manner that your actions can be taken as a universal maxim." Kant's emphasis is upon reason, which Stoics valued in all decision making.

*David M. May*

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SEE ALSO: Aristotelian ethics; Choice; Cynicism; Descartes, René; Epictetus; Marcus Aurelius; Natural law; Nussbaum, Martha; Platonic ethics; Reason and rationality.

## Stonewall Inn riots

**THE EVENT:** Uprising by gay men and lesbians in Greenwich Village sparked by police harassment

**DATE:** Began on June 28, 1969

**PLACE:** Greenwich Village, New York City, New York

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Named for the New York bar at which they began, the Stonewall Inn riots signaled the beginning of what would eventually become the modern gay rights movement. It was the first response by the queer community as a group to the harassment and oppression of its members.

There are moments in history when conditions come together to create the impetus for great social change. Although the roots of the social movement for gay, lesbian, and bisexual equality date back to mid-nine-

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*The fact that New York's Stonewall Inn riots left a worldwide legacy is evident in the thirtieth-anniversary celebrations held around the world in 1999. Among the celebrations was a Lesbian and Gay Pride Parade held in Paris on June 26, 1999. An estimated 100,000 people participated in the event. (Notre-Dame Cathedral is visible in the background.) (AP/Wide World Photos)*

teenth century Germany, many historians and activists place the beginning of the modern movement at the Stonewall Inn, a small bar in New York City's Greenwich Village that was frequented by drag queens, gay and lesbian street people, students, and others.

At approximately 1:20 A.M. on June 28, 1969, Deputy Inspector Seymour Pine, along with seven other officers from the Public Morals Section of the First Division of the New York City Police Department, conducted a routine raid on the bar on the basis of the trumped-up charge that the owners had been selling alcohol without a license.

Police raids on gay and lesbian bars were a frequent occurrence in New York City; for example, laws were enacted for the express purpose of closing establishments that catered to a gay and lesbian clientele. Statutes forbade more than “three homosexuals at a bar at any given time,” behavior that was considered “campy,” and same-sex dancing, touching, and kissing. It was also required that bar patrons wear at least three “gender-appropriate” garments.

Although small pockets of resistance to police raids on gay and lesbian bars had occurred before June 28, 1969, bar patrons usually accommodated officials. This time, however, was different. Believing that they had been harassed for far too long, bar patrons and others challenged police officers with varying degrees of intensity for the next five days, flinging bottles, rocks, bricks, and trash cans, and using parking meters as battering rams.

The Stonewall Inn riots occurred in a larger social and political context of enormous upheaval and change. It is also probably no coincidence that the riot began only a few hours after the funeral of Judy Garland, a longtime cultural icon to gay and lesbian people.

The events that occurred at the Stonewall Inn would lead to the development of a number of both militant and mainstream groups that jointly would constitute a new, highly visible movement. In commemoration of the riots, June is designated each year as “Gay, Lesbian, and Bisexual Pride (or History) Month,” and marches and various celebrations are held during that month.

*Warren J. Blumenfeld*

SEE ALSO: Gay rights; Homophobia; Homosexuality; Police brutality; Sexual stereotypes.

## Subjectivism

**DEFINITION:** View that knowledge of the external world of objects is dependent upon the perspective and disposition of the knowing subject

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Subjectivism maintains that perspective is constitutive of knowledge, so that “objective knowledge” is a contradiction in terms. Thus, ethical judgments and moral norms are a function

of the standpoint and disposition of the person making the judgment.

Epistemological subjectivism is the belief that the objects of knowledge are constituted by consciousness. In this doctrine, reality, truth, knowledge, meaning, and understanding are limited to the subjective states of the subject of knowledge. Metaphysical subjectivism leads directly to solipsism, the idea that the world exists only for the self, or to subjective idealism, which reduces the world to the realm of ideas found in an individual consciousness.

In epistemology, the “subject” is the agent or apprehender of the knowing process. The “subject” may be understood as a conscious ego, a transcendental ego, mind, the cognitive state, the self, and so forth. “Object” refers to that which is being apprehended, known, or being attended to by an act of perception, cognition, or understanding. Simply put, the subject is the perceiver and the object is what is perceived. “Objective” means possessing the character of a real object existing independently of the knowing mind.

### ETHICAL SUBJECTIVISM

Ethical subjectivism holds that ethical judgments refer directly to certain feelings, attitudes, and beliefs of individuals or groups; namely, feelings of approval or disapproval with regard to some person or action or quality. Ethical judgments are regarded either as meaningless or as relative to the individual who holds them. Bertrand Russell maintained that differences about values are really differences about tastes. Ethical judgments really express feelings of approval or disapproval. This is the doctrine called emotivism. Ethical judgments are neither true nor false, but are simply expressions of feelings of approval or disapproval.

The Sophists believed that the senses were the only source of knowledge about the world and that reality was in a constant process of change. Everything that exists is only a matter of appearance. Therefore, the Sophists believed in the relativity of knowledge and were skeptical regarding truth. They questioned the validity of ethical principles and claimed that morality was a matter of social convention. Protagoras of Abdera said, “Man is the measure of all things, of things that are, that they are, of things that are not, that they are not.” This philosophy relativizes truth

and morality. Interestingly, it ends up justifying democracy and equal rights, because it holds that each individual must decide for himself or herself.

Epicurus held that pleasure is the sole good. This doctrine is known as hedonism. The view that people value pleasure above all else is known as psychological hedonism. Ethical hedonism goes a step further and holds that people not only seek pleasure but ought to seek pleasure. Since pleasure is relative to an individual's experience, feelings, and tastes, however, hedonism amounts to ethical subjectivism.

Bishop George Berkeley believed in the doctrine called immaterialism, which denied the existence of the immaterial world. Whatever exists, exists in the mind—*esse est percipi* (“to be is to be perceived”). This doctrine amounts to solipsism, the idea that nothing exists but one's mind and its ideas.

Immanuel Kant held to a motivistic theory of ethics. According to this doctrine, the rightness or wrongness of an act depends upon the motives and intentions of the moral agent, not upon the intrinsic character of the act or the consequences of an act.

Johann Gottlieb Fichte believed that the ego, which is pure creative activity, makes possible not only the awareness of self but also that of the nonego (whatever is not regarded as self). According to Fichte, the conscious mind creates the objects of the world because they exist only in the mind's knowledge of those objects. Therefore, both subject and object are generated by a creative ego. It is the ego that makes the world intelligible.

#### EXISTENTIALISM AND PHENOMENOLOGY

Søren Kierkegaard adhered to the doctrine that truth is subjectivity. Truth involves passion. There is no objective absolute truth. Truth is that on which the individual acts, a way of existence. Truth does not consist in what is said but in how it is said. Because there is no absolute truth, uncertainty accompanies subjectivity, calling for a leap of faith.

Jean-Paul Sartre claimed that humanity is condemned to freedom. People are absolutely free and morality is relative. One creates one's own values.

Edmund Husserl employed a philosophical method called phenomenological reduction that considered only the pure phenomena of consciousness—that is, self-evident, certain, and intuitive thoughts and ideas of consciousness. Phenomenological reduction revealed three elements of knowledge: the pheno-

menological ego, which is identical to the stream of consciousness; thinking activities; and the objects of thought. Husserl's doctrine of intentionality claimed that every act of consciousness was a consciousness of something and that that something was a mental entity. Therefore, knowledge of the world is purely subjective.

#### ETHICAL PROBLEMS

If moral standards are merely subjective, there seems to be no objective way of settling ethical disputes and disagreements regarding moral behavior. Mistakes about values are impossible to make. What becomes of the sense of duty in this scenario? Sometimes, the sense of acting out of duty to others means acting against one's own inclinations. Finally, subjectivism seems to contradict ordinary language and common sense, in which it is assumed that “good,” “bad,” “right,” and “wrong” have the same meanings for everyone.

*Michael R. Candelaria*

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SEE ALSO: Emotivist ethics; Epicurus; Epistemological ethics; Existentialism; Hedonism; Idealist ethics; Kant, Immanuel; Kierkegaard, Søren; *Phenomenology of Spirit*; Pluralism; Sartre, Jean-Paul; Sophists.

## Suffrage

DEFINITION: Right to vote in government elections

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: Suffrage is the central right and responsibility of each full citizen in a democratic government. Lack of suffrage marks one as less than a full member of such a society. In the nineteenth century, “suffrage” became a common shorthand for woman suffrage specifically and for the movement to gain full citizenship for women.

Woman suffrage is the basis of political power for women. From the nineteenth and early twentieth century campaigns for woman suffrage in the United States and Great Britain, the issue of suffrage spread worldwide. By the late twentieth century, women could vote in most countries.

### HISTORY

Participation in the political process through voting was either nonexistent or limited to a small elite until the nineteenth and twentieth centuries (the United States removed all property qualifications for voting during the 1830’s). Suffrage in the colonial United States was limited to white, male property owners, and women did not vote or, if married, even exist legally.

Because of the eighteenth century revolutionary movements that were active in America and parts of Europe, the question arose whether the rights of man should not also apply to women. In England, Mary Wollstonecraft, in *A Vindication of the Rights of Woman* (1792), asserted that women could be good citizens of the state if men would let them participate. The state constitutions in the new United States of America, however, prohibited women from voting except in New Jersey, which allowed all property owners to vote. Spinsters and widows who owned property voted until 1807 when New Jersey restricted suffrage to white male property owners. By

the 1830’s, however, there was universal adult white male suffrage throughout the United States, while women and racial minorities remained disfranchised.

During the early nineteenth century, many women in the northern states embraced reform movements, including the antislavery movement. The antislavery movement split during the 1830’s over the proper role for women within its organizations and within society as a whole. In 1840, American women delegates to the World Anti-Slavery Convention in London, England, were excluded from the convention and relegated to a curtained gallery to observe deliberations. As a result, Elizabeth Cady Stanton and Lucretia Mott decided that women needed to work for their own rights.

They organized a women’s rights convention on July 19 and 20, 1848, in Seneca Falls, New York. Stanton wrote the document that was adopted by the convention, the most controversial resolution of which was a demand for woman suffrage. Other women’s rights conventions followed. Susan B. Anthony and Lucy Stone joined the cause in 1851, with Anthony doing most of the work before the Civil War.

The women’s rights movement interrupted its activities during the Civil War, but its members felt betrayed when their antislavery male allies proved to be more interested in securing rights for freedmen than for women. When the Fourteenth Amendment (1869) introduced the term “male inhabitants” into the Constitution, suffragists were alarmed, and the proposed Fifteenth Amendment, extending suffrage to black men but not to women, divided the woman suffrage movement. In 1869, Stanton and Anthony formed the National Woman Suffrage Association, which advocated a wide range of women’s rights and advocated a federal amendment to achieve woman suffrage. The American Woman Suffrage Association, headed by Stone, focused on suffrage and worked on campaigns at the state and local level.

Suffragists campaigned for woman suffrage between 1867 (Kansas referendum) and the 1920 ratification of the Nineteenth Amendment. They participated in state referenda campaigns (mostly unsuccessfully) and petitioned and lobbied legislatures and state constitutional conventions, while continuing to advocate a federal amendment. In the western United States, some women were voting,



beginning in the Wyoming (1870-1890) and Utah (1870-1887) territories. By 1900, women had the vote in four Rocky Mountain states: Wyoming (statehood, 1890), Colorado (referendum, 1893), Utah (statehood, 1896) and Idaho (state constitutional amendment, 1896). In some areas, women had limited suffrage (school board or municipal or presidential elections). In 1890, the rival suffrage organizations merged, becoming the National American Woman Suffrage Association (NAWSA).

### TWENTIETH CENTURY MOVEMENTS

In 1903, Emmeline Pankhurst organized the Women's Social and Political Union to demand woman suffrage in England. The group quickly adopted militant tactics, resulting in arrests of the Suffragettes. In January, 1918, Parliament passed a law granting suffrage to women thirty years of age or older who met specified property qualifications (in 1928 suffrage was extended to all women older than twenty-one). By 1918, women also had the right to vote in New Zealand (1893), Australia (1902), Finland (1906), Mexico (1917), and Russia (1917), and suffrage was extended in 1918 to Austria, Canada, Czechoslovakia, Germany, Hungary, Ireland, Poland, Scotland, and Wales.

Carrie Chapman Catt, president of NAWSA (1900-1904 and 1916-1920), designed the "Winning Plan." This plan involved state campaigns that would continue until women were able to vote in thirty-six states (the number needed to ratify a federal amendment), after which there would be a campaign to pass the "Anthony Amendment" for woman suffrage. Suffragists became more visible, adopting some of the tactics of the English Suffragettes. Catt believed that, although it was important that women support the involvement of the United States in World War I (1917-1918), they should continue working for suffrage during the war.

The radical National Woman's Party, headed by Alice Paul and Lucy Burns, opposed the war, and its members picketed the White House for suffrage, with some of them being arrested. Catt secured the support of President Woodrow Wilson for the "Anthony Amendment" in 1918. Congress passed the Nineteenth Amendment in June, 1919. On August 24, 1920, Tennessee became the thirty-sixth state to ratify the Nineteenth Amendment, thereby enfranchising women in the United States.

During the twentieth century, woman suffrage extended throughout the world. In 1954, the United Nations Convention on Equal Political Rights affirmed women's right to suffrage and political activity. By 1985, only in Saudi Arabia and the Gulf States were women still completely disfranchised.

*Judith A. Parsons*

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## Sufism

DEFINITION: Mystical practices and traditions associated with Islam

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Sufism encompasses many important paths of spiritual and ethical discipline and has been important in the global dissemination of Islam.

Sufism embraces so many mystical traditions that many scholars debate whether there is one referent to “Sufism” and whether some Sufi traditions are Islamic. Sufi mystics emphasize the importance of extreme, ascetic adherence to *sharīʿa* (Islamic law), or ecstatic union with God (sometimes associated with antinomianism), or a middle ground between those extremes. Some Sufis believe legalistic and antinomian traditions to be mutually exclusive. Others view them as aspects of a single, larger truth, as did Sanāʿī in his famous claim that “the veils are many, but the Bride is One.”

Most often, Sufis abjure worldly goods and follow a “path” (*ṭarīqa*) of exercises for spiritual discipline and purification. Along the path, the Sufi attains “stations” (*maqāmat*) or plateaus of spiritual development, to each of which there is a proper “state” (*ḥāl*). The ultimate state to which Sufis aspire is variously indicated as “love” (*mahabbat*), “gnosis” (*maʿrifat*), “annihilation” (*fanāʾ*), or “union” (*ittiḥād* or *tauḥīd*). These goals sometimes have attracted the condemnation of Islamic legists who have argued that these states imply pantheism or, at least, a denial of the absolute transcendence of God.

In its early history, Sufism was the private spiritual effort of individual Sufis. In the eighth century, groups of students or disciples began to assemble informally around prominent Sufis. In the eleventh century, these informal associations began to formalize as clearly defined Sufi orders, with distinctive sets of spiritual practices, and these orders often were housed in a compound at the tomb of an important Sufi whose spiritual power (*barakat*) remains at the tomb.

Sufism provides popular ethical guidance in several ways. The keepers of Sufi tombs, to which many turn (for practical needs) in order to avail themselves of *barakat*, are a source of popular religious and ethical guidance. Reverence for individual Sufis such as Rābīʿah serves as a frequent reminder of the importance of detachment from worldly goods and of love of God. Sufi poetry and hagiography have been extremely popular and have been important in transmitting Islam and Sufi spiritualism in vernacular languages. Sufism’s devotionism and instrumental religion associated with *barakat* often have been more accessible than the sometimes-austere Islamic legalism, and often have served to gradually assimilate popular culture to Islam.

Philosophical treatises are not prevalent in Sufism, but some Sufis (notably al-Ghazālī and Ibn ʿArabī) have made significant contributions to ethical theory, especially through analyses of moral psychology and the epistemic status of direct apprehension of God.

Thomas Gaskill

SEE ALSO: Baḥya ben Joseph ibn Paḥuda; Ghazālī, al-; *Ḥadīth*; Ḥallāj, al-; Ibn al-ʿArabī; Islamic ethics; Mysticism; Rābīʿah al-ʿAdawīyah; Rūmī, Jalāl al-Dīn.

## Suicide

DEFINITION: Self-initiated, intentional act directed toward, and resulting in, the ending of one’s own life

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Most religions condemn suicide as immoral; however, humanitarian organizations argue that persons have a right to choose death rather than suffer by remaining alive. Some ethicists have raised questions, though, as to whether a person in physical or mental anguish is competent to make the decision to commit suicide or whether their suffering constitutes a form of duress.

French writer and philosopher Albert Camus, in *The Myth of Sisyphus* (1955), asserted that the core philosophical question is whether to choose suicide. Existential suicide is founded on the idea that as a person comes to the insight that life is an empty absurdity, he or she must confront suicide as an option.

Deaths by suicide are notoriously underreported, even in countries that do not strongly condemn the act. In countries where there are adverse sanctions related to suicide, powerful pressures exist to cover up suicidal deaths. Therefore, caution must be used in interpreting officially recorded suicide statistics.

In 1985, conservative estimates held that, worldwide, more than 400,000 persons committed suicide. Although suicide is a major problem in the United States, which had more than 30,000 documented suicides in 1988, the suicide rate in the United States is notably lower than are those of many developed countries. According to the World Health Organization, many countries have suicide rates that are dou-

ble that of the United States (Hungary, Denmark, Finland, and others), and many others have rates, which, although not double, are substantially higher (Japan, Czechoslovakia, China, Sweden, Switzerland, and others). Of particular concern in the United States was the near tripling of the suicide rates of adolescents and young adults between the 1950's and the 1980's. As of 1990, suicide was the second leading cause of death of adolescents and the third leading cause of death among adults aged twenty to twenty-four in the United States.

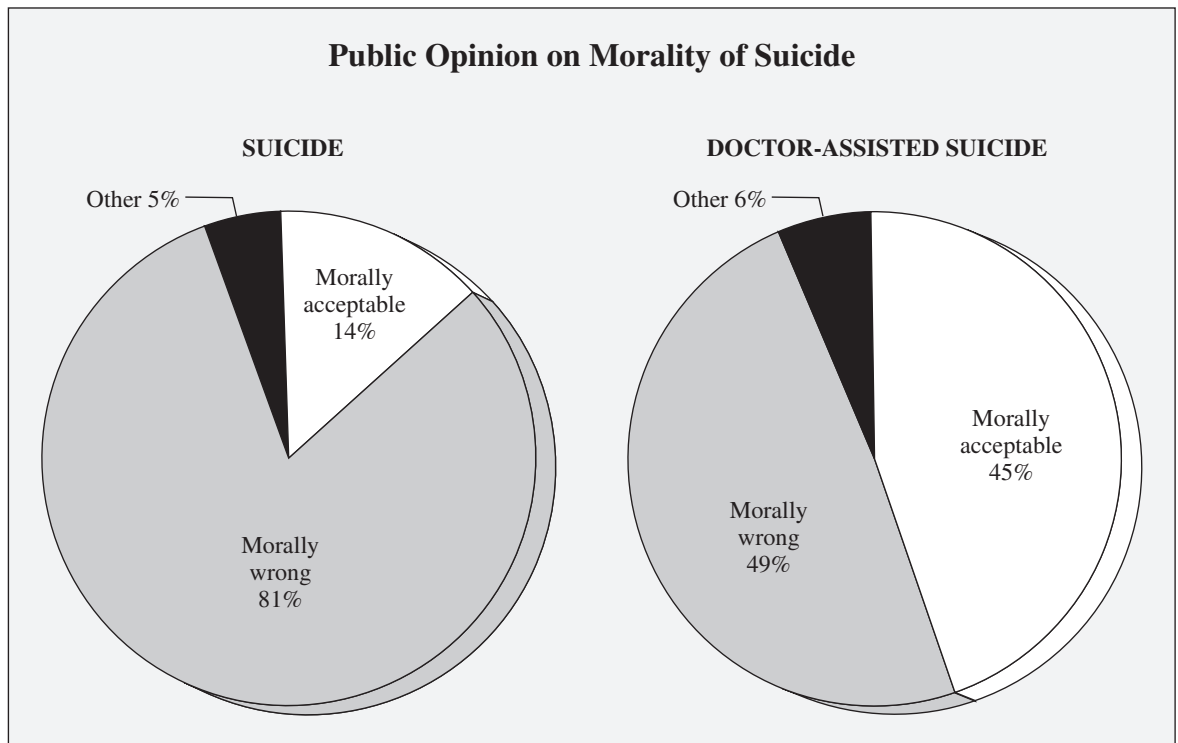
Western opinions concerning the morality of suicide have been heavily influenced by the teachings of Judaism and Christianity. Although the Old Testament of the Bible provides no condemnation as it records the suicides of several important persons (Abimelech, Saul, Samson, and others), rabbis and theologians have rebuked suicide as a violation of the sixth commandment: Thou shalt not kill. According to the fifth century Christian theologian Saint Augustine, no degree of torment, no physical injury or disease, no threat to personal safety, and no amount of personal suffering can justify suicide.

Although many of the world's other major religions condemn suicide, some do not. Islam damns the person who commits suicide, although exceptions are made for suicides that are part of a holy war or for a woman to protect her virginity. For the Baha'i, suicide is forbidden, and anyone who commits suicide will suffer spiritually in the afterlife. Buddhism rejects suicide on the principle that all life is sacred. Still, there have been cases in which Buddhist priests have used self-immolation as a method to draw attention to morally intolerable situations.

While Hindus and Sikhs reject most suicides because they interfere with reincarnations, both religions concede special circumstances in which suicide is either allowed or encouraged. For example, in the Hindu rite of suttee, a widow is encouraged to die in her husband's funeral pyre. Although honoring a person who commits suttee is illegal in India, instances of the practice continue to be reported.

**EUTHANASIA**

Any discussion of suicide becomes confused when the practice of euthanasia is brought into the



Source: Gallup Poll, May 5-7, 2003. Figures summarize responses of 1,005 adults throughout the United States.

deliberation. Euthanasia has been variously defined as the good death, death with dignity, mercy killing, and the deliberate putting to death of a person suffering intolerable life circumstances. The two most commonly discussed forms of euthanasia are passive euthanasia and active euthanasia.

Initially, passive euthanasia was defined as including the refusal of life-sustaining medications, requests that resuscitation not be provided, and other solicitations related to not being subjected to unwanted medical procedures. Later, the concept of passive euthanasia was broadened to include a variety of alterations or abatements of medical treatments that might hasten death. Therefore, disconnecting a patient from a respirator, provision of adequate dosages of pain-relieving narcotics, and the termination of forced feeding were included as examples of passive euthanasia. Most religions accept all but the last practice (termination of feeding) as acceptable choices. These practices are not viewed as murder or suicide because a natural course of events is being allowed to unfold.

Active euthanasia, however, the administration of a lethal agent or the initiation of a process that will prove fatal, is condemned by most religions. Furthermore, if a second person aids in the commission of active euthanasia, the second person may be charged with homicide or held responsible under a statute that makes aiding suicide illegal.

During the 1980's, many U.S. states broadened patients' rights in regard to living wills and the right to refuse unwanted treatments. Despite the fact that most states either allow or are mute regarding the right of a competent person to terminate his or her life, they all permit the involuntary commitment and forced treatment of suicidal persons deemed to be suffering mental diseases. According to the American psychiatrist Thomas Szasz, "in treating desires as disease, we only end up treating man as a slave." Although he does not oppose treating the person who voluntarily seeks psychiatric assistance, Szasz concludes, "if the prevention of death by any means necessary is the physician's therapeutic mandate, then the proper remedy for suicide is indeed liberticide."

*Bruce E. Bailey*

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SEE ALSO: Bushido; Death and dying; Durkheim, Émile; Euthanasia; Existentialism; Kevorkian, Jack; Life and death; Mental illness; Nihilism; Right to die; Self-preservation; Suicide assistance.

## **Suicide assistance**

**DEFINITION:** Active provision of help to a person committing suicide

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Decisions to assist other human beings end their own lives pose difficult moral dilemmas, and suicide assistance is illegal in most U.S. states.

Terminally ill patients often openly express the wish to hasten their deaths. Such requests may pose dilemmas for persons in the position to assist with the suicides. Historically, the self-induction of death among persons who are severely ill and suffering has been justified by a number of philosophers including Plato, Seneca, and David Hume. The concept of having a physician assist with a patient's suicide was not widely discussed until after the twentieth century discovery of analgesics and anesthetics. When administered in sufficient quantities, these substances permit the inducement of painless deaths.

Assistance to commit suicide became an increas-

## Arguments for and Against Physician-Assisted Suicide

### *Arguments for*

Decisions about time and circumstances of death are personal; competent persons should have the autonomous right to choose death.

Like cases should be treated alike. If competent, terminally ill patients may hasten death by refusing treatment, those for whom treatment refusal will not hasten death should be allowed the option of assisted death.

Suffering may go beyond physical pain; there are other physical and psychological burdens for which physician-assisted suicide may be a compassionate response to suffering.

Although society has a strong interest in preserving life, that interest lessens when a person becomes terminally ill and has a strong desire to end life. A complete prohibition on assisted death excessively limits personal liberty.

Assisted deaths already occur secretly, as when the administration of morphine may be a covert form of euthanasia. Legalization of physician-assisted suicide would promote open discussion of the subject.

### *Arguments against*

Assisted suicide is morally wrong because it contradicts strong religious and secular traditions supporting the sanctity of life.

There is an important difference between passively letting someone die and actively killing a person. The two options are not equivalent.

There is a potential for abuse; persons lacking access to care and support may be pushed into assisted death; moreover, assisted death may become a cost-containment strategy.

Physicians have a long ethical tradition against taking life. Their Hippocratic oath pledges them not to “administer poison to anyone where asked” and to “be of benefit, or at least do no harm.”

Physicians occasionally make mistakes, and there may be uncertainties in diagnoses, and the state has an obligation to protect lives from such mistakes.

*Source:* Ethics in Medicine, University of Washington School of Medicine (<http://eduserv.hscer.washington.edu/bioethics/topics/pas.html>).

ingly important issue as Americans began to grow significantly older and advances in health care extended life spans among terminally ill patients. Over the second half of the twentieth century, a shift from dying in the home to dying in clinical-care settings and hospitals developed. By the early twenty-first century, approximately 80 percent of American deaths were occurring in medical-care settings. Consequently an increasing number of persons have begun seeking ways to die with dignity and in physical comfort. There has been a growing demand for modern medicine to provide comfortable, pain-free deaths and merciful ends of lives. Studies have shown that approximately 70 percent of the American public favors legalization of physician-assisted suicides or aids in dying. Health-care proxies and advance direc-

tives routinely include provisions to ensure that individual patients retain autonomy and control over their dying.

Although committing suicide is not in itself a crime, assisting or failing to take steps to prevent a person's suicide can result in ethical and legal actions. The double effect of providing medications that relieve suffering while at the same time inadvertently shortening a patient's life is an ethically accepted part of medical practice. The withdrawal of life-sustaining but burdensome treatments that leads to death is also an accepted part of medical care, even when such actions hasten death. However, in 2004, *voluntary* active euthanasia was illegal in the United States, and assisted suicide was against the law in the majority of states.



In June, 1977, the U.S. Supreme Court ruled that persons have no right to assistance in committing suicide. However, the Court did not rule out the possibility that state law could legalize physician-assisted suicide. The ruling addressed a narrow federal constitutional question that affects the mentally competent, terminally ill patient who seeks the assistance from a physician to prescribe medication for the purpose of committing suicide. However, states were permitted the right to publicly debate the issue and pass laws that either prohibit or allow physician-assisted suicide. At the federal level, this Supreme Court decision clarified the role of the physician in handling requests from a patient to hasten death. The Supreme Court did not address the role of other health care professionals such as social workers and psychologists. Following the Court's decision, a law to legally sanction physician-assisted suicide in the state of Oregon was passed.

*Frank J. Prerost*

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SEE ALSO: Death and dying; Dilemmas, moral; Euthanasia; Homicide; Infanticide; Kevorkian, Jack; Right to die; Self-preservation; Suicide.

## *Summa Theologica*

IDENTIFICATION: Book by Thomas Aquinas (c. 1225-1274)

DATE: *Summa theologiae*, wr. c. 1265-1273 (English translation, 1911-1921)

TYPE OF ETHICS: Medieval history

SIGNIFICANCE: The *Summa Theologica* encompassed, modified, and extended the ethics of Aristotle within a Christian framework. It advanced the view that Christian morality was rationally defensible.

Thomas Aquinas intended the *Summa Theologica* to provide instruction to students in Roman Catholic theological schools who not only studied the Old and New Testaments of the Bible but also participated in oral disputations concerning controversial theological questions. The *Summa Theologica* is a written, if condensed, version of these theological debates.

The work was also intended to reform the teaching of sacred doctrine, which for Thomas Aquinas involved not only the exposition of those religious tenets known through revelation—such as the nature of salvation—but also the aspects of the Christian faith that are accessible to reason—such as the question of God's existence. Reducing the confusing number of topics, arguments, and distinctions that were often arbitrarily arranged in the standard theological texts, the *Summa Theologica* argues its way point by point through questions concerning first the nature of God, then “the rational creature's movement towards God,” and finally Jesus Christ (a person's way to God).

Thomas Aquinas died before finishing the third part; a supplement, drawn from his earlier writings, completes the plan of the work. Part 1 is divided into three parts (the divine essence, the persons of the Trinity, and creation), and part 2 into two parts (part 2-1, the general treatment of virtues of vices, and part 2-2, their specific treatment). Part 3 deals with Jesus Christ, the sacraments of the Church, and with resurrection and eternity.

#### **THE NATURE OF TRUE HAPPINESS**

For Thomas Aquinas, and for Aristotle (whom the *Summa Theologica* calls “the Philosopher”), everything in the universe has a purpose, an “end,” a teleology. The purpose of a saw is to cut; the purpose of the acorn is to grow into a tree. Since human beings can reason and act, they are able to choose what they think will fulfill their desire for the perfect good; human moral choices, by their nature, are oriented toward this “last end.” Happiness is the fulfillment of human desire for the perfect good, but as both Thomas Aquinas and Aristotle point out, happiness is not equivalent to wealth, honor, power, or pleasure. Instead, since human beings share a common human nature, happiness involves a life full of all the things that all human beings really need, in the right order and the right proportion. For Thomas Aquinas, the perfect happiness is in the life to come and consists of

the contemplation of God's essence. In this life, however, happiness involves not only (imperfect) contemplation but also the development of practical reason to direct human actions and feelings into a life of choosing what is truly—not apparently—good, and learning to enjoy those choices.

In Thomas Aquinas's Aristotelian view, morality touches all of life; everyday choices tend to develop in the individual either virtue (human excellence) or vice. "Right reasons" must direct human activity to acquire that which is objectively good for human beings (such as knowledge). These goods are intrinsically to be desired, but their acquisition is also a means of building the kind of stable character with which God is pleased. Without courage, for example, a person would be unable to act in accordance with right reason.

Thomas Aquinas took Aristotle's view to be complementary to his own, not competitive. Unaided by supernatural grace, Thomas Aquinas said, reason could discern the kind of character that a human being ought to have, but a complete picture of an individual required God's grace, which would provide the theological direction that human beings could not discover through philosophic reflection alone. Already in this life, God was suffusing human beings with faith, hope, and charity (love), the three theological virtues, which were given not by human action but by the Holy Spirit. They prepared a believer for the vision of God in the life to come.

Central to the *Summa Theologica's* discussion of true happiness and the final end is the concept of law. A law is made by reason for the common good by those in charge of a community, and persons cannot become truly virtuous independent of society. God's eternal law—his divine plan—governs the universe; the natural moral law, which is made up of those precepts that human beings discern through the use of right reason, reflects the eternal law. Actions that oppose the natural moral law are forbidden not because God arbitrarily says they are wrong, but because they are contrary to the development of full human potential. In addition, there is positive divine law, in which God wills that individuals receive grace through the sacraments, and those are positive human laws, in which communities or states restrain actions that are detrimental to society and promote obedience to the natural moral law; unjust laws do not have to be obeyed. Governments exist not only to provide peace

and protection but also to nurture the common good. In times of need, the resources of a community become "common property," and thus it is not sinful for someone to take bread to feed a starving child. People may resist tyrannies and overthrow them, unless there is good reason to believe rebellion would make matters worse.

The *Summa Theologica* presents a synthesis of faith and reason that was declared to be of permanent value to the Roman Catholic Church by Pope Leo XIII in 1879.

### DIVISIONS OF THE WORK

The three parts of the *Summa Theologica* (as well as the supplement to the third part) are divided into questions dealing with the main subtopics of each part; in turn, every question is divided into several articles. Each of the 3,112 articles in the work is a stylized disputation beginning with an assertion of the position contrary to the one that Thomas Aquinas will take and a presentation of several objections to Thomas Aquinas's position. Thomas Aquinas answers by supplying a relevant quotation from the Bible or a Church father (such as Saint Augustine), followed by his own argument. The point here is to show that reason (that is, Thomas Aquinas's reply) is in harmony with sacred Scripture and the theologians of the Church. Finally, there are specific replies to each objection.

Dan Barnett

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SEE ALSO: Aristotelian ethics; Christian ethics; Jesus Christ; Natural law; Reason and rationality; Thomas Aquinas.

## Sunnīs

DEFINITION: One of the two main sects of Islam

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The majority of the world's Muslims belong to the Sunnī sect of Islam.

Image not available

*Sunnī Muslims in Baghdad protest the intrusion of occupying U.S. troops in their mosque during their Friday prayers.* (AP/Wide World Photos)

Islamic religion is divided into two main sects: Sunnīs and Shī'ites. Sunnī Islam developed over many centuries. An important distinction between the two sects is that the Shī'ites relied on Imāms to provide spiritual guidance, while the Sunnīs emphasize the Qur'ān; the Sunna, or examples, from Muḥammad's life and his practice of Islam; and interpretations of these sources by eminent religious scholars. The interpretation of Islamic concepts by these scholars led to the emergence of several schools of thought. Four of the most important of these schools were led by Imām Abū-Hanīfa, Mālik ibn-Anas, al-Shafī'ī, and Ahmad ibn-Hanbal.

With the passage of time and expansion of the newly emerging Muslim empire, numerous issues relating to the meaning of the various religious concepts emerged. One such issue that ultimately helped to define the Sunnīs was the definition of a Muslim. A group of people known as Khārijites believed that only those who strictly adhered to the teachings of the Qur'ān and Sunna could be called Muslims, and those who did not should be declared non-Muslims and expelled from the community of Muslims. Others thought that even sinners should be considered Muslims and that the punishment for their sins should be left to God. People belonging to the latter school were ultimately defined as Sunnīs.

*Khalid N. Mahmood*

SEE ALSO: Abū Ḥanīfah; 'Alī ibn Abī Ṭālib; Islamic ethics; Qur'ān; Shī'a.

## Supererogation

DEFINITION: Doing what is morally praiseworthy beyond what is required by duty or what is required to be free of moral blame

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: If supererogation is possible, then moral goodness is not exhaustively describable as the fulfillment of moral duty; it is possible to go above and beyond the call of duty.

The term "supererogation" derives from the Latin verb *supererogare*, which means "to overspend" or "to spend in addition." The first known

appearance of this verb is in the Latin Vulgate biblical account of the Good Samaritan (the tenth chapter of the Book of Luke). The modern notion of supererogation is based upon the idea of making an expenditure of one's goods or energy over and above what is required of one by moral duty. More precisely, the modern notion requires that an act satisfy three conditions to qualify as an act of supererogation. First, the performance of the act must be morally praiseworthy. Second, the performance of the act must not fulfill moral duty. Third, the omission of the act must not be morally blameworthy.

Although the idea of rising above and beyond the call of duty is familiar to most people, there has for centuries been great opposition to this idea. The major figures of the Protestant Reformation associated the idea of supererogation with the detested practice in the Roman Catholic Church of selling indulgences, which was based upon the idea that the good actions of the saints create a treasury of merit. The Protestants Martin Luther, John Calvin, and Philipp Melancthon taught, on the contrary, that God requires all people to do what is good or praiseworthy; hence, it is impossible to do good over and above the requirements of duty. No matter how saintly or heroic one's behavior is, even to the point of sacrificing one's life, one is simply doing what God requires as a matter of duty.

The Protestant Reformers were also bitterly opposed to the Scholastic distinction between the commandments of God and the counsels of God. According to Thomas Aquinas and other Scholastics, the commandments of God are obligatory to obey, but the counsels of God are optional recommendations. Although Christians are not required to obey the counsels of God, such as renouncing riches and carnal pleasures, following them is recommended to those who wish to lead more perfect lives. Clearly, this distinction opens the door to the possibility of supererogation, and the Reformers refused to acknowledge that there are any counsels of God apart from what God demands as obligatory. If it is good to renounce wealth or carnal pleasure, that is exactly what one is required to do.

Opposition to the idea that supererogation is possible has more recently come from two of the major modern traditions in ethics: Kantian ethics and act utilitarianism. According to Kantian ethics, an act can be a moral act only if it is performed in obedience

to moral duty. Thus, if an act is performed that goes beyond the requirements of duty, Kantians dismiss it as an act that falls outside the sphere of ethics or morality. One cannot, according to their view, act morally in a way that transcends duty.

### ACT UTILITARIANISM

Act utilitarianism is based roughly upon the idea that persons ought at a given time to perform whatever act produces the greatest benefits for the greatest number of persons. In this view, duty requires one to choose the alternative that maximizes benefits. If a person chooses this alternative and acts accordingly, the person has fulfilled his or her duty. If the person chooses another alternative and acts accordingly, the person has violated his or her duty. In both cases, however there is no possibility of doing what is praiseworthy without fulfilling duty. Either one's act fulfills duty or it does not, but if it does not fulfill duty, it is the violation of duty and hence cannot be praiseworthy.

In spite of all the opposition to the idea that acts of supererogation are possible in human life, there is also much support for the idea. An article by J. O. Urmson entitled "Saints and Heroes," published in 1958, has been particularly significant in restoring popularity to the notion of supererogation. Urmson, a philosophical ethicist, presents several persuasive arguments to show that saintly and heroic behavior cannot plausibly be regarded as the fulfillment of duty. In one example, Urmson describes a soldier who throws himself upon a live grenade to save the lives of his comrades. Surely it would be wrong to judge that the soldier has a duty to perform this act, and surely it would be wrong to blame him for deciding not to perform it. Yet it is clearly a morally praiseworthy act, and hence it qualifies as an act of supererogation.

Urmson admits that saints and heroes often regard their own behavior as the fulfillment of duty. People frequently reply that they were only doing their duty when congratulated for performing acts of saintliness or heroism, and this is a phenomenon that has led many people to conclude that there really are no acts of supererogation in human life. Urmson argues, however, that people who react to their own saintly or heroic acts in this manner are simply mistaken. They have subjected themselves to a standard of duty that is unrealistically rigorous, and they have in reality gone beyond the call of duty.

David Heyd has argued that, in addition to heroism and saintliness, there are five other categories of acts that are capable of qualifying as supererogatory. First, there are acts of beneficence, such as acts of charity, generosity, and gift giving; second, doing favors for others; third, volunteering or promising something; fourth, forbearing to do what is within one's rights; and fifth, forgiving, pardoning, and showing mercy. In each of these categories there is room for performing acts of supererogation.

Although acts of supererogation are almost always portrayed in dramatic fashion, it is important to realize that small acts of generosity, courtesy, or kindness can satisfy the three conditions required of being supererogatory. Thus, it can be supererogatory to buy lunch for a coworker who has arrived at work without any money, to put in a good word about someone else to a person in authority, or to offer to cover the office phone while everyone else is downstairs at the office Christmas party.

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SEE ALSO: Calvin, John; Christian ethics; Duty; Good, the; Kantian ethics; Maximal vs. minimal ethics; Utilitarianism.

## **Supreme Court, U.S.**

**DEFINITION:** The highest court in the United States

**DATE:** Established in 1789

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The U.S. Supreme Court has the authority to make final decisions in all judicial cases relating to the U.S. Constitution and federal legislation.

The U.S. Constitution mandated the creation of the Supreme Court and outlined its basic powers and duties. The first Congress then established the Court's organizational structure and determined the number of its justices. The Court itself decides most of its own procedures, such as allowing both dissenting and concurring justices to publish signed opinions of the cases on which the Court rules. The major function of the Court is to review the decisions of state courts and lower federal courts. Each year, out of approximately four thousand appeals, the Court chooses to give detailed examination and render judgments in about 150 cases.

The Supreme Court's central role in the American system of government is primarily a result of its longstanding practice of judicial review, which includes the power to make judgments about the constitutionality of congressional legislation and executive actions. The Court's precedents are binding on lower courts, and those relating to constitutional interpretations are recognized as constitutional law.

#### **ETHICAL ISSUES**

The Supreme Court frequently decides controversial cases dealing with such values as equality, individual freedom, and fairness. When making its decisions, the Court must interpret many ambiguous terms in the Constitution, including "cruel and unusual punishment," "establishment of religion," and "unreasonable search and seizure." Because such terms are value-laden, liberal and conservative justices tend to disagree about their meanings in particular situations.

In the realm of individual liberty, the Court's most important judgments are usually based on the First Amendment, which prohibits government from abridging freedom of expression, religion, and assembly. The Court has never held that these freedoms are absolute, but during the second half of the twentieth



eth century, the Court greatly expanded constitutional protections for matters such as pornography, subversive speech, and unpopular religious practices. In looking at these and other issues, the Court's jurisprudence includes subtle "line-drawing." After 1962, for instance, the Court consistently held that prayer ceremonies in the public schools are unconstitutional, even though the Court allows such ceremonies in sessions of Congress and state legislatures.

In the area of equality, the Court has made a large number of important decisions relating to the Fourteenth Amendment's requirement that government must provide persons with an "equal protection of the law." In the 1896 case of *Plessy v. Ferguson*, for example, the Court decided that the Constitution's equal protection clause allowed states to mandate racial segregation, based on the doctrine of separate but equal. One-half century later, however, in *Brown v. Board of Education* (1954), the Court reversed *Plessy v. Ferguson* and held that racially segregated

public schools were inherently unequal and therefore unconstitutional. In later years, cases dealing with affirmative action and reverse discrimination engendered heated controversy.

The Court has frequently examined ethical issues of law enforcement. For instance, the Fifth Amendment mandates that defendants may not be forced to testify against themselves in criminal trials. The Court has broadly interpreted this provision as applying to suspects from the moment that police officers begin their interrogations. In the famous case, *Miranda v. Arizona* (1966), the Court found that the only way to ensure a confession was voluntary was to require the police to notify suspects of their basic constitutional rights. Many conservatives have denounced the decision as legislative rather than interpretative, while liberals insist that it is entirely consistent with the Fifth Amendment's purpose of preventing police coercion.

Some of the Court's most notable value-laden



*The U.S. Supreme Court under Chief Justice William H. Taft (center front), former president of the United States, in 1921. (Library of Congress)*

cases have dealt with the right to privacy, which is based on an expansive interpretation of the reference to “liberty” in the Fifth and Fourteenth Amendments. Using this interpretation, the Court held in *Roe v. Wade* (1973) that women have a constitutional right to abortions during the early stages of a pregnancy. Likewise, in 2003 the Court ruled that states may not punish homosexual acts between consenting adults in private homes. Critics have charged that the decisions went beyond the text of the Constitution and ignored moral traditions.

### APPROACHES TO DECISION MAKING

Supreme Court justices frequently disagree with one another about the theoretical approaches that they should apply to interpreting the Constitution and the laws. Most justices claim to make decisions without reference to their personal preferences for public policy but do not deny that their theories about jurisprudence have a profound impact on their decisions.

There is considerable disagreement about whether the justices should concentrate on the literal words of the text in contrast to the “spirit” and structure of the Constitution. These two views are often labeled “strict constructionism” and “broad constructionism.” A related question is the extent to which the justices base their interpretations on the “original intent” of framers of the Constitution. Critics of this approach prefer to look at the contemporary meanings of the words, which is the idea of a “living Constitution.” Still another distinction relates to whether constitutional interpretations should be informed by philosophical conceptions of justice and natural law.

Because continued application of the Court’s previous decisions gives stability and predictability to the laws, the justices are hesitant to overturn the Court’s own precedents, especially those that are longstanding. However, the justices have different views about the extent to which they should follow the common-law practice of *stare decisis* (literally “let the decision continue”). While some justices tend to minimize the importance of precedents, others believe they should defer to them except when the arguments to do otherwise are extremely compelling. Likewise, the justices differ in the extent to which they defer to judgments of Congress and the state legislatures.

The polemical term “judicial activism” is commonly used to refer to justices who make expansive interpretations, ignore the intent of the Constitution’s framers, emphasize philosophical concepts of justice, and do not give much deference to Court precedents and legislative judgments. The contrasting label, “judicial self-restraint,” refers to the alternative approaches to jurisprudence. Around the turn of the twenty-first century, liberal justices were tending to be somewhat more activist than conservative justices, but clearly the latter were not consistently practicing self-restraint themselves.

Thomas Tandy Lewis

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## Supreme Court justice selection

**DEFINITION:** Processes by means of which Supreme Court justices are chosen

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The U.S. Supreme Court is meant to be an apolitical and impartial body entirely populated by political appointees. As a result, selecting justices to sit on the bench is a complex and politically charged process. The Supreme Court attempts to resolve many of the most important and controversial issues in the United States, and in doing so, it shapes government policy in areas as diverse as civil rights and environmental protection. Generally, conservative presidents appoint conservative justices and liberal presidents appoint liberal justices, but because those terms have substantially different meanings in the context of constitutional scholarship than they do in the context of legislative politics, justices frequently act in unpredictable ways once they reach the Court.

Article II, Section 2, of the U.S. Constitution states that the president of the United States shall have the power, with the advice and consent of the Senate, to nominate and appoint justices of the Supreme Court of the United States. Supreme Court justices are appointed for life by the president of the United States and confirmed by the Senate. The nomination process has become very publicized in recent years because the decision making of the Court has had an increasing effect on the lives of all American citizens and has become an important factor in presidential politics. People are more aware now more than ever that an elected president will nominate Supreme Court justices who generally (though not always) support his political views and will make their decisions based on these views, often for a long period of time after the president has left office. Although most judges make their decisions based on facts as opposed to ideological precepts, they often use their own ideological precepts to guide them in interpreting facts.

The selection of judges to the U.S. Supreme Court is one of the most important responsibilities of the republic. Their decisions are very rarely, if ever, overturned, and the policies that are set by them have a profound effect on the entire nation, collectively and individually.

There are no set qualifications to be a judge or justice on the federal bench. The courts were set up by the Constitution as the third branch of the government in order to ensure the separation of powers. They were to be an independent, impartial branch of government that would serve, as Alexander Hamilton wrote in *The Federalist* “as bulwarks of a limited Constitution, as an intermediate body between the people and the legislature, in order, among other things, to keep the latter within the limits assigned to their authority.” This principle was embraced by Chief Justice John Marshall, who established the power of judicial review in the 1803 case *Marbury v. Madison*, giving the Supreme Court the power to declare legislative acts and laws unconstitutional.

### JUDICIAL INDEPENDENCE

Although the Court is an impartial judicial branch, each of its members has been nominated by a president who is a political figure. Any president will try to select Supreme Court justices who share his outlook. To demand minute particulars, however, would make impossible the president’s real task: to find men and women of learning, character, and wisdom. The most important factor shaping the Court’s policies at any given time is the identity of its members, which is why the nomination process so clearly reflects the potential justice’s views on the direction that the laws need to take in order to reflect the values and priorities of the society that he or she serves.

The Supreme Court makes policy through the interpretation of the law, but the way in which this goal is achieved raises an ethical dilemma. Issues of public policy come to the Court through legal questions that the court is asked to resolve. Two parties bring a dispute before the Court and ask the Court to review it. The Court reviews it and makes a judgment about the specific dispute brought to it, gives an interpretation of the legal issues involved in that dispute, and takes a position on the policy questions that are connected to the legal issues. Although the function of the Supreme Court is not that of a legislative body, should the Court be free to overturn and thwart legislatures because of what the justices perceive to be unjust or unfair results of a case as applied to the existing laws and precedents? That is the main question that is posed in discussions of the ethics of selecting Supreme Court justices.

The extent to which judges should be bound by

statutes and case precedents as against their own ethical ideas and concepts of social, political, and economic policy involves the question of which should prevail when justice and the law appear to the judges to be out of alignment with one another. Some judicial lawmaking is inevitable, but to what extent? Should the ideological agenda of a judge or a group of people be imposed through judicial decree rather than through directly elected officials? Should the Senate and the president of the United States ask a particular nominee how he or she would rule on a controversial issue of law, such as abortion, prior to appointment and should his or her answer be grounds for disqualification? Should judges be more concerned with granting new civil liberties that they perceive to be fair or with interpreting the Constitution? Does interpreting the Constitution mean relying upon the original intent of the Founders for guidance, or does the Constitution change as society changes and becomes more open and permissive? Is the job of the judge to adhere to the law or to do justice? If there is an injustice in society and Congress and the states have failed to act, should the Supreme Court fill the void? What is the main source of societal change: judges or the people? How far should the Supreme Court go in using its substantial power of the citizens?

These are all questions that are answered many different ways by many different judicial nominees, based on their philosophy of law and their experiences. Although there is no denying that judicial nominees to the Supreme Court must adhere to the highest standards of personal conduct, there are vast differences in judicial philosophy and interpretations of the role of the Court that present ethical dilemmas that will always be with the United States in the nomination of justices to the highest Court in the land.

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## **Surrogate motherhood**

**DEFINITION:** Bearing of a child by one person for another person

**DATE:** Term coined in 1976

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Also known as surrogacy, surrogate motherhood touches on many moral and ethical issues, ranging from adultery; exploitation of infertile couples, surrogate mothers, and children by baby brokers; to buying and selling of babies; dehumanization of reproduction; privacy rights; and custody and identity problems.

Infertile couples and others may seek the services of surrogate mothers if other reproductive procedures, such as artificial insemination, in vitro fertilization, or adoption, are not options for them. Two forms of surrogacy are in common use. The first method involves using artificial insemination of the surrogate mother with sperm provided by the prospective father. This technique is called traditional surrogacy.

The second method depends on in vitro fertilization (IVF). In this procedure, sperm and eggs provided by the intended parents or third-party donors, are used to produce embryos that are implanted into the surrogate mothers. This method, which is known as gestational surrogacy, is the more common of the two, and it produces what have been dubbed "test-tube babies."



### Surrogate Motherhood Time Line

- 1975 First publicized artificial insemination of a surrogate under contract performed by California physician Harris F. Simonds.
- 1981 In *Doe v. Kelly*, Michigan's appellate court rules that surrogate motherhood is legal but that a state statute prohibits monetary compensation for such purposes.
- 1986 In *Surrogate Parenting Associates, Inc. v. Kentucky*, Kentucky's supreme court rules that its state attorney general cannot revoke the corporate charter of the defendant because the state legislature has not yet addressed the legality of surrogate motherhood contracts.
- 1987 Louisiana passes the first state law prohibiting surrogacy. Over the following five years, eighteen additional states pass similar legislation.
- 1987 The Roman Catholic Church condemns surrogacy arrangements.
- 1988 In *Mary Beth Whitehead v. William and Elizabeth Stern* (the "Baby M" case), New Jersey's supreme court rules that surrogate contracts are invalid and against public policy when payments are involved and when surrogate mothers are required to give up their babies.
- 1988 Florida, Indiana, Kentucky, Michigan, and Nebraska pass laws regulating surrogacy contracts.
- 1993 In *Anna L. Johnson v. Mark and Crispina Calvert*, California's supreme court becomes the first state judicial body to validate a gestational surrogacy agreement in a case in which the surrogate mother refuses to surrender a test tube-conceived baby. The California court places a high value on the preconception intents of individuals entering into surrogacy contracts, that is, the women who intend to bring about the birth and raise the children are considered to be the natural mothers, not the surrogates.
- 2001 Helen Beasley from Britain sues a California couple, Charles Wheeler and Martha Berman, in order to terminate their parental rights so that she can allow the twins she is carrying to be adopted. Wheeler and Berman become dissatisfied when Beasley does not abort one of the twins.
- 2002 *Redbook Magazine* reports that surrogate motherhood is quietly booming.

#### ARGUMENTS FOR AND AGAINST

Traditional surrogacy is ethically objectionable to some people on the grounds that it removes procreation from marriage, replaces natural processes with artificial ones, and introduces third parties—the surrogate mothers—whose presence can create potentially damaging personal relationships within both the adopting families and the surrogates' own families.

Some critics also question whether surrogate motherhood is a form of adultery. Moreover, one might question whether it is ethical for a surrogate mother to conceive a child whom she has no intention of raising. When the surrogates provide the eggs used to create embryos, new complications often arise when the surrogates develop strong emotional attachments to their fetuses.

By contrast, supporters of surrogate motherhood argue that artificial processes are often medical necessities for those who are infertile. Moreover, the individual's right to self-determination includes freedom to reproduce by unconventional means.

Similar ethical arguments can be made for and against the gestational surrogacy, which involves *in vitro* fertilization and embryo transfer. In these cases, the surrogates are carriers, or incubators, and do not contribute genetic material to the embryos; they therefore are less likely to develop possessive feelings toward the resulting children.

Those who object to this form of surrogate motherhood say that the procedure removes the act of reproduction from marriage by using artificial means and enlists the services of a third-party surrogate.



In addition, the *in vitro* technique requires that the embryos be cultured and evaluated for periods of time. Defective embryos are discarded, some may be frozen for future use, and others are implanted into the hosts. If more than one embryo implants, or an implanted embryo has defects, selective reduction techniques—namely, abortion—may be used to remove the unwanted embryos from the surrogates' uteruses.

Opponents say that gestational surrogacy places human life in peril and allows medical professionals to make God-like decisions concerning life and death. Those who support this type of surrogacy say that the parents' natural desire to have children outweighs the ethical arguments against it and that progress in medical science will eventually free humans from all the constraints of infertility.

### LEGAL CONSIDERATIONS

In 2003, it was estimated that more than fifteen thousand surrogate births had taken place in the United States alone since the first recorded case in 1976. During that period, more than twenty U.S. states passed laws dealing with surrogacy. The legalization and widespread use of surrogacy raises other ethical, legal, and social questions. One concern is the right to privacy as interpreted by the U.S. Supreme Court in cases involving reproduction and abortion. For example, do the intended parents and the surrogates have the right to be free from governmental interference when they enter into a contract involving reproduction? Several states have laws regulating such contracts, and many prohibit compensation for surrogate mothers and brokers. Another matter is the right to privacy when a contract keeps the intended parents or the surrogates anonymous, thus leaving them open to potential harm later if their identity is revealed.

Another concern is allocation of responsibility. Who is responsible for medical costs during the pregnancy? What about the behavior of the surrogate during pregnancy? Do the intended parents have the right to meet and choose the surrogate and monitor her behavior? Will the surrogate be allowed to drink alcohol, smoke, or engage in other activities that may harm the baby? The intended parents might justifiably insist such behaviors be curtailed during the contract period with the surrogate.

If the children of surrogate mothers are deter-

mined not to be the biological offspring of their intended fathers in traditional surrogacies, or if they have birth defects, can the intended parents refuse to take responsibility for them? Are biological fathers financially responsible for the children of surrogates, even when the surrogates elect to keep the children themselves?

### Baby M

An unforeseen problem in surrogate motherhood that has come to the forefront is custody. Surrogate mothers sometimes become so emotionally attached to the babies they carry that they refuse to surrender them to the couples with whom they have contractual relationships.

The best-known case is that of "Baby M.," who was born in New Jersey in 1986. A year earlier, William and Elizabeth Stern contacted with Mary Beth Whitehead to bear a child for them using William Stern's semen by means of artificial insemination. After a girl they named Melissa was born, a custody battle developed between Whitehead and the Sterns. A New Jersey court eventually ruled that Whitehead had no parental rights, but it granted her visitation rights.

### WOMEN'S ISSUES

Will the popularization of surrogacy lead to the exploitation of women? Opponents argue that surrogacy might become another low-paying, high-risk job for underprivileged women, and that it degrades women by commercializing pregnancy and childbirth. Opponents also say that surrogacy subjects women to social and economic exploitation because the surrogate mothers are essentially under the control of the brokers and the sperm donors during their pregnancies. Advocates argue that women of various socioeconomic backgrounds become surrogates of their own will and often do so without compensation out of a sense of sympathy for the infertile couple.

Will the surrogate be able to cope with the emotional and medical stresses of surrogate motherhood?

Will the surrogate mother suffer from psychological or physical harm due to the pregnancy and parting with the child at birth? Potential surrogates often go through both psychological and medical screening to help ensure successful and positive outcomes. Controversial components of such screening are efforts to determine if the women being considered as surrogates will easily detach themselves psychologically from the children they carry in their wombs and readily give up visitation rights after the children are born.

### WHOM SHOULD SURROGATE MOTHERHOOD SERVE?

Will surrogacy be regulated so that only those in dire need of the procedure have access to it, or should any couple who can afford it, whether they are infertile or not, be allowed to use it? Should surrogacy be deemed appropriate in some situations but not others? What about the interests of the children? The children may end up having various psychological and social problems, such as lack of identity and self-worth and mistrust in adults.

Some critics have argued that hiring a surrogate can be equated to purchasing a baby. They say that the legalization of surrogacy will encourage the development of an industry of baby brokering. Those opposed to surrogacy say that treating human babies as commodities to be bought and sold constitutes a type of dehumanization that is similar to slavery.

Are reproductive medical services, sperm, eggs, embryos, and surrogate mothers becoming commodities that can be bought and sold? Many think these procedures and natural products need to be regulated in a manner similar to organs for transplantation. Advocates say that surrogacy should be viewed in the same light as foster care or adoption and that cash payments to surrogate mothers are merely compensation for the lost time and inconvenience of the surrogates and are not payments for the children themselves.

Identity is another serious issue in surrogate motherhood. Who is the child's legal mother—its gestational mother, its genetic mother, or its caregiving mother? This confusion creates identity problems similar to those experienced by adopted children.

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SEE ALSO: Children; Genetic testing; In vitro fertilization; Sperm banks.

## Sustainability of resources

**DEFINITION:** Ability of natural environments to maintain constant levels of resources in the face of human exploitation

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** There is no scientific consensus on how many human beings Earth's natural resources can support because the intensity of resource use varies across societies and regions. Developing ethical principles to guide human interactions with the environment is important to ensure the sustainability of resources and environmental quality across national and cultural boundaries.

Modern societies create enduring tensions between development and conservation. Development is often considered as the means to improve economic

growth with the ultimate goal of improving human welfare and quality of life. As populations grow and demands for higher quality of life increase, society's demands for natural resources increase, leading inevitably to further exploration and exploitation of environments that may otherwise be preserved. Moreover, there is substantial evidence that current practices to obtain and redistribute natural resources are adversely affecting the environment, potentially resulting in the depletion of certain essential resources, extinctions of biological species, and the pollution of air, water, and soil to extents that are detrimental to the welfare of human societies. The application of environmental ethics to sustainability science aims to discover globally acceptable standards and practices for balancing development with the conservation of natural resources.

#### **ETHICAL ISSUES IN RESOURCE CONSERVATION**

How many natural resources should the average human being consume? Should societies provide for each individual at the risk of depleting natural resources? The answers to such questions may play a role in determining the fate of human societies on Earth. Innovative scientific approaches to these questions are being developed, but convincing answers will most likely transcend disciplinary science, as ethical issues play greater roles in providing robust guidance.

Nutritional foods, clean water, and clean air are all essential for the growth and development of both individual human beings and human societies. Keeping these most basic resources available requires the expenditure of energy, which was still dominated by combustion of such fossil fuels as coal, petroleum, and natural gas at the beginning of the twenty-first century. Supplies of these resources are finite, and their distribution is uneven across national boundaries. Toxic waste products from industrial development that relies on these sources of energy also threaten communities worldwide, but their impacts are also unevenly distributed, with poor communities and nations suffering more than affluent ones. These problems have raised the profile of equity as a dominant topic of debate among environmental ethicists. Equity issues in resource conservation transcend geographical, generational, and phylogenetic boundaries.

#### **GEOGRAPHICAL AND GENERATIONAL DIVIDES**

Concerns over global climate change, including its causes, impacts, and mitigation strategies are fundamentally different between industrialized countries of the Northern Hemisphere and the less developed countries of the Southern Hemisphere. Therefore, questions of ethics, fairness, equity, and environmental justice have often stalled agreements at international summits aiming to design long-term solutions to problems associated with global environmental change.

The likelihood that certain natural resources may be depleted in one or two generations and the storage of radioactive waste materials with long half-lives have raised the questions about trans-generational ethics and equity. How should humans living today protect and reserve natural resources and conserve good environmental quality for those who will live tomorrow? Whereas most people will agree that societies should reserve the benefits of abundant natural resources and clean environments for future generations, there is wide disagreement on how much sacrifice individuals and societies must make in the present to ensure satisfactory levels of resources in the future.

Most contributions made by ethicists on these questions have been theoretical, but the time has arrived for practical applications of solutions that have emerged from ethical debates. Indeed, at the beginning of the twenty-first century, some of those applications were being proposed in international conventions on the environment.

#### **THE PHYLOGENETIC DIVIDE**

Perhaps the most difficult of the numerous ethical questions in resource conservation and global sustainability arises from the phylogenetic divide that forces humans to set monetary values on other organisms. What values should humans place on biological diversity and the extinction of species? Non-human organisms rely on humans to make their case for conservation. Therefore, there is an inherent bias in protection and conservation practices that favor organisms that humans find useful or appealing for aesthetic reasons. Given that most of the biological diversity on Earth remains to be classified, while rates of urbanization, desertification, and deforestation are increasing, there is clearly an urgent need for a coherent system of resource conservation that is based on sound ethical principles.

There is a global challenge to resolve the difficult issues surrounding the concept of sustainable development. Is economic development possible without compromising the sustainability of natural resources and a clean environment? The relatively new disciplines of industrial ecology and sustainability science have highlighted the path to possible solutions, but it is imperative for these discussions to include innovations in the study of ethics and human character—if the recommended scientific solutions are expected to be widely accepted and sustainable.

*O. A. Ogunseitan*

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# T

## Tabloid journalism

**IDENTIFICATION:** Popular form of news reporting in weekly newspapers and television programs

**DATE:** First emerged during the 1920's

**TYPE OF ETHICS:** Media ethics

**SIGNIFICANCE:** Tabloid journalism provides readers with news in condensed and highly sensationalized forms that often sacrifice journalistic integrity for marketability.

The term “tabloid” originally referred to the physical size of tabloid newspaper pages, which were smaller than the standard twelve-by-twenty-four-inch pages of broadsheet papers. During the 1920's, when tabloid newspapers first arose to significance, the term “tabloid” expanded to include the content of the newspapers as well as their size, especially referring to the papers' preference for stories involving crime, scandals, and sexual escapades of celebrities. Among the most famous and influential of the early tabloid newspapers were the *New York Daily News*, the *Daily Graphic*, and the *Daily Mirror*—all of which were published in New York City. During a well-publicized “war of the tabs” those three newspapers established the tabloid format and style that have continued into the twenty-first century.

Although the tabloids never entirely disappeared—indeed, the *New York Daily News* enjoyed one of the largest circulations in the nation—they faded in importance during the 1950's and 1960's. Then, toward the end of the 1960's, tabloids began to re-emerge, this time in a weekly format with greater attention given to celebrities, such as television and movie

stars, and an emphasis on the private lives of their subjects. The tabloids also generally included highly sensationalized stories about alleged alien abductions, births of monstrous babies, prophecies of coming disasters, and similar items. Buoyed by such content and filled with often lurid photographs, individual tabloids such as the *Star* and the *National Enquirer* achieved enormous circulation figures through their national sales, often at the checkout lines of supermarkets.

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*Tabloid newspapers trade on a mixture of familiar celebrity names and sensational revelations about the celebrities' misbehavior. (AP/Wide World Photos)*



A spin-off phenomenon was known as “tabloid television,” or shows which featured stories about celebrities, especially their more scandalous activities. Highly visible and publicized crimes, such as the murder of O. J. Simpson’s former wife, were also key elements of television tabloid journalism. Like their newspaper tabloid counterparts, these television programs featured stories that were short, sensational, long on illustrations, and short on reliable factual information.

The ethical standards of both print and televised tabloids have been low. Representatives of both forms have been remarkably unconcerned with the actual truth of the stories on which they report, as they freely report rumor and innuendo as fact. Both forms have traditions of paying large amounts for “inside” information, often obtained from relatives and friends of the lead characters in their stories. Photographs and film of intimate moments, including the aftermath of shocking crimes, are highly prized and have included such dubious achievements as the *National Enquirer*’s printing photographs of the dead body of Elvis Presley in a Memphis morgue.

No matter how low the standards of tabloid journalism, however, there is a pervasive fear among media watchers that, because of their high circulation and ratings, the tabloids’ methods and outlook may in time be copied by the more mainstream media.

*Michael Witkoski*

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SEE ALSO: Advice columnists; American Society of Newspaper Editors; Invasion of privacy; Journalistic entrapment; Journalistic ethics; News sources; Photojournalism; Reality television; Truth.

## **Taboos**

**DEFINITION:** Practices proscribed by the moral or religious codes of a community

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Taboos are often the foundation stones of ethical systems and moral codes that are built on proscriptive principles of tradition or religious belief, as opposed to rational inquiry.

There are two senses, two related concepts, that are signified by the term “taboo.” The older sense, derived from the Polynesian *tapu* and its applied meaning, refers to that which is paradoxically both sacred but also potentially harmful, and pure but subject to defilement. In the second, more generic and familiar sense, a taboo is a practice or behavior that is forbidden by the mores of a particular culture.

#### **TWO SENSES OF TABOO**

In the first sense, “taboo” is used, for example, to refer to the former untouchables of the Hindu caste system. It can also be used to refer to religious or quasi-religious objects with alleged magical powers, such as the Holy Grail of medieval legend, or sacred places, such as tribal burial grounds.

In general, the term applies to objects of primal power that have an ambiguous potential to harm or destroy and to heal or empower, and therefore refers to things both feared and venerated. The concept thus relates to the dual religious potential both to injure and heal, punish and reward.

In the second sense, most directly relating to applied ethics codified as law, the term is applied to any practice beyond a society’s moral pale. In this sense, common taboos are incest and cannibalism, which are nearly universal examples; thus, the term relates more to an act than an object or place.

There is an inherent relationship between the two meanings derived from the attitude toward taboos in primitive cultures. In the Polynesian culture, a taboo object was so powerful that it was sacrosanct and could be approached only by a priest or shaman. If the taboo were violated—touched by an uninitiated intruder, for example—it could require purification through a ritual that could include the death of the offender.

In many primitive cultures, taboos are revealed as part of a rite of passage through significant stages of

life, such as birth, marriage, and death, and are recorded on a tribal or clan totem as formulas or symbols, frequently depicted as animals or plants. Thus, the term “totem” is often linked to “taboo” and is sometimes used to refer to folk customs, such as rules of courtship and mourning, as opposed to taboos or moral prohibitions of a specific culture.

Some taboo objects in primitive societies were anathema, or cursed and therefore feared, which relates to the revulsion experienced in the violation of a taboo in the second meaning of the word. In many cultures, moral repugnancy is associated with such acts as cannibalism or incest, or even with violations of strict dietary laws or sexual practices.

### ETHICAL IMPLICATIONS

Many taboos are so deeply and strongly rooted in the beliefs and practices of a folk as to be a priori foundation stones that preclude the need for their iteration in ethical coda, a prime example being the Judaic-Christian Decalogue, which carries no prohibitions against either cannibalism or incest, both of which are fundamental taboos in Western culture.

Canonical, civil, and criminal laws have all addressed taboo issues, often in vague terms such as “crimes against nature” that reflect a historical unwillingness to be explicit in legal formulations dealing with them, in part because the graphic language necessary for describing taboo acts may itself be taboo. Statutes written in indefinite language have increasingly come under judicial review and have been revised, particularly in those cases in which human behavior has denuded a taboo of its inhibitive power.

Although some taboos, such as those against cannibalism and incest, have in many cultures been rigidly observed for centuries, others, such as those against sodomy and miscegenation, have been modified if not completely abandoned. Law, of course, is always slow to reflect changing mores; therefore, much condoned social behavior remains technically condemned by law.

In societies where personal freedom has evolved and the right to privacy has been ensured, many taboos have been gradually depleted of their force. Even the most permissive societies, however, have some taboos and impose legal or social penalties for their violation. Moreover, scientific and technological advances have greatly muddied the ethical waters by introducing new imponderables that must be re-

solved in philosophical thought before being distilled into practical legal codes. For example, scientific evidence revealing that sexual preference is a matter not of choice but of inherited, genetic makeup has had profound ethical implications and has forced the liberalization of laws against sodomy based on principles of scriptural sanctions, moral choice, or “natural” behavior.

The modification or abandonment of a traditional taboo may result from a war that is waged on a moral battleground between forces deeply committed to inherited values, often based in religious convictions, and those embracing new attitudes supported by modern science and medicine. Two notable examples are the practices of abortion and euthanasia, which were almost universally condemned in the past but now have been condoned by many people as both appropriate and ethical in at least some instances.

*John W. Fiero*

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SEE ALSO: Anthropological ethics; Cannibalism; Custom; Euthanasia; Evolutionary theory; Freud, Sigmund; Homophobia; Homosexuality; Incest; Sociology.

## Tagore, Rabindranath

IDENTIFICATION: Indian writer and philosopher

BORN: May 7, 1861, Calcutta, India

DIED: August 7, 1941, Calcutta, India

TYPE OF ETHICS: Modern history

SIGNIFICANCE: One of the most famous Indian (Bengali) poets of the twentieth century and recipient of the Nobel Prize in Literature in 1913, Tagore worked to promote mutual understanding between India and the West and founded Vishvabharati University in Shantiniketan, India. *Gitanjali* (song offerings, 1910) is his best-known work in the West.

Tagore began to write poetry as a child. His first book was published when he was seventeen years old. After returning to India from a trip to England in 1878 to study law, he became the most popular author of the colonial era. Through the short stories, novels, and plays that he wrote, he conveyed his belief that truth lies in seeing the harmony of apparently contrary forces. He was not interested in building a philosophical system; instead he wanted to deepen mutual Indian and Western cultural understanding.

Tagore was very much influenced by the Upaniṣads but interpreted them theistically. His artistic nature made him more of a follower of the way of *bhakti*, or “devotion,” than of the way of *jñāna*, or “knowledge,” of Advaita Vedānta. Because he believed in the harmony of complementary forces, however, he did not reject the Advaita, or monistic, view of Vedānta. In Tagore’s view, both the one and the many are real. The doctrine of *māyā*, or illusion, points to the false belief that the world is independently real. God, humanity, and the world are interrelated. Tagore viewed life in a positive way, as the discovery of the divine nature of humanity.

*Krishna Mallick*

SEE ALSO: Śaṅkara; Upaniṣads; Vedānta.

## Talmud

IDENTIFICATION: Holy scripture of Judaism

DATE: Written between the early second century

B.C.E. and c. 500 C.E.

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The Talmud is a repository of ideas and wisdom reflecting Jewish religious and cultural activity as interpreted by centuries of sages who lived in Eretz Israel and Babylonia (today part of Iraq) from before the common era to the beginning of the Middle Ages. As the primary source for post-biblical Jewish law and lore, the Talmud is second only to the Bible in religious and moral authority.

If the Hebrew Bible, or Tanak, is the cornerstone of Judaism, then the Talmud is its magnificent edifice. Its bricks and mortar are shaped by the revelation of the written Torah as represented, understood, and lived by the sages who molded Israel’s salvific apparatus from the ruins of the Second Temple (destroyed by the Romans in 70 C.E.) until the beginning of the Middle Ages. Their accomplishment, the Mishnah, and its commentary, the Gemarah, which together form the Talmud, became the dominant structure of Judaism.

The Talmud is not easily classified in any literary genre. This is because of its encyclopedic range of topics, including law, legend, philosophy, science, and some history; its pragmatic treatment of everyday life issues alongside flights into abstract and ethereal problems; its multiple and varied methodologies, equally logical and fanciful; its terse writing style, which is reminiscent of note taking; and the meticulous final editing of pedantic redactions, themselves based on free-flowing ideas composed centuries earlier.

More a library than a single book, the Talmud is an anthology of national expression responding to the Roman catastrophe of the first and second centuries, and it is more meaningful when it is learned and studied than it is when it is read. The association between one idea and another, a rabbi in Galilee and another in Babylon, the first century and the fifth century, is tenuous at first, but persistent study connects the diverse pieces of knowledge in a way that is reminiscent of the links of a chain—the chain of tradition. The thought of the sages is like a winding stream of

consciousness that flows into the “sea of the Talmud” and nurtures the religious and national life of a people. Accordingly, though not surprising, forces hostile to Israel as “a light unto the nations” have maligned the Talmud, prohibited its study, and consigned its pages to flames countless times during the Middle Ages, in *fin de siècle* Europe, and during the Nazi era. From such horrendous acts, a *talmud* (in a limited sense, the word means “instruction”) has been revealed: Strip the Talmud from the “people of the Book,” and chances for Israel’s spiritual and, ultimately, physical survival are almost nonexistent.

### MISHNAH

The Mishnah is the core document of the rabbinic system of philosophy and legalism traditionally called *Torah shehbe’al peh* (oral Torah). The quintessential “tradition of the elders,” it represents a Pharisean application of the written Torah in the life of the people. Inevitably, as a living interpretation, reflecting changing times and events, it added, subtracted, and modified the written teaching of God. Humility (many teachings are given anonymously), respect for sanctity of the teaching of Moses, and concern that the rabbinic spirit might replace the letter of the Torah in the eyes of the people (for example, *mamon tahat ayin* [monetary compensation for bodily injury] in place of *ayin tahat ayin* [an eye for an eye]; near abolition of the death penalty; introduction of a court administered *prosbul* to overcome the cancellation of debts during the year of release) inhibited individual schools of rabbis from writing down their decisions.

Ultimately, successful dissension within greater Judaism (for example, Jewish Christianity) and greater Roman oppressiveness in response to ill-fated Jewish wars led to conditions of exile and set the stage for the redaction of the Mishnah. Rabbi Judah the Prince collated the unwritten rules, customs, interpretations, and traditions of multiple masters, pre-70 and post-70, into a written guide. The Mishnah (“repetition” or “recapitulation” of the revelation at Sinai) claimed an authoritative affinity to Sinai (“everything which a sage will ask in the fu-

ture is already known to Moses at Sinai”) and also claimed to be its living successor (“We teach more Torah [than] received at Sinai”). Therefore, the Mishnah designates the transition from Israelite religion to the system now called Judaism in the same manner that the New Testament points the way from Israelite religion to Christianity.

The Mishnah is divided into six orders (*sedarim*), which are subdivided into sixty-three topical sections (*massekhtot*), with each *massekhet* containing multiple chapters (*perakim*). The Mishnah, also known as *SHaS*, an acronym for the six orders (*shishah*

### Six Orders of the Mishnah

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|--|--|
| 1. “Seeds”<br>( <i>Zeraim</i> )              | Agricultural rulings (gleanings, tithes, the Sabbatical year, and so forth), though the first <i>massekhet</i> is a discussion on “Benedictions” ( <i>Berakhot</i> ).  |
| 2. “Appointed Festivals”<br>( <i>Mo’ed</i> ) | Regulations governing holy time, such as the Sabbath, the holidays, and their respective festival offerings.   |
| 3. “Women”<br>( <i>Nashim</i> )              | Ordinances on marriage, divorce, and vows, and related exceptional cases, such as Levirate marriage, suspected adulteresses, and the Nazarite vow.   |
| 4. “Damages”<br>( <i>Nezikim</i> )           | Civil and criminal decrees, and the conduct of and conduct before an ecclesiastical court of law. Includes the tractate <i>Avot</i> (“Founders”), a selection of maxims and ethical statements given in the names of sixty <i>tannaim</i> (Aramaic for “repeaters,” or teachers) of the oral Torah; its five chapters (and a sixth one, added centuries later) are traditionally studied on the six Sabbath afternoons between Passover and Pentecost. |
| 5. “Sacred Things”<br>( <i>Kodashim</i> )    | Holy things of the Temple, pertaining mainly to animal, fowl, and meal offerings.  |
| 6. “Purifications”<br>( <i>Tohorot</i> )     | Conduct dealing with cultic and domestic purity and defilement.  |

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*An Israeli man armed with an assault rifle holds a copy of the Talmud while serving on a border patrol in a Jewish settlement in the disputed West Bank region. (AP/Wide World Photos)*

*sedarim*), covers a range of Pentateuchal legislative topics.

The Mishnah is an enigmatic corpus. It claims the authority of revelation but it was not admitted by the rabbis into the canon of Holy Scriptures. Written in Hebrew, it departs from the style and syntax of biblical Hebrew. It does not speak of an eschatological future (stable material in the holy writings of world religions), and it fuses a cultic past (the Temple), regarding which it has no direct access, into a present that is dubious and fanciful. Its many *halakhot* (laws) regulate an “existing” priesthood, Jewish government, and courts, totally oblivious to the ruin of these institutions during the first and second centuries. Other *halakhot* relate to religious practices that have no bearing on the Judaism of the day. It purports to be a code of law, but it is actually a compilation of unre-

solved legal disputations together with biblical exegesis (*midrash*) and nonlegal material (*aggadot*). Despite these facts, however, the Mishnah’s paradoxical complexity is justified by its objective: the restoration of the peoplehood of Israel when all signs, internal and external, pointed to its disintegration. In the end, the Mishnah represents a beginning: the initiation of a salvation grounded more in polity survival than in personal salvation.

#### **GEMARAH**

In the generation following its appearance, the Mishnah proved to be the focus of increasingly involved discussions by groups of rabbis and their students. The first generation (early third century) clarified obscure passages, and the succeeding generations developed and expanded principles and rules



of conduct from the extant mishnaic material as they applied to situations arising in their own societal setting. In due time, new tributaries of oral Torah called *gemarrah* (“completion,” “learning tradition”) in Aramaic and *talmud* (“learning”) in Hebrew gushed forth from academies in Galilee and in Babylonia.

Decades of *gemarrah* expansion became a virtual reservoir of oral Torah, and the need arose to legitimate the process by editing inconsistencies, curtailing new interpretations, and showing coherent linkage between *gemarrah* and Mishnah. In addition, the abrupt Roman closure of Galilean schools of learning during the mid-fourth century and the exile of Jewish communities from Babylonia hastened the pace of selection and collation. The informed result was the creation of two Talmuds, each named after the place of redaction: Yerushalmi (a product of the land of Israel, not Jerusalem, as the name would suggest), circa 400 C.E., and Bavli (Babylonia), circa 500 C.E.

The Talmuds share the same Mishnah (for the most part), but their *gemarrah* are written in different dialects of Aramaic (Yerushalmi in Western Aramaic, with a considerable mixture of Greek words; Bavli in Eastern Aramaic, with many Hebrew loan words). They differ in length (Bavli is about twice the length of Yerushalmi), style, syntax, and methodological principles. Their diverse emphasis and *halakhot* may be explained by their places of composition. For example, the Yerushalmi, serving Palestinian Jewry, has *gemarrah* for all tractates dealing with agriculture in the Order *Zeraim*, but this is lacking in the Bavli, a product of diaspora *amoraim* (Aramaic for “interpreters” of the Mishnah). Similarly, the Bavli records that the fourth century Amora, Mar Samuel of Nehardea, laid down the principle *Dina deMalkhuta Dina*, which holds that, in civil matters, the law of the land (Jews were a minority in Babylonia) is as binding on Jews as are the commandments of the written Torah.

A dwindling Jewish community in Eretz Israel, stunted in its growth in oral Torah, and a growing diaspora Jewry, which drew succor and moral support from the Babylonian sages, combined to make the Bavli the Talmud of authority during the past 1,500 years of Jewish life and learning, and conceivably for the future as well. For all practical purposes, the Yerushalmi has become a closed book; its many ob-

scure passages have become the objects of antiquarian research. The reclamation of the Temple Mount by the Israelis in the Six-Day War (June, 1967), however, has renewed interest in the Yerushalmi by groups of religious nationalists, who believe that the Talmud of the land of Israel holds the key for the rebuilding of the Third Temple and proper worship therein.

Temple building and its complementary idea, Israel’s messiah, however, were conceived by the framers of the Talmud in an ahistorical framework. The main purpose of the oral Torah is to emphasize the holiness of everyday acts and thoughts, which are the way to achieve individual and group happiness and survival. The Talmud successfully preserved the teachings of earlier generations so that later generations could continue them. Its directive “Go forth and study!” is heard to this day.

Zev Garber

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SEE ALSO: Hebrew Bible; Jewish ethics; Kabbala; Messianism; Torah; *Tzaddik*.

## Taxes

**DEFINITION:** Compulsory payments levied for support of government

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Taxes can have a major impact on the profitability of businesses and the disposable incomes of millions of people, and every discussion of tax-rate changes raises ethical questions about fairness.

To individual citizens, most taxes appear to be coerced payments. The benefits that individual taxpayers receive from government services are seldom proportional to the tax payments that the individuals make, and taxpayer are sometimes tempted to be “free-riders” by trying to minimize their tax liability, often by crying “unfair.” There are many possible ways to determine the fairness of taxes, and they sometimes contradict one another.

### TAX STRUCTURES AND FUNCTIONS

Most people agree that taxes should be fair, but the taxes should also be functional. The ostensible purpose of taxes is to raise funds to finance government expenditures. However, governments do not really need to collect money, which they can print cheaply. What governments need are goods and services that they purchase from the private sectors of the economy. Taxes serve to reduce the amount of goods and services used by the private sectors and thus make them more available for government uses.

The willingness of citizens to pay taxes is a measure of the citizens’ willingness to permit resources to be used by the government rather than the private sectors. However, some taxpayers may think that they experience injustice when government conducts programs against which they have strong objections—most notably wars. By this view, taxes imposed to support immoral governments, such as those of Adolf Hitler, Joseph Stalin, or Saddam Hussein, are inherently immoral.

Libertarians who believe that government is too large favor taxes that are painful, so that the public will favor smaller government. In this view, “taxation without tyranny is misrepresentation,” and high taxes are intrinsically unfair. When U.S. president Ronald Reagan successfully pressed for reductions in federal income tax rates during the early 1980’s, part of his

argument was that this was a method of restraining growth in federal expenditures—“starving the beast,” in the jargon of the times.

Many observers would also raise moral objections against situations in which most tax revenues are taken from a small minority of citizens and used for programs that benefit other people who do not pay taxes. During the eighteenth and nineteenth centuries, this concern was often raised as an argument against the establishment of majoritarian democracy. Modern democratic governments rely on tax systems that are complex and require high degrees of voluntary compliance. If a large portion of taxpayers believe that a tax system is unfair, voluntary compliance may not occur. In extreme cases, individuals and business firms may relocate to more favorable tax environments.

The feasibility of specific types of tax depends on the structure of the economic system. Modern industrial countries rely on taxes on incomes and on corporate profits. These systems require extensive formal financial record-keeping and are not suitable for countries in which most people are self-employed farmers or shopkeepers. Before 1900, the revenue of the U.S. federal government was based primarily on import tariffs, commodity excise taxes, and property taxes.

Property taxes are a major financial support of local governments, as they are location-specific taxes. Such taxes create a special problem of fairness when property tax revenues are used to finance local schools. Rural areas generally have less tax potential per resident than urban areas, which contain expensive commercial and industrial real estate. As a result, many state governments face pressures from their rural areas to provide financial supplements to property tax revenues.

### ASSESSING FAIRNESS

Assessing the fairness of taxes is complicated by difficulty in identifying who are ultimate payers of the taxes and by the possibility that the burden of tax may differ from the distribution of revenue raised by the government. One of the most substantial federal taxes in the United States is the wage tax that finances Social Security. In 2003, the rate was 7.25 percent of each wage earner’s taxable income assessed against the wage earner and 7.25 percent of the same income assessed against the employer. Although one part of that tax is taken out of the wage earners’ take-home

pay, employers view both parts of the tax as effectively a part of their payroll costs, a fact that reduces their demand for labor. Part of that tax falls on workers, but the cost of the tax is also reflected in higher product prices paid by consumers. Similarly, economists believe much of the tax on corporate profits is shifted to consumers in the form of higher prices, or to workers as lower wages. However, the burden of personal income taxes falls primarily on the individual taxpayers who pay them.

Taxes on fixed assets have additional complications. For example, increasing a tax on a rental property will lower the property's net income, causing its price to fall. The owner of the property may, in effect, bear the entire future burden of the tax. Similar effects can befall corporate stockholders if profits taxes are increased, lowering the prices of their stock. This impact on asset prices is called capitalization.

Economists apply the term "excess burden" to situations occurring when a tax places a burden on public income that is greater than the amount it increases government revenue. An example is an import tariff that is so high that it yields little revenue, while contributing to an inefficient pattern of resource use that reduces national output. A common source of excess burden involves compliance costs. The federal income tax system is so complex that more than half of American taxpayers engage professional tax preparers to do their taxes for them. In 2002, the four largest tax-preparation firms alone collected seven billion dollars for performing tax services. All the money that goes to tax-preparation services is a burden on taxpayers that contributes nothing to government revenues.

### ABILITY TO PAY

One traditional standard of fairness in taxation is the idea that families with more income and wealth should pay more taxes—and even pay higher percentages of their incomes—than poorer people. The concept of higher tax rates for higher incomes is called progressive taxation. The federal income tax in the United States is a progressive tax because higher incomes are taxed at higher rates. The progressive rate structure is reflected in the fact that in the year 2000, the top 25 percent of personal income receivers—those with incomes of \$55,000 or more—provided 84 percent of the federal income tax revenues.

Some economists favor progressive income taxes because they act as "automatic stabilizers" against business fluctuations. During economic recessions, declining incomes cause income tax collections to decline, and this in turn helps cushion the decline in incomes.

Persons who favor progressive taxation are also likely to favor taxing inherited property. Not only do inheritances provide the means to pay the taxes, but inheritance revenue also may be considered as unearned by its recipients. Moreover, only a small portion of the population is wealthy enough to bequeath substantial estates. President George W. Bush pressed Congress to eliminate or reduce the federal inheritance tax. A major objection to such taxes is that they can create major problems for family-owned business firms and farms, which may have to be dissolved to meet inheritance-tax liabilities.

Nobel laureate Milton Friedman recommended that the federal government provide a "negative income tax," one under which families whose exemptions and deductions exceed their incomes would receive cash payments. That proposal was, in fact, enacted in the earned income credit law, which provides cash benefits for low-income wage earners.

One of the corollaries of taxing on the principle of ability to pay is that persons in substantially equal financial conditions should be taxed equally. However, the complex federal personal income tax clearly fails that standard.

### Avoidable Taxes

Some taxes may be considered voluntary because people can avoid them simply by not purchasing the goods or services on which the taxes are assessed. Taxes on cigarettes and alcohol are notable examples. Indeed, part of the rationale for such taxes is to discourage people from consuming harmful products. The amounts that individuals pay into such taxes can be considerable. For example, smokers in New York City paid three dollars a pack in taxes for cigarettes (half goes to the city, half to the state) in 2004. Two-pack-a-day smokers thus paid six dollars a day, or nearly \$2,200 a year, in taxes that non-smokers did not have to pay.

### PROTECTING INCENTIVES

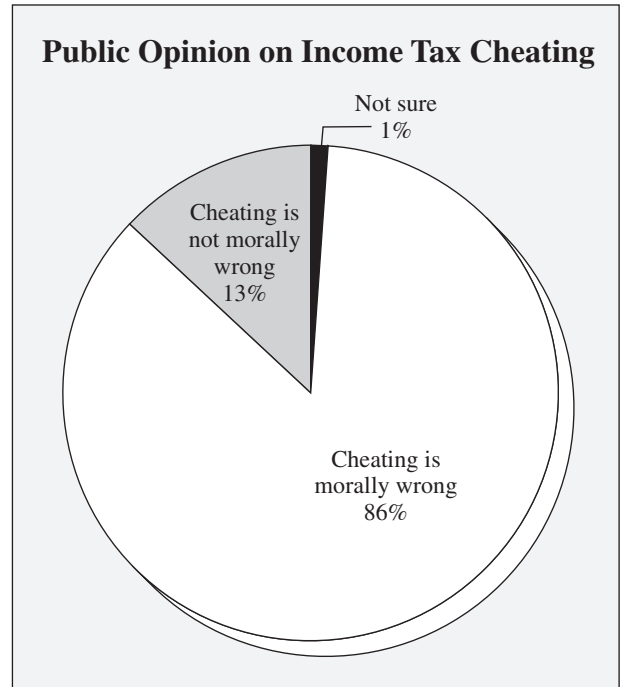
A major objection to progressive taxation of incomes and wealth is that high incomes are considered rewards for high productivity and are thus considered by many people to be fair. Most incomes are payments for personal services, and high personal incomes tend to go to managers of business firms and professional persons such as doctors and lawyers. Imposing high tax rates on high incomes may impair the incentives for persons to enter these occupations, since professional education requires much time and expense. Indeed, newly qualified physicians often begin their professional careers with heavy burdens of student loans to pay off.

High tax rates on wealth, or on incomes generated by wealth, may also impair savings and investments. If the national economy is to grow and create more and better jobs and more and better goods and services, people must be willing to save and invest in new equipment and technology. Most saving and investment is done by persons in the highest income brackets. Persons concerned with economic growth sometimes argue that tax burdens should rest more on consumption and can be heavier on low-income persons and still be fair because over time economic growth will help raise wages and reduce poverty. Examples of taxes on consumption are the value-added taxes (VAT) levied by many European countries. A value-added tax is a kind of sales tax, structured so that it does not become excessive when collected at various stages in production and distribution.

Supporters of progressive taxation argue that high incomes are often products of unfair advantages gained by persons who are born into high-income families or who are born with special physical gifts or talents—such as those possessed by professional athletes and entertainers. However, there is not much evidence that high tax rates on high-income persons have substantially impaired the flow of persons into high-income professions.

### OTHER ASPECTS OF TAXATION

Some taxes can advantageously be linked with specific government programs. One example is the wage tax that finances Social Security. Although the benefit to any individual is not closely linked to the



Source: Roper Center for Public Opinion Research, University of Connecticut. *Time* magazine survey, January, 1987. Figures based on interviews with 1,014 adult Americans.

amount of tax paid, taxpayers believe there is a connection. This reduces the risk that politicians will enact further large increases in benefits. Another “benefit tax” is the gasoline tax, revenues from which are generally used for highway programs, which are of clear advantage to users of gasoline. When increased highway use leads to increases in gasoline tax revenues, legislators generally conclude that new highway expenditures are appropriate.

As concern for the environment has increased, many tax programs and proposals have been developed to encourage environmental protection. For example, taxes on pollution can be used to deter polluters. A common recommendation is to impose excise taxes on fossil fuels such as coal and gasoline, which are major sources of carbon dioxide and particulates. This could produce a gasoline tax much higher than needed for highway financing.

### A MORAL OBLIGATION?

U.S. Supreme Court justice Oliver Wendell Holmes once remarked that “taxes are what we pay for civilized society.” On the other hand, Chief Jus-

tice John Marshall earlier pointed out that “the power to tax involves the power to destroy.” The many different criteria for determining tax fairness illustrate why there are many opportunities for conflicts of goals. Such conflicts were much in evidence in 2003, when President Bush persuaded Congress to reduce tax rates even though the federal government was already running a deficit, spending more than it took in. Bush wanted to stimulate the economy by giving consumers more disposable income during a recession that had resulted from weak growth in spending for goods and services. He succeeded in reducing taxes on dividend incomes. However, critics of his tax cuts noted that the benefits went predominantly to high-income people and that consumer spending was not likely to be stimulated much by such cuts. Bush evidently saw the tax reduction as a long-run change that would eventually encourage more saving and investment. Meanwhile many Americans believed they had a moral obligation to support American troops then fighting in the Middle East by making large tax payments to the government.

In paying taxes, as in other aspects of life, honesty is generally understood to be the best policy. However, the distinguished federal judge Learned Hand once sagely observed that “Nobody owes any public duty to pay more than the law demands: taxes are enforced exactions, not voluntary contributions.”

*Paul B. Trescott*

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SEE ALSO: Cheating; Civil disobedience; Economic analysis; Equality; Income distribution; Lotteries; Tobacco industry.

## Technology

DEFINITION: Practical application of scientific knowledge

TYPE OF ETHICS: Scientific ethics

SIGNIFICANCE: The ethics of modern technology involved reconsiderations of personal and social values to ensure the wise use of technology and to prevent dehumanization and environmental destruction.

Through technology, humans have developed the means to transcend certain physical and mental limitations of their bodies. In the process, they have modified materials and their environment to better satisfy their needs and wants. Technological change has, however, resulted in an expanded range of choices and new ethical dilemmas that necessitate a reconsideration of personal and social values. Ethical analysis of technology involves reviewing whether the social and personal impact, economic costs, environmental damage, and potential risks associated with technology are worth its benefits. Such analysis is used in combination with scientific knowledge to formulate goals and policies to help ensure the responsible development and utilization of technology.

#### HISTORICAL CONTEXT

Despite its profound influences on humanity and the environment, technology became a subject of eth-



ical inquiry only relatively recently. A review of how the cultural context of science and technology has changed with time is useful in understanding why technology did not come under the scrutiny of ethical analysis earlier.

Technology is generally considered to be the application of scientific knowledge; however, technology actually preceded science. The first human use of tools and the development of agriculture were early forms of technology. The word “technology” originates from the Greek *technè*, which means “art,” “craft,” or “skill.” In ancient times, science was equated with the search for truth and understanding of the world and of human life. The Greek philosophers were the first to formulate ideas about matter, although they never experimentally tested their ideas. Their discourse focused on determining what was real and unique about humans relative to other forms of matter.

A relationship between science and technology began in the Middle Ages with the practice of alchemy—a sort of mystical chemistry practiced by people with an interest in human health and the quality of life. Alchemists prepared elixirs in efforts to remedy ailments as well as to confer immortality. It was Francis Bacon, however, who first perpetuated the belief that knowledge obtained through science could be utilized to enrich human life through new inventions.

Bacon lived in an age when people first used instruments to collect information about nature and the universe but also considered the influence of the stars upon their destinies and believed in witchcraft. As an alternative, Bacon outlined what was to become the modern scientific method—a process characterized by induction, experiment, and the empirical study of data.

Over the next hundred years, René Descartes, Thomas Hobbes, Robert Boyle, and Sir Isaac Newton further contributed to the philosophical basis of the scientific revolution. Science was viewed as one of humanity’s noblest enterprises and one of the best means for gaining an understanding of nature. Of relevance to ethics was the fact that this new image of science differed from previous philosophical thought on at least two major points. First, classical ethics assumed that there were limits on humanity’s power over natural phenomena; nature and the future were controlled by fate, chance, or some divine power.

According to Bacon, however, the power obtained through knowledge would enable humans to control nature and their own destiny.

Scientific knowledge was also considered objective and tangible. Scientific judgments could be tested by observation of facts and logical analysis; one could provide clear evidence of truth. In contrast, moral judgments were seen as subjective, abstract, and incapable of being empirically tested. Ethical analyses reflected attitudes of the persons involved and were based on values held by an individual or society—all of which have a tendency to be relative to a particular culture and time. Such relativism was not thought to apply to scientific data.

Bacon could not have fully imagined the extent to which his predictions about the enhancement of human life would come true as a result of technological innovations beginning with the Industrial Revolution. By the mid-twentieth century, numerous dreaded diseases had been virtually eliminated with the discovery of antibiotics and vaccines. Fertilizers, pesticides, and animal breeding had increased and enriched the world’s food supply. New materials such as plastics and fibers had brought new products into homes, industrial automation had increased leisure time, advances in transportation and communications had linked remote regions of the world, and humanity had begun to look toward outer space as a new frontier.

The public was content to leave details of scientific concepts to a perceived elite group of experts. What seemed important was that technology, the practical result of this work, was the means to improve the quality of life for the average person both by providing conveniences to simplify tasks and ease the burden of work and by offering new luxuries and expanded time for leisure. Advancements in new weaponry and synthetic pesticides that dramatically impacted the course of World War II served to further the public’s positive view of technology.

### CHANGING ATTITUDES

Despite the perceived benefits of technology, several events during the twentieth century contributed to changing attitudes about science and technology. The development of the assembly line in 1913, initially hailed as a means of providing affordable products for everyone, was blamed for the loss of jobs during the Great Depression. Around this same time,

philosophical concerns about technological impact on humans were voiced by individuals like William F. Ogburn, Leslie White, Lewis Mumford, and C. P. Snow. They all questioned whether the machine was an amplifier of human power that challenged human productive abilities or something that placed humans into a new serfdom. Despite this, mechanization propagated as the industrial robot and other forms of automation were introduced.

The United States' use of the atom bomb during World War II raised the level of consciousness of responsibility among scientists. Afterward, they protested against nuclear weapons testing, development of antiballistic missiles, and military research being done within university settings. Additionally, scientists (most notably Rachel Carson) pointed out that science and technology had the potential to destroy the world by the irreversible damage to the environment caused by industrial pollution and the rampant use of pesticides. Such testimony by scientists and other experts led to an increased social awareness of environmental hazards resulting from technology, and for the first time, the general public began to question the value of technology.

Philosophers of the technological age, such as Herbert Marcuse, Jacques Ellul, Victor Ferkiss, and Jacob Bronowski, began to formulate the foundations of a new ethic. New methods of analysis emerged. One example was Norbert Wiener's notion of communication and feedback control processes in animals and machines that he introduced in his book *Cybernetics* (1948); it became a discipline of study in the 1960's. Several other books emerged during the middle of the twentieth century in which the authors openly questioned the value of technology. Rachel Carson's *Silent Spring* (1962) was pivotal in this respect. The evils of technology were often emphasized, and it was pointed out that technology had altered the image of humankind. Science-fiction writers portrayed the horrors of technology gone awry; for example, Kurt Vonnegut's *Player Piano* (1952) detailed the impact of technological change on the human psyche.

Public concerns about science and technology rose dramatically toward the end of the twentieth century. Nuclear energy, resource availability, biomedical and reproductive technologies, genetic engineering, animal welfare, the value of "big science"—such as space exploration, strategic defense

initiatives, superconductors, and the Human Genome Project—and the economic and environmental impact of technology were all among the topics of concern. A growing reliance on computers, the Internet, and new electronic modes of communication were changing models of conducting business, accessibility to information, and perceptions of time and distances around the globe. New ethical concerns were being raised about the artificial extension of the human mind and the changing forms of human interactions. Life science research and biotechnology methodologies led to gene therapy, genetically modified foods, cloning of mammals, and the use of stem cells for research—all of which have raised to unprecedented levels public awareness of the new ethical dilemmas.

### TECHNOLOGY AND PUBLIC POLICY

Despite a move in the United States to isolate scientific research from political control, the opposite situation occurred. Scientists and engineers were consulted by the government for advice on technology—especially, originally, on issues related to atomic energy. Federal government involvement in science expanded during the 1950's and early 1960's, with the formation of funding agencies such as the National Science Foundation and the National Institutes of Health.

Changing economic and political situations in the 1960's, however, led to decreased federal appropriations for research, and there was a new emphasis on accountability. Scientists were expected to be productive, and research was expected to lead to practical applications. Phrases such as "applied science" and "publish or perish" became popular, blurring the distinction between science and technology. The increased involvement of government in research and technology and the increased dependence of science on public funding severely challenged the previously held ideal that these were ethically neutral areas. Value judgments, social attitudes, and political and economic pressures were clearly influencing the national science agenda, research priorities, and public opinions of technology.

After the 1960's, the level of federal funding for science in the United States increased significantly; a large percentage of scientists rely on federal research support. Entrepreneurial partnerships between universities and business have become common, serving

to further emphasize applied research and profit-making—sometimes at the expense of the traditional academic missions of education and basic research. Social priorities define where research funds are directed; this is evident in the large amounts of funding available for research related to cancer, acquired immunodeficiency syndrome (AIDS), and, in the early twenty-first century, national security—especially in the wake of the events of September 11, 2001.

During the 1970's, private institutes such as the Hastings Center in New York and government advisory groups such as the Office of Technology Assessment and the National Academy of Sciences were established to initiate discussions and studies of ethical issues in technology. Emphasis was on the personal and social impact of technology, regulatory issues, and finding ways to better inform the public about technology. International gatherings of scientists (most notably the meeting on recombinant DNA technology held at Asilomar, California, in 1975) focused on ethical dilemmas related to the safe application of new and controversial technology in scientific research, industry, and agriculture.

The national dialogue about technology and ethics expanded as professional scientific societies began to routinely include sessions on ethics at their annual national meetings. Ethics has become a required component of the curriculum of many science graduate school programs, and researchers often must address ethical issues when submitting grant proposals for federal research funds. Centers of ethics related to technology have been developed at a number of universities; the Center for Bioethics at the University of Pennsylvania and the Markkula Center for Applied Ethics at Santa Clara University in California are prominent examples.

Calls to place limits on, or even ban, certain types of research were beginning to be voiced. Initially these came largely from environmentalists and animal rights activists, but they later expanded to groups concerned about genetically modified foods and reproductive technologies, including cloning. A National Bioethics Advisory Commission was established by executive order during President Bill Clinton's initial term in office. This advisory committee examined issues related to human subjects' protection in research. Growing public concerns about human cloning and embryonic stem cell research led President George W. Bush to establish a

new President's Council on Bioethics that met for the first time in January, 2002.

Ethical dilemmas related to the distribution of wealth and knowledge and environmental damage resulting from technology have become a major focus of foreign policy. This is evident in provisions of international agreements such as the Montreal and Kyoto Protocols (which focus on environmental concerns), unilateral agreements on weapons and nuclear power, and discussions about the distribution of AIDS drugs to developing nations where the disease is most prevalent. In October, 2003, the president of France, Jacques Chirac, called for an international convention to address ethics raised by advances in genetic engineering and biotechnology.

### **ETHICAL PRINCIPLES**

Traditional ethics were anthropocentric; the fundamental nature of the human entity was presumed to be constant. Classical theories such as Immanuel Kant's theory on moral law focused on similarities between kinds of situations and people. Questions of good or evil actions toward fellow humans were confined to the foreseeable future and to individuals to whom a person was either related or was close in the sense of time or physical location. Actions toward nonhuman objects were considered to be outside the realm of ethical consideration.

Modern technology has altered these premises of classical ethics by changing the nature and the realm of human actions. Individualism and uniqueness, rather than similarities, are valued; society is pluralistic. Innovations in communication and transportation have altered perceptions of time and space, as well as changing the very nature of how humans interact with each other. Humans must think globally in terms of their actions, since they can affect not only living relatives and neighbors but also unknown people living thousands of miles away or someone who might be born several generations in the future.

Modern technology is informed by a much deeper understanding of natural phenomena, yet nature is critically vulnerable to technological intervention. Because of this, the realm of moral consideration has been expanded to include nonhuman living organisms, or even all components of the planet. This has led to the animal rights movement and the development of the field of environmental ethics. Despite this new awareness, humans continue to use technol-

ogy to construct new environments and alter existing elements of nature—described by some as humans’ attempt to re-create Eden.

Contemporary ethics, which emerged in the twentieth century, is usually divided into three components. Through descriptive ethics, one seeks an accurate, objective account of moral behavior or beliefs. Metaethics involves examining the meanings and uses of moral terms such as “good” or “right” and studying moral reasoning and foundations for moral judgments. In normative ethics, moral arguments about what types of conduct are right or wrong, or good or bad, are analyzed. Normative ethics is also concerned with how human beings might best lead their lives and which states of affairs ought to be furthered in society. It is this latter branch of contemporary ethics on which discussions about technology focus.

Most ethical considerations of technology are issue- or case-oriented (applied ethics) and often focus on specific areas such as bioethics or computer ethics. Ethical assessments draw on traditional ethical theory and principles when possible, but also rely on scientific evidence and psychological, political, economic, and historical factors. Traditional ethical reasoning involves consideration of utility, right, justice, common good, and virtue, and use of such standards would lead to questions such as the following when assessing technology: What are the benefits and harms of a particular technology? Who will be impacted and do individuals have free choice in determining whether they will use or be impacted, by technology? Are individuals protected from technology being used in ways they do not want? Will there be a fair distribution of the direct benefits and wealth technology brings? However, given the pace at which new information is obtained and put into application, and the inability to foresee all the consequences of technology, it is difficult to conduct such a thorough assessment.

The fundamental ethical question of whether science and its applications through technology are good or evil is frequently debated. Since goodness is a function of both personal and societal sets of values, there is no absolute set of standards from either classical or contemporary ethics that can be used in this area. Such analysis is further complicated by divided views as to whether technology is mechanical or autonomous. In the mechanical view, or instru-

mental theory, technology is seen as a tool with which to accomplish a humanly defined goal. As such, it has instrumental value depending on its usefulness to humans, and ethical judgments can be made only regarding the goals for which the tools are used. In the autonomous view, or substantive theory, technology has a life of its own and may no longer be under human control. Ethical concerns center both on whether to control or restrict technology and on the moral impact of technology on individuals and society.

### NEW ETHICAL ISSUES

Fears that technology might someday begin controlling humans have long been a major ethical concern. Some people believe this to be reality. During the 1980’s and 1990’s, Neil Postman and Langdon Winner both described how technology had redefined social relationships, culture, ideas of space and time, individual habits, moral boundaries, and political and economic structures. Ironically, technology, which originally led to increased leisure time, has now created a mind-set in business (at least in the United States) that prioritizes efficiency and productivity and promotes a “24-7” mentality. Without free time to pursue friendships, people ironically now turn to their computers for human interaction. Some have noted that the ever-accelerating pace of new knowledge acquisition and implementation of new technologies correlates with fast-paced modern society that is characterized by temporary relationships (consider the high divorce rate, the increasing trend of frequent career changes, and the routine buyouts and mergers in business).

Many have described the seductive power of technology and society’s increasing reliance on it. Ruth Conway refers to the “flick of a switch” syndrome where individuals use technology but are unaware of the workings of the machine or the environmental impact of the product and are completely disconnected from the science and creativity that went into the design. She sees this as a debilitating power of technology that can lead to a sense of powerlessness and incompetence. (Consider some people’s dependence on remote controls or the common perception that younger generations can no longer do mathematical calculations without the aid of a calculator.) As technology advances, the scientific literacy of the general public lags farther behind. Given the expand-

ing information gap between the experts and the public, who should make decisions about acceptable risks of technology, determine public policy on scientific research, or set limits on technology that threatens to cross some unacceptable moral boundary?

Humans have never before dealt with the types of ethical implications to which modern technology has given birth. Genetic engineering is a good example of a modern technology that leads to a range of new ethical dilemmas including decisions about whether humans should genetically modify themselves or other animals and uncertainties associated with scientists tinkering with evolution and natural selection. However, besides these, there are questions of whom, if anybody should profit from this technology.

In *Diamond v. Chakrabarty* (1980), the U.S. Supreme Court ruled that oil-eating bacteria produced by genetic engineering were living inventions and thus were patentable. This decision further sparked debate over whether life-forms should be engineered, much less patented, and has intensified as a result of the various genome sequencing projects and the patenting of specific DNA sequences isolated from living organisms. A scientist can patent not only a gene responsible for some desirable trait in a crop plant but also a potentially interesting abnormal gene isolated from tissue of a patient with some disease (without the patient's knowledge). Previously unimaginable businesses such as gene prospecting (from humans and other species) and trade in indigenous DNA have emerged.

Computer and communication technologies have also led to new ethical dilemmas—typically in the areas of privacy and intellectual property rights. While some parents may appreciate the ability to check in on their children electronically at a day care center, they might strongly object to the same technology being used in their workplace to monitor their own work. Global positioning systems enable products such as OnStar, which can be used to help a stranded motorist, but also allows companies to track the driving patterns and location of automobile owners without their explicit consent. The Internet and electronic mail communication have many benefits, but they also expand the availability of potential victims, as evidenced by the increase of new breeds of criminals including hackers and online sexual predators.

## INTERNATIONAL ISSUES

Most countries realize that their welfare is dependent in part on their national scientific and technological capacity. In the past, the poor (including those in technological countries) have benefited least from technology. How is it possible to distribute justly the benefits of technology? Should everyone enjoy some equitable level of quality of life before further technological advances are permitted? Does the inequality in wealth and technology that exists between industrial and developing nations lead to undesirable practices such as black markets for weapons or substances such as chlorofluorocarbons (CFCs)—which were later banned by the provisions of the Montreal Protocols? Should technologically advanced countries continue to use resources obtained from less-developed countries? If so, what constitutes a fair compensation?

The British philosopher David Hume stated that a system of justice was necessary because of human passions, selfishness, and limits of resources. Ethical discussions of technology often refer to the tragedy of the commons. The commons are those provisions of the earth that humans must share; the tragedy is that human nature compels people continually to increase their well-being—often at the expense of fellow humans. Can a spirit of cooperation prevail if competition is instinctual?

Countries may be obligated to share not only the benefits of technology but also certain kinds of knowledge, such as that related to the eradication of disease. For poor countries, the information may be useless unless financial assistance for implementation is also provided. Who becomes responsible for such financial support? Other technical information, such as that linked to national security, may require protection. Who decides which information is to be shared?

New technology raises questions of priorities, especially when resources are limited. Should ending world hunger be of higher priority than having humans explore outer space? Proponents argue that technology stimulates human intellect, national prestige, and pride. Of what value are these? When a nation has a large national debt, how much technology is needed for security (whether to serve as a deterrent or for defense)? What would be the social price of not using technology?

Technology is often blamed for the depletion of



many natural resources. Can limited resources be shared or conserved? If technology cannot provide alternatives to scarce resources, what valued material goods and comforts would humans be willing to sacrifice? What alternative energy sources are acceptable substitutes when traditional ones are depleted? Innovations in agriculture enhanced the world's food supply, but overpopulation threatens the planet. Should birth control (via technological products) be mandated to bring the population back into balance with what the earth can support?

Other new ethical questions relate to responsibilities toward future generations. What impact will continued technological development have on the future of humanity and Earth's ecosystem? Are these even within the realm of human responsibility? The technology accepted in the twenty-first century or any decisions made to set limits on research and evolving technologies will likely have far-reaching consequences for many generations to come.

### **HAS TECHNOLOGY ALTERED HUMANS?**

Early ethical considerations of technology asked whether it was a threat to the dignity of humans and whether humans were becoming slaves to machines. In contrast, others argue that the machine has freed humans from demoralizing and tedious physical labor, allowing them to more fully develop their intellectual capacities. Modern technological advances have the potential to further blur the boundary between human and machine, including artificial intelligence, neurotechnology—which involves implantable microcomputer chips connected to prosthetic devices—and nanotechnology.

Advances in computing and communication technology allow individuals to access information and regions of the world previously unattainable for the majority of people. To achieve this global connectivity, what has been lost in terms of fundamental human values of family and community? Despite the capability to access almost infinite amounts of information, computers and artificial intelligence are blamed for diminished communication skills and a loss of imagination. Are impersonal interactions and loss of privacy worth the ability to augment intellectual power?

Through technology, scientists have revealed the "secret of life" (DNA structure), and it is theoretically possible to modify humans through genetic en-

gineering. Scientists are identifying the chemical reactions that are responsible for learning, memory, behavior, and the perceptions of pleasure and pain. It has become possible to predict some future health problems, the ability to learn, or an individual's potential for criminal conduct or displaying an addictive behavior—in some cases, before a person is even born. How will such information be used, and by whom? Chemical or genetic modification of behavior, in combination with computers and artificial intelligence, will further enable the expansion of the mental capacities of humans. Researchers have the technology and most of the genetic details to redesign humans should they so choose. What impact does such knowledge have on humanity and spirituality?

Individual value systems are influenced by a person's experiences and environment. Both one's sense of self and decision-making abilities are determined by these values. What happens to human values when the factors that influence them are in constant flux? Values are known to change more slowly than the reality of human experience; what sort of crisis does this present? Humans are confronted with more choices than ever. With shifting values and no set of common societal values, how can decisions be made?

### **TECHNOLOGICAL RISK AND RESPONSIBILITY**

Although technology provides numerous benefits to society, it also entails risks. Oftentimes, not all potential dangers resulting from technology can be foreseen, since predictive knowledge falls behind the technical knowledge and humankind's power to act. Because of this, risk-benefit analysis (a utilitarian approach) is not relevant in all cases, nor is it always possible to logically determine acceptable levels of risk. Choices must be made regarding things that humans have not yet experienced.

How should people address risk in a way that accommodates the perceptions and values of those who bear it when perceptions of the nature, magnitude, and acceptability of the risk differ tremendously among people? Is it possible to identify common values and consider objectives for technology that different cultures within a society or across international boundaries can accept?

Highly trained science experts have difficulty keeping up with developments in their own special-

ized areas. Couple this with the view that the general public is relatively scientifically illiterate, and how, in a democratic society, can citizens participate in wise decision making relative to technology? What responsibility do people have to educate themselves about science and technology? How does the public gain access to the relevant information? What are the obligations of scientists and technologists in disseminating complex information to the public? How do scientists and technologists balance loyalties to their employers, their profession, and the public in calling attention to potential risks arising from their work? Is it the role of journalists to provide an adequate set of facts to the public?

Even when intelligent decisions are made, errors can occur. Who becomes responsible for unexpected applications or undesirable consequences of technology? Who could have predicted that terrorists would use jets as weapons of mass destruction or samples from biomedical research for bioterrorism? The unpredictable nature of humans and the complexity of political and economic factors make it impossible to foresee all consequences. How can people know the truth about the future conditions of humankind and the earth? How can people know what might possibly be at stake? How important does trust become when regulating the power that humankind obtains through technology?

If technological change is inevitable, consideration must be given to how it should be controlled and assessed and how progress should be defined. Is continued evidence of technological progress a sufficient measure of the healthful state of modern culture? Ironically, modern decision making is dependent on the collection and analysis of data and the use of technological devices for this process; technology is used to assess and make decisions about technology. Where does ethical analysis fit into the process? Are there some areas of research and technology that simply should not be pursued? Who should determine the legitimate goals of science and technology, and who will be responsible for setting limits on scientific freedom and bans on certain technologies?

Although difficult, attempts are continually being made to evaluate technological outcomes. Modern pluralistic societies cannot agree on what ends should be served or how conflicting values should be prioritized. There is a general consensus that technology should be regulated, but the development of public

policy has been hampered by the unanswered question of who should decide what the moral boundaries should be. Values of freedom (respect for autonomy) and of individual choice conflict with ideas on what is right for society as a whole (the utilitarian perspective). Such conflict between self-interest and profit on one side and the sense of obligation for the common good on the other is typical of Western philosophy. A series of profound questions remain unanswered. What are the foundations of an ethic that is applicable to this new technological age? How should the new image of humans be defined in a technological age? How can the survival of humanity, which many people claim is permanently threatened by automation, computers, and genetic engineering, be ensured?

*Diane White Husic*

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## Telemarketing

- DEFINITION:** Fast-growing international industry that reaches customers through direct telephone calls
- TYPE OF ETHICS:** Business and labor ethics
- SIGNIFICANCE:** Although it is recognized that telemarketing provides useful services to consumers, the industry is known for ethically questionable practices that annoy uninterested persons and undermine consumer trust and faith in the marketplace generally.

Telemarketing can be an efficient method of selling products, services, and philanthropic opportunities. It can also disseminate useful information to interested consumers. However, telemarketers are notori-

ous for harming vulnerable consumers and businesses, providing misinformation, annoying people with unsolicited calls, and creating animosities and suspicions that limit the benefits of telemarketing itself. During the first years of the twenty-first century, it was estimated that the American public was losing an estimated forty billion dollars per year to fraudulent telemarketers.

Voluntary telemarketing codes of conduct and state and national criminal codes require that telemarketers make disclosures to consumers, prohibit lies, regulate hours of operation and sales tactics, and allow call recipients to request placement on do-not-call lists. Ethical issues arise when the marketing tactics are unfair, intrusive, or excessively forceful; the sellers, solicitors, buyers, or donors engage in deception or fraud; the marketing targets are vulnerable or exploited; or the products or benefits are exaggerated or misrepresented.

### UNETHICAL PRACTICES

Such telemarketing tactics as after-hours or repeated calls, calls to private homes during private hours, calls that clog business telephones and message centers, and sales pitches implying negative consequences for resisting sales calls are considered both unethical and unfair. Some anti-telemarketing tactics are considered unethical. These include fraudulently accepting sales agreements or charitable pledges, injuring telemarketers' ears with loud whistles or horns, insincere and repeated requests for callbacks and written materials, and providing telemarketers with false or misleading information.

Both telemarketing callers and the people who take their calls are unknown to each other, making enforcement of applicable laws difficult to enforce. Some telemarketing companies practice what are known as fly-by-night tactics: After their unfair practices are detected and targeted for investigation, they close their operations, hide their assets, and reopen their businesses under new names with new corporate identities. Companies operating out of foreign countries may be beyond the enforcement reach of U.S. national and state authorities. At the same time, some buyers engage in equally fraudulent behavior by taking delivery of products or services for which they have no intention to pay.

Telemarketing sales pitches that target the elderly, persons with disabilities, geographically and socially

### The National Do Not Call Registry

In September, 2003, the Federal Trade Commission (FTC) responded to complaints about telemarketers by establishing the National Do Not Call Registry. Its goal was to give citizens more control over their private telephones by enlisting government help to stop unsolicited commercial calls. New federal legislation made it a criminal offense for telemarketers to call any numbers on the registry and laid down guidelines for acceptable and unacceptable telephone solicitations and penalties for violations of the new law.

Meanwhile the FTC invited members of the public to register, at no charge, their telephone numbers. In late March of 2004 the FTC reported that 58.4 million phone numbers were registered and that “most telemarketers have been diligent” in complying with the law. According to an independent public opinion survey conducted by the Harris Poll in February, 2004, about 57 percent of all adults in America had registered phone numbers with the Do Not Call Registry. Moreover, more than 90 percent of those who had registered reported receiving fewer or no telemarketing calls since registering.

*To sign up on the Do Not Call Registry or to get more information, visit the FTC Web site at [www.ftc.gov/donotcall/](http://www.ftc.gov/donotcall/).*

isolated persons, or persons with limited financial resources are considered especially unfair. Pitches exploiting the victims’ greed, avarice, ego, or emotional sensitivities are also unfair but are often viewed less harshly by the public.

The Federal Trade Commission (FTC) and other enforcement agencies have been lenient in allowing puffery, exaggeration, and hyperbole in marketing. The marketing companies themselves may provide honest and forthright scripts for their callers to read to potential customers; however, they may also encourage their callers to deviate from their scripts to make sales. It is difficult to bring legal charges on oral sales pitches that are delivered by anonymous salespersons. In some cases the product, services, or charities do not even exist. Some telemarketing is a cover for credit card or identity theft, or is used to

gather financial and consumer information used by other telemarketers at later dates.

*Gordon Neal Diem*

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SEE ALSO: Business ethics; Electronic mail; Etiquette; Identity theft; Invasion of privacy; Marketing; Privacy; Sales ethics.

## Teleological ethics

DEFINITION: Moral theories asserting that the purpose or end of an action determines the moral quality of that action, or that a moral obligation exists to fulfill one’s inherent purposes or ends

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: As a general category, teleological ethics—or ethics focused on intent or on consequences, rather than duty—constitutes one of the two major types of ethics; the other is deontological ethics. A more specific school of teleological ethics is founded upon the assumption that *teloses*, or ends, exist objectively in the world, that is, that things and people have inherent purposes the fulfillment of which should guide human action. For the narrower school, therefore, one has an ethical duty to discover and accomplish one’s purpose in the world.

The term “teleological” is derived in part from the Greek word *telos*, which means end or goal. Teleological ethics refers to ethical theories that base the rightness of actions or the moral value of character traits on the ends or goals that they promote or bring about. A teleological perspective was typical in an-

cient and medieval ethical thought. Its classic expression is found in Aristotle's *Nicomachean Ethics*, particularly in the opening lines of chapter 2 of book 1:

Now if there is an end which as moral agents we seek for its own sake, and which is the cause of our seeking all the other ends . . . it is clear that this must be the good, that is the absolutely good. May we not then argue from this that a knowledge of the good is a great advantage to us in the conduct of our lives?

Aristotle, like most ancient and medieval thinkers, used ends and goals to justify virtues and other character traits as well as actions. Until the recent revival of virtue-based ethics, most modern teleological ethical theorists were concerned with theories of obligation; that is, of right and wrong action.

English philosopher C. D. Broad, writing during the early part of the twentieth century, was the first to use the term "teleological" more narrowly to refer to theories of obligation. According to Broad, teleological theories hold that the "rightness or wrongness of an action is always determined by its tendency to produce certain consequences which are intrinsically good or bad."

### TEOLOGY VS. DEONTOLOGY

In Broad's classification scheme, which has become standard, teleological theories are contrasted with deontological theories. The latter judge at least some actions to be right in certain circumstances, regardless of what their consequences might be. Leading deontological ethical theorists include Immanuel Kant, W. D. Ross, and John Rawls. No standard or standards of right action are agreed on by all deontologists; instead, what is common to such theorists is a denial of the teleologists' claim that the goodness of consequences is the sole right-making feature of actions or rules of action. For example, Ross insisted that some acts, such as keeping a promise, are right even if doing something else would result in a slight gain in the value of the total consequences. Ross's criticism is of a familiar type directed specifically at the aspect of teleological theories that is sometimes referred to as their "consequentialism"; that is, their requirement that right actions are those having the best consequences. The English philosopher G. E. M. Anscombe first used the term "con-

sequentialism" in a 1958 paper to classify moral theories of obligation. She objected to such theories because of their moral laxity, in that they justified violating rules if the consequences of observing the rules were sufficiently bad.

Another way of expressing the contrast between teleological theories and deontological theories is that suggested by William Frankena and John Rawls. This approach begins with the idea that the two basic moral concepts are the right (the rightness or obligatoriness of actions) and the good (the intrinsic goodness or value of things or states of affairs). Teleological theories give priority to the good over the right in that they define the good independently of the right and then define the right as that which maximizes the good. It is possible to identify what is good or has value independent of any idea of what is right. By contrast, deontological theories define the right independently of what is good, thus allowing that a right action may not necessarily maximize the good.

Looked at this way, one of the questions that teleological theories must address is: "What is good in itself, or has intrinsic value?" The theory of value that is adopted by a teleologist may judge a single kind of thing, such as pleasure, to be good, or it may hold a plurality of things to be good. Jeremy Bentham, the famous English utilitarian, was a defender of the former view, called "hedonism," while the early twentieth century English philosopher G. E. Moore subscribed to the latter, pluralist view. Another conception of value is a "perfectionist" one, according to which some ideal of human excellence is seen as valuable and worthy of pursuit. Aristotle maintained that the human good consisted of the active exercise of the distinctively human faculty of reason.

### WHOSE GOOD SHOULD BE PROMOTED?

Teleological theories also provide different answers to the question of whose good it is that should be promoted. Egoistic theories contend that the relevant good is the good of the agent, the person acting, while universalistic theories hold that agents must consider the good of all those who are affected by an action. The best-known of all teleological theories is the universalistic one: utilitarianism. Developed by Jeremy Bentham during the early nineteenth century, utilitarianism has been one of the dominant ethical theories and social philosophies in the English-speaking world.



Classical utilitarians such as Bentham, John Stuart Mill, and Henry Sidgwick were hedonistic utilitarians who asserted that actions, policies, and institutions are to be judged on the basis of the amount of pleasure (as opposed to pain) they produce, considering all those affected. Other utilitarians have departed from the classical view in several ways: Some “ideal” utilitarians, such as G. E. Moore, took the position that things other than pleasure were intrinsically good, while other “rule-utilitarians” stated that rules, not actions, should be judged on the basis of goodness of consequences. While utilitarianism in its various forms remains an important system of moral thought, its once dominant position was eclipsed during the late twentieth century by other types of teleological theories—especially by deontological theories, which have regarded utilitarianism as being open to the charge of insufficiently respecting the value of individuals and allowing too easily the sacrifice of one individual for the greater good of others.

*Mario Morelli*

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SEE ALSO: Aristotelian ethics; Aristotle; Consequentialism; Deontological ethics; Egoism; Good, the; Hegel, Georg Wilhelm Friedrich; *Phenomenology of Spirit*; Utilitarianism.

## Televangelists

**DEFINITION:** Ministers of the Christian Gospel who conduct services and raise money on television

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The emergence of televangelism as a cultural phenomenon in the latter half of the twentieth century raised numerous ethical issues regarding the relationship between mass media and religion.

Televangelism is a product of the evangelical movement in modern Christianity that emphasizes a strict interpretation of biblical authority and a personal commitment to Jesus Christ reinforced by specific conversion experiences. It is the conversion experience itself that televangelists seek to impart in their audiences in accordance with their evangelical mandate to spread the Christian Gospel.

Evangelical Christians were among the first religious groups to recognize and utilize the power of mass media, beginning with the advent of commercial radio during the 1920's. However, regulatory policies that encouraged noncontroversial and ecumenical religious broadcasting served to marginalize the conservative Protestant messages of evangelical broadcasters, forcing them to purchase their own airtime on mainstream media outlets and develop their own media apparatuses to spread their messages. This environment shaped the development of televised evangelist ministries during the 1950's as Billy Graham, Rex Humbard, and other early televangelists worked to create their own organizations for syndication and distribution of programming.

The growth of the television industry during the 1950's and 1960's and the emergence of cable television in the 1970's provided new opportunities for televangelists to reach their target audiences. By the 1980's, televangelism was a multimillion-dollar industry with a worldwide audience of more than twenty million viewers, but subsequent revelations of financial and sexual misconduct by Jim Bakker and Jimmy Swaggart and the failed presidential campaign of Pat Robertson led to a decline in the popularity of televangelists, prompting many Christian broadcasters to turn to family-oriented secular programming to boost their audiences. Nevertheless, the core of televangelism, with its emphasis on sermons, salvation, and solicitation of funds, remained.

### RELIGIOUS ISSUES

The popularity of televangelists has raised many ethical issues within the realm of organized religion. Religious leaders of various faiths have expressed concerns about the success of televangelists in advancing Fundamentalist Christian doctrine. For example, moderate evangelical Christians have charged that the prominent role of televangelism in popular religion distorts public perceptions by creating the impression that all evangelical Christians embrace Fundamentalism. However, the prevalence of televangelists in religious broadcasting is the result of long-standing regulatory policies that many of these critics have benefited from and are loathe to alter. Many religious leaders see the growing audiences of televangelists as evidence of the increasing influence of Fundamentalism in modern religious thought. Some, however, question the success of televangelists in converting believers, arguing that they have been more successful in reinforcing the beliefs of those already converted than in winning new initiates.

Critics of televangelists often take issue with their perceived vanity, their reliance upon entertainment to capture their audiences, and the celebrity status that many of them attain. Many mainstream Christians believe that these traits are antithetical to Christian scriptures and traditions that place strong emphasis upon humility and the rejection of materialism, especially with regard to members of the clergy.

Some critics also question the tendency of prominent televangelists to use their airtime, spiritual authority, and celebrity status to advance political agendas, a practice that is arguably contrary to the teachings of Jesus Christ, whom the Christian Gospels depict as a purely spiritual leader who repeatedly refused to take positions on political issues. In response to these charges, defenders of televangelists often argue that their political stances are consistent with religious doctrine and their concern for the welfare of their communities, and that their acquisition of power and influence through celebrity serves the utilitarian purpose of winning converts.

### COMMUNITY VS. INDIVIDUAL

A common criticism of televangelism is that it undermines the sense of community that is crucial not only to conventional religious worship but also to the welfare of the secular community. Since televangel-

ists by nature preach to multiple audiences of individual television viewers, rather than to assembled groups of worshippers, many critics charge that televangelism changes the focus of worshippers from community to self by circumventing the fellowship and peer support that the communal worship experience provides to worshippers. Some suggest that this focus on self reinforces the emotional and cultural isolation of consumers of televangelism, placing emphasis on individual salvation and personal gain over the good of the community. By contrast, televangelists often point to the sizes of their audiences and the scopes of their ministries as evidence that they are fulfilling needs neglected by industry regulators and otherwise unrepresented in the free market by ministering to those in need of religious experience, many of whom are unable to attend conventional worship services. The validity of each of these arguments is dependent in part upon how many consumers of televangelism would be willing and able to attend conventional church services if religious broadcasts were not available to them, an indicator for which reliable data are difficult to obtain.

### THE MONEY FACTOR

Perhaps the strongest and most enduring ethical criticisms of televangelists involve the solicitation and utilization of money in their ministries. Televangelist ministries, like conventional ministries, are dependent upon private donations to support their operations. Televangelists' use of the airwaves to solicit donations can thus be compared to the passing of collection plates in conventional churches. However, televangelists are often criticized for using "hard-sell" techniques to extract contributions from their viewers, many of whom are emotionally and financially vulnerable. Revelations of the financial improprieties of Jim and Tammy Faye Bakker in the 1980's coupled with the antics of Oral Roberts—who claimed that God had promised to take his life if his ministry did not meet its financial goals—lent credence to these accusations and reinforced the conventional stereotype of the vain, unethical televangelist. However, supporters of televangelism continued to argue that most televangelists do not engage in corrupt practices, and that televangelist ministries continue to provide a valuable service despite their reputations for corruption.

*Michael H. Burchett*

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SEE ALSO: Christian ethics; Faith healers; Hypocrisy; Jesus Christ; Reality television; Religion.

## Temperance

**DEFINITION:** Moderation or self-restraint, particularly in abstaining from consuming alcohol

**DATE:** U.S. movement flourished between the 1820's and the 1920's

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The American temperance movement, culminating in the institution of Prohibition, is generally understood as an attempt to legislate morality. In other words, it advocated outlawing actions whose moral or immoral character was a matter of debate. The destructive results and repeal of Prohibition are often used by social theorists to support arguments that morality cannot be successfully legislated—that is, that social consensus about moral values and appropriate behavior cannot be imposed by rule of law.

The term “temperance” is used to refer to moderation in all activities, especially those of eating and drinking. Aristotle advised that “moderation in all things is a virtue.” Temperance can also refer to the practice of not drinking alcohol at all, and that is how the term will be used in this article.

In the United States, the Prohibition Era lasted from 1920 to 1933. The violence of the underworld

gangs that supplied illegal liquor and the wild activities of the men and women who defied the law and drank at illegal bars called “speakeasies” earned the decade the nickname “the Roaring Twenties.”

**EARLY PROHIBITION EFFORTS**

During the early nineteenth century, the temperance movement began to urge Americans to avoid alcoholic beverages of all kinds. The term “temperance” as it related to this movement was a misnomer, since the members of the movement actually advocated total abstinence from alcohol. The supporters of the temperance movement were known as the “drys.” They believed that alcohol endangered people’s physical and mental health as well as encouraging crime and violent behavior. In 1846, Maine passed the first prohibition law, and by 1860, twelve more states had adopted prohibition. Throughout the U.S. Civil War the issue of temperance was ignored. The Women’s Temperance Union and the Anti-Saloon League picked up the battle from 1875 to 1900. In 1872, the Prohibition Party was formed, and it nominated candidates for president and vice president. The zenith of the party’s influence was reached in 1892, when it won 271,000 votes for its candidates. After that time, the party steadily lost ground.

By 1900, prohibitionists had lost so much ground that only five states still had prohibition laws. As a result, advocates of prohibition decided to make it a national issue, and they succeeded. In 1913, Congress passed the Webb-Kenyon Act, which forbade the shipment of alcohol from a wet to a dry state. During World War I, prohibitionists argued that using grain needed to feed soldiers to make alcohol was unpatriotic. A strong puritan strain in American culture served to support the prohibitionists’ claims. In 1917, the Eighteenth Amendment to the U.S. Constitution was passed, which prohibited the import, manufacture, sale, and transport of alcoholic beverages. Congress provided enforcement power by passing the Volstead Act, which penalized violations of the Eighteenth Amendment.

**LIFE WITHOUT LEGAL ALCOHOL**

Hundreds of thousands of U.S. citizens disobeyed prohibition laws, claiming that they had the right to live by their own standards. They believed that the laws were unjust and violated their rights, and were thus to be ignored.

As has been the case with illegal drugs, the demand for alcohol drove prices up, and the huge profits that could be realized attracted organized crime to the alcohol trade. The most notorious profiteer was Al Capone of Chicago, who made millions of dollars selling beer and liquor. The wealth and power of the crime gangs made it possible for them to bribe police and government officials. Those who could not be bribed were threatened or even killed. Gangs controlled the governments of several U.S. cities and were difficult to oppose.

Gangs not only made alcohol themselves but also found ways of controlling alcohol made by others. It was legal to make “near beer” by brewing beer of regular strength and then weakening it. Bootleggers simply bought or stole the strong beer and sold it to the public at exorbitant prices. The government al-

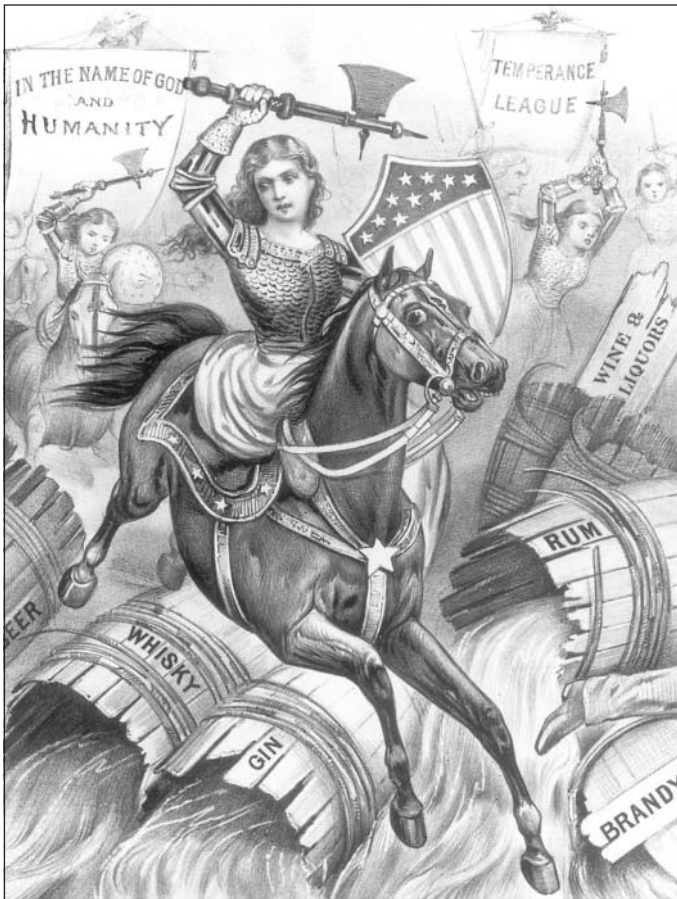
lowed industries to make alcohol for medical purposes and research. Again, the gangs either bought or stole this alcohol and converted it into beverages. The gangs also imported alcohol illegally by smuggling it into the United States from Europe, the Caribbean, or Canada. In 1924, this smuggled alcohol had an estimated worth of \$40 million, a huge sum of money at the time.

The outlawing of alcohol brought about great changes in American life. In the same way that some people produce drugs in home laboratories today, some people during the Prohibition Era made liquor at home, calling it by such names as “white lightning” and “bathtub gin.” Such liquor was strong and of poor quality, but it served to get people drunk. Prior to 1920, few women drank alcohol in public, but both sexes drank together in the crowded speakeasies.

This made it acceptable for women to drink in bars with men. Many people carried liquor in concealed hip flasks or in purses. Because the government never had enough agents to enforce Prohibition, people found it easy and relatively safe to defy the prohibition laws. Since these laws were so unpopular with the public, many officers were reluctant to enforce them.

### LEGALIZATION

Many Americans concluded that Prohibition created more harm than good. It criminalized behavior that people were determined to pursue, thereby increasing crime and making a mockery of law enforcement. In addition, the 1929 stock market crash led to the Great Depression, and Americans had problems larger than alcohol consumption to worry about. Many people wanted to end Prohibition, and they argued that legalizing alcohol would help the government recover from the Great Depression by allowing it to tax the manufacture and sale of liquor. Consequently, in 1933, the Twenty-first Amendment to the Constitution repealed the Eighteenth Amendment and ended the Prohibition Era. In 1966, the state of Mississippi became the last state to repeal its prohibition laws. Less than 2 per-



Poster for the temperance movement published in 1874. (Library of Congress)



cent of Americans live in areas that have prohibition laws. In most cases, such laws reflect the influence of churches, not prohibition or temperance groups.

By 1976, only 16,000 Americans voted for the Prohibition Party's candidate for president. In 1977, the Prohibition Party changed its name to the National Statesman Party. It works closely with the American Council on Alcohol Problems and the Anti-Saloon League. Since the repeal of the Eighteenth Amendment, such groups have been relatively ineffective in promoting the prohibition of intoxicants.

### CONCLUSIONS

For most people, the subjects of intemperance, alcoholism, and addiction conjure up mental images of individuals who are out of control, who are belligerent, argumentative, and violent. Many Americans associate substance abuse with spouse and child battering, frequent fighting, crimes against persons and property, and fetal alcohol syndrome. Once it was believed that alcoholics and other addicts could overcome their addiction through heroic acts of will. Nowadays, however, many physicians believe that a predisposition to alcoholism may be hereditary. Today, society views addiction as a disease rather than as a character flaw. Medical models have replaced social models, and addicts are now seen as people who need twelve-step programs and support groups such as Alcoholics Anonymous, and medical treatment rather than criticism, incarceration, and condemnation. Addiction is a complex issue that involves physiology as much as morality.

*Dallas Browne*

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SEE ALSO: Christian ethics; Gluttony; Morality; Private vs. public morality; Self-control; Virtue.

## Temptation

**DEFINITION:** Enticement to do something one should probably not do

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Temptation includes enticement to do anything from engaging in mildly self-destructive behavior, such as eating fattening foods, all the way up to committing heinous crimes. It is associated with weakness or wickedness, because it entails acting on desires one knows and acknowledges to be wrong.

Oscar Wilde's witty descriptions of temptation help to demonstrate the tremendous power of temptation over the human will. He said: "I can resist everything except temptation" and "The only way to get rid of a temptation is to yield to it."

Temptation is closely linked conceptually to the phenomenon of the weakness of human will. Paradoxically, although stories of weakness of will are found as early as in the biblical story of Adam and Eve, many philosophers have insisted that weakness of will does not exist. Weakness of will is usually defined as action that is contrary to one's better judgment. Some people have argued that it is impossible for a rational agent to act voluntarily while simultaneously realizing that his or her best judgment condemns that very act. Others have argued that since the acts in question are voluntary, the best evidence of what an agent wanted most strongly is the act itself. Therefore, they argue, it is impossible to know that weakness of will has been involved in any observed act.

Such arguments fly in the face of ordinary human experience, but the plausibility of the arguments does make the temptation involved in weakness of will



seem paradoxical. Some thinkers (such as Sterling Harwood and David McNaughton) suggest that weakness of will should be defined not as action contrary to one's better judgment but as a disposition to act against one's higher-order desires. Lower-order desires include hunger, thirst, and lust. Higher-order desires are desires that have to do with desires such as a dieter's desire for a suppressed appetite. This is one possible way to resolve the paradox, for it allows one to define the temptation in weakness of will as an unusually strong disposition to do the tempting act, whether or not one in fact succumbs to the temptation by performing that act. This conception of temptation seems to fit the hard data of human experience, which show (Fingarette, 1988) that even those who are professionally treated for alcoholism indulge their craving for drink about as often as those who are left untreated, and also show that smoking tobacco is roughly as addictive as heroin.

*Sterling Harwood*

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SEE ALSO: Integrity; Self-control; Weakness of will; Wickedness; Will.

## Ten Commandments

**IDENTIFICATION:** Ten absolute moral laws traditionally ascribed to the divine revelation of Moses on Mount Sinai

**DATE:** Proclaimed between the fifteenth and thirteenth centuries B.C.E.

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** By tradition, the Ten Commandments specify the Hebrews' responsibilities in their covenant with Yahweh. Beginning in the thirteenth century C.E., the Commandments were gradually incorporated into Christian instruction manuals and catechisms as well. Many scholars assert that they form the philosophical foundation upon which modern criminal law has been built, although many others see this notion as potentially dangerous, because it seems to combine secular and religious moral principles, weakening with the separation of church and state.

The Ten Commandments, or the Decalogue, appear twice in the Hebrew Bible (Christianity's Old Testament)—in Exodus 20:1-17 and Deuteronomy 5:6-21—with only slight variations in the wording.

The Decalogue was given within the context of Israel's deliverance from slavery and selection as the chosen nation of God. "I am the Lord thy God, which have brought thee out of the land of Egypt, out of the house of bondage" (Exod. 20:2; all biblical quotations in this article are from the King James Version). Following God's liberation of the Israelites from Egyptian servitude, God entered into a covenant relationship with them at Mount Sinai. The Lord (Yahweh) pledged to protect the Israelites and make them prosper, and they in turn vowed to honor Yahweh as their sovereign and to obey his commandments. The motivation for obedience was to be gratitude for the gracious actions of the Lord.

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The first four commandments deal with humanity's duties toward God; the concern of the last six is people's obligations to others. Biblical scholars generally agree that the commandments were stated originally in a concise fashion, probably as follows:

1. *Thou shalt have no other gods before me.* Allegiance to other deities is prohibited. Unlike Israel's polytheistic neighbors, the nation of Yahweh must

worship only the Lord. The first commandment establishes a practical—and perhaps a theoretical—monotheism, thus making Israel’s faith unparalleled in the ancient world.

2. *Thou shalt not make unto thee any graven image.* A graven image is an idol, a visual representation of Yahweh for use in worship. Imageless worship was another unique feature of Israel’s religion. The second commandment implies that Yahweh is so awesome that nothing in the physical world can represent him.

3. *Thou shalt not take the name of the Lord thy God in vain.* The term “in vain” means for an empty or worthless purpose. Forbidden here are frivolous, deceitful, and manipulative uses of the divine name. Examples of irreverent speech include profanity, magical incantations, and false oath-taking in Yahweh’s name. In the Bible, the Lord’s name is equivalent to his very person; therefore, the misuse of the divine name makes God himself to appear empty and worthless.

4. *Remember the sabbath day, to keep it holy.* The sabbath is the seventh day, or Saturday. To keep it holy means to observe it as a day that is different from the other days on which ordinary work is performed. Labor must cease on the sabbath; the sabbath is to be a day of rest and worship. Interestingly, this is the only commandment that is not repeated in the New Testament for Christians to observe. In commemoration of Christ’s resurrection, the early church changed the day of worship from Saturday to Sunday.

5. *Honour thy father and thy mother.* Children of any age are to respect, obey, and cherish their parents. The admonition refers especially to supporting helpless old parents. They are not to be abandoned when they can no longer provide for themselves. Old and weak dependents must be cared for by their adult children.

6. *Thou shalt not kill.* Prohibited here is the unlawful killing of a human being; that is, murder. The Old Testament condemns murder as particularly heinous because it assaults the very image of God in man, a feature that makes human life unique and especially precious in the eyes of the Lord. The sixth commandment does not, however, outlaw warfare, legally sanctioned capital punishment, or the killing of animals. All these acts are clearly sanctioned elsewhere in the Hebrew Bible.

7. *Thou shalt not commit adultery.* This injunction aims to protect the sanctity of marriage and also re-

flects the importance that Yahweh places upon faithfulness in relationships. By implication, the seventh commandment relates to the entire range of sexual ethics. Adultery is singled out as the most pernicious sexual sin because it involves infidelity to a covenanted partner and undermines the stability of the home.

8. *Thou shalt not steal.* Theft covers all attempts to deprive an individual of his livelihood and property. In the Old Testament, property is viewed as a gift of God and necessary for earning a living. Hence, the eighth commandment implicitly upholds a person’s right to own property. By extension, it also attempts to preserve human freedom, since the worst kind of theft involves kidnapping a human being and selling him or her into slavery.

9. *Thou shalt not bear false witness against thy neighbour.* To bear false witness is to lie. This commandment primarily forbids perjured testimony in a lawsuit involving a neighbor. Its application may be broadened, however, to cover any false statements that could damage a neighbor’s reputation. This prohibition underscores the value that Yahweh places upon truthfulness.

10. *Thou shalt not covet any thing that is thy neighbour’s.* The word “covet” refers to strong desire or craving for personal gain at the expense of one’s neighbor. An Israelite was to be content with what the Lord provided. This final precept takes Yahweh’s absolute ethical standard into an individual’s inner life. By implication, all evil desires are prohibited. The tenth commandment reflects the teaching of the Hebrew prophets and Jesus that the source of almost all sinful behavior lies within the human heart.

Ronald W. Long

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SEE ALSO: Christian ethics; Divine command theory; Ethical monotheism; God; Hammurabi's code; Hebrew Bible; Jewish ethics; Moses; Religion; Revelation; Torah.

## Terrorism

**DEFINITION:** Unlawful use, or threatened use, of violence with the intent of intimidating or coercing societies or governments, often for ideological or political reasons

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** While terrorist acts are widely regarded as unethical by those who are attacked, the acts themselves are typically guided by particular sets of ethics held by the attacking parties.

When Timothy McVeigh set a bomb that destroyed a federal government building in Oklahoma City in 1995, and when Middle Eastern suicide pilots hijacked the American airliners they used to attack New York City's World Trade Center and the Pentagon building outside Washington, D.C., on September 11, 2001, they all solemnly believed that the United States was an evil entity and that their actions were morally and ethically justified.

An essential element of terrorist actions is that they are attempts at communication. Through the direct material and human damage they cause, terrorists hope to convey certain "messages" that the target groups will interpret, understand, and act upon. They hope that the traumatic impact of their actions on public emotions will leave their targets emotionally

ready to react as they wish. However, the September 11, 2001, attacks by al-Qaeda prompted calls by political leaders for a world "war on terrorism." For terrorists and antiterrorists alike, it has seemed appropriate to adopt the terminology of war. A terrorist attack is almost always followed by reprisals, which in turn yield further terrorist attacks, which in turn lead to further reprisals.

## ETHICS

The most commonly accepted body of ethical theory applied to the study of terrorism and counterterrorism is the just war theory. In the *Summa Theologica* (1266-1273), Saint Thomas Aquinas presented the general outline of this theory. He gave both a justification of war and the kinds of activity that are permissible in war.

Just war theory has two key divisions—the *jus ad bellum* and *jus in bello*. The *jus ad bellum* gives the conditions under which resorting to war is justifiable. First, war must be declared and waged by legitimate authority. Second, there must be a just cause for going to war. War must be waged only with a right intention. It must also be a last resort. The *jus ad bellum* insists that there must be reasonable prospect of success. Finally, the violence used must be proportional to the wrong being resisted.

The *jus in bello* is concerned with the permissible methods by which legitimate wars should be waged. It offers two basic governing principles. The first, known as the principle of discrimination, limits the kinds of violence that can be used, principally by placing restrictions on what constitute legitimate targets. A major part of the discrimination principle concerns the immunity of noncombatants from direct attack. The second principle is proportionality. It limits the degree of response by requiring that the violent methods used do not inflict more damage than the original offense could require.

A common element in ethical discussions of terrorism is the observation that one faction's "terrorists" may be another faction's "freedom fighters." Placing bombs on public buses or in shopping centers or abducting, torturing, and killing civilians in order to "send messages" to adversaries are actions carried out with little consideration for the victims' ethical status, that is, whether they have done anything to deserve such treatment. In *Second Treatise of Civil Government* (1690) English philosopher John Locke

said that legitimate violence should be directed only against perpetrators and not those who have no part in the offense.

### SUPREME EMERGENCY

The “supreme emergency” principle attempts to justify both terrorism and counterterrorism measures by arguing that political communities that are defending themselves against external aggression—thus fulfilling the requirements of *jus ad bellum*—and that are facing dangers that are both imminent and serious may be justified in letting military necessity override the non-combatant immunity requirement of *jus in bello*.

Ethical caution—a heightened degree of making certain ethical rules are not being violated—is called for when the argument of supreme emergency is used. The fact that one’s only option to achieve a goal is to use violent means does not necessarily mean that violent means are ethically justified. For example, it might be true that the only chance a man with a terminal heart problem has of surviving would require killing another person in order to have that person’s heart implanted into his own body. Nevertheless, that situation does not mean that the man would be ethically justified in killing the other person.

When agents of national groups—such as Palestinians—that do not have states of their own commit acts of terrorism against persons undeserving of violent treatment simply to forward their goal of national independence, they send a message to the rest of the world that theirs will be states that are likely to disrespect the rights of individuals, possibly even of those of their own people.

### COUNTERMEASURES

“Counterterrorism” may be taken to refer to fights against terrorism that are themselves conducted by terrorist means. To define it properly, it should mean “measures by state agencies designed to combat terrorism.” This is equivalent to the ethical necessity for

Image not available

*New Yorkers flee as an explosion rocks the World Trade Center during the September 11, 2001, attacks. (AP/Wide World Photos)*

the police force of any city to arrest and bring to justice murderers and robbers within its jurisdiction. Not to do so would be tantamount to accepting that some people may violate innocent citizens’ most basic rights and get away with it.

Ethical criticisms of terrorists who attack innocent persons have an obvious relevance to states and agencies that employ violent military means to combat terrorism. To the extent that they do not want themselves to be regarded as perpetrators of unjustified acts of terrorism, such governments and agencies must take special care to avoid indiscriminately killing, maiming, or incarcerating people who are unrelated to the terrorist activities they are trying to end.

### THE PRINCIPLE OF DOUBLE EFFECT

Following just war theory, ethically bad effects of actions that are unintended but predictable may be justifiable if the actions themselves, as well as their intended effects, are ethically permissible. This is because the indiscriminate acts of terrorists create the need for antiterrorist operations; hence, the terrorists may become ethically responsible for situations in which further innocent people may be killed as unintended effects of the resulting antiterrorist operations. This is the principle of “double effect.”

However, there is a real danger that antiterrorist agencies will count all innocent victims of their operations as unintended casualties in justified wars against terrorism. This suggests that the principle of double effect should be modified by the antiterrorist agencies in a way that extends the agent’s responsibility for the recipients. One such modification has been proposed by philosopher Michael Walzer, who has argued that not only should soldiers in combat try not to kill noncombatants, they should also try to protect them from being killed, even if so doing means risking their own lives. In practice, this would mean undertaking more operations on the ground and engaging in face-to-face encounters with terrorist enemies, instead of relying on bombs and rockets that may be safe from terrorist fire, but which cannot discriminate between terrorists and nonterrorists. It also means that operations against terrorist bases must be preceded by careful collecting and studying of intelligence in order to make it possible to identify legitimate targets.

### ALTERNATIVES TO VIOLENCE

What sorts of responses to terrorism can be ethically legitimate? Just war theory rules out the use of terrorism to combat terrorism. The use of violence to capture or even kill terrorists can be legitimate if it accords with the conditions of the just war theory and other principles that govern the ethics of resort to war. One of the most crucial conditions is the doctrine of last resort. This doctrine is based on the idea of the ethical superiority of peace over war. Decisions to go to war must be reluctant, and realistic alternatives to violence must be considered.

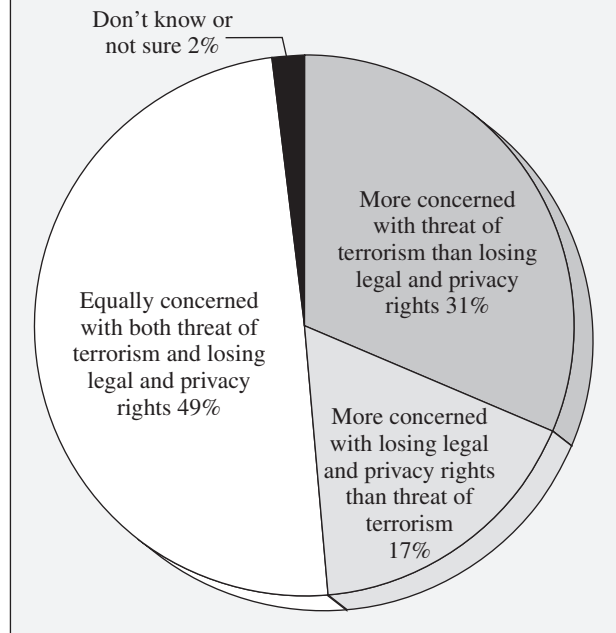
A necessary element among alternatives to violence is the attempt to understand terrorist

grievances. Attending to the grievances of the terrorists may be a precondition for defeating the terrorist campaign, and ignoring them may contribute to increasing the terrorist threat. Rigid refusals to negotiate with terrorists may be impediments to progress. Discussions among the parties can be helpful, but the chances of success are not assured. However, talking is sometimes the only alternative to violence, and willingness to talk with enemies is equivalent to recognizing the enemies as human beings. This tends to defuse the well-known strategy of dehumanizing adversaries and can lead to real progress.

Financial and other sanctions have been placed by many countries on organizations that directly or indirectly support terrorists. Such measures usually include restrictions on, or withdrawal of, trade rights, diplomatic ties, and membership in international or-

### Public Concerns About Terrorism and Losing Privacy and Legal Rights

In August, 2003, a TIPP/Investor’s Business Daily/Christian Science Monitor Poll asked a cross section of Americans which of the views noted below most closely reflected their concerns about terrorism and the loss of privacy and legal rights.



Source: Roper Center for Public Opinion Research. Figures are based on responses of national sample of 901 adults.



ganizations or forums. Sanctions have been successful in gaining cooperation from some governments but were not effective with others.

### MILITARY TRIBUNALS AND PROFILING

Few aspects of the war on terrorism have provoked as much criticism as U.S. president George W. Bush's military order of November, 2001, dealing with the detention, treatment, and trial of certain noncitizens in the U.S. war against terrorism. Hundreds of al-Qaeda and Taliban suspects were imprisoned on the U.S. Navy's base at Guantanamo, Cuba, and held for trial by military courts. Some attorneys representing the suspected terrorists attempted to have their trials moved to civilian courts.

Searching or screening for terrorist suspects by means of descriptive profiles has been used frequently by Israel and a few other countries. After September 11, 2001, the United States began the profiling of airline flight passengers to prevent possible terrorists from boarding planes. Profiling does not normally raise deep ethical issues for most people, but some concern was expressed regarding the Patriot Act that was passed shortly after the September 11, 2001, terrorist attacks on the United States. The fear was that the new law had little to do with catching terrorists but a lot to do with increasing the strength of the government to infiltrate and spy on organizations and individuals.

Certain rules, if followed, tend to legitimize profiled searches. First, the security of the country must be facing a clear and present danger. Next, profiled searches must be carried out by proper legitimate authorities. Finally, general privacy protection guidelines must be followed.

*Calvin Henry Easterling*

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SEE ALSO: Homeland defense; Jihad; Just war theory; Religion and violence.

## Theory and practice

**DEFINITION:** Theory: systematic abstract reasoning or a rational system of thought composed of abstract principles; practice: concrete action guided by such principles or applying them to actual situations

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** Theory necessarily involves simplification, and arguably falsification, of the world, since rationality is not a property of the world itself, but only of human interpretations of it. Successful practice thus requires that one anticipate disjunctions between theory and reality, and develop methods of compensating for these disjunctions. The difficulties of translating theory into practice acquire moral significance when theoretical misapplication or lack of preparation leads one to cause real harm.

According to George F. Kneller, science is the pursuit of knowledge about nature. Science seeks facts; that is, events or states or things that happen. In the service of that pursuit, science has developed a powerful method of inquiry that distinguishes it from other areas of inquiry, such as philosophy, literature, art, or religion. Kneller divides this scientific method into four successive steps: observation, classification, laws, and theories.

### FROM OBSERVATIONS TO LAWS AND THEORIES

By using their senses and sophisticated instruments, scientists make systematic and detailed observations about the universe, which yield facts.

As facts accumulate, classification serves the purpose of discovering commonalities among a set of facts and thus making general statements about those facts. For example, Dmitry Mendeleev proposed in 1869 that if the various elements were arranged in order of atomic weight, they would arrange themselves into groups that have similar chemical properties.

Classification leads to laws, which are statements that describe regularities. Laws summarize a number of separate facts and enable predictions to be made. Isaac Newton's second law of thermodynamics (which states that heat cannot by itself pass from a colder to a hotter body) and Galileo's law of freely falling bodies are well-known examples of laws.

Theories stand at the pinnacle of the scientific method and are the most important part of the process. Theories organize and explain a number of known laws and also generate new predictions that can be tested. If the predictions are confirmed, new knowledge is obtained and the process begins anew. If the predictions are not confirmed, the theory will have to be revised or abandoned. Einstein's theory of relativity is a famous example of a theory that has stood the test of time and has greatly advanced our understanding of the universe.

### THEORY INTO PRACTICE

Ethical issues enter into theory construction and testing in two ways. First, the knowledge that the theory generates by incorporating bodies of existing knowledge and by uncovering new knowledge can often be translated into technology and put into practice at a practical level. Technological applicability means that scientific knowledge is not necessarily neutral. It becomes part of other human purposes and endeavors and therefore can be used or misused. As long as scientific knowledge could not be applied via technology, unhampered search for the truth was a laudable goal. During the late nineteenth century, however, technology began to make significant use of scientific theory. The chemical industry, for example, used scientific theory to alter natural substances and, eventually, to synthesize new ones.

The great English scientist Francis Bacon said in the seventeenth century that science must be responsible to humanity. Since knowledge confers power, knowledge that benefits humankind should be sought. Science thus has a specific ethical, moral, and social responsibility to regulate itself that is more important

than professional responsibility, personal ambition, or the advancement of science. Kneller argues that scientists should not conduct research that may pose a danger to the public or may have technological uses that are potentially more harmful than useful.

Other scientists, however, have argued that the goal of science and theory building is to seek knowledge. It is axiomatic that knowledge is good, and it is the responsibility of the scientist to seek that knowledge without concern for its consequences or practical applications. As long as ethical guidelines are followed in conducting research and constructing and testing theories, then the pursuit of knowledge should be unregulated. A potential for abuse exists in any area of research. Through vigilance and external review boards, however, this problem can be managed.

The second issue is that, in the words of Norwood Russell Hanson, "observations are infused with the concept; they are loaded with the theories." That is, theories define a phenomenon in a particular way and influence the perception of that phenomenon. For example, as Hanson observed, Tycho Brahe and Johannes Kepler may both have seen the same sun, but each saw it differently. Brahe's geocentric theory caused him to see the sun rise over the earth. Kepler's heliocentric theory led him to see the earth's horizon fall away from the sun.

To take but one example of these two issues, the reigning theory of human sexuality has for a long time stated that sexual orientation is learned. Furthermore, it was held that heterosexuality was the normal sexual orientation and homosexuality was abnormal. Because homosexuality was both abnormal and learned, homosexuality was to be treated and undone. Male and female homosexuals were subjected to a variety of therapies that were derived from this particular theory of sexuality, some that were appalling. None proved to be in the least effective, but many were continued because of the theoretical orientation regarding homosexuality.

### SEXUALITY AND BIOLOGY

Recent research suggests that sexuality is strongly influenced by biology. Sexuality is therefore not learned and normally occurs as heterosexual and homosexual. Rather than reassuring the homosexual community, this new theory has aroused considerable anxiety in some quarters. Such knowledge could be used by homophobic individuals or agencies to

once again seek a "cure" for homosexuality, this time through chemical or surgical treatment of the nervous system.

Scientists working in this field, however, reply that the potential for abuse exists in every area of biomedical research. To discontinue such work would stop efforts to construct a theory of sexual orientation, thus simultaneously forgoing the acquisition of new knowledge and the benefits that such a theory could provide.

The ethical issues involved in putting theories into practice thus constitute a dilemma. Two ethically defensible responses can be justified. The most common approach seems to be to let research and theory building progress in as unfettered a way as possible, while scrutinizing them carefully and watching for potential abuses.

*Laurence Miller*

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SEE ALSO: Bacon, Francis; Bioethics; Ethics; Industrial research; Intention; Medical research; Reason and rationality; Science; Technology; Weapons research.

## *A Theory of Justice*

IDENTIFICATION: Book by John Rawls (1921- )

DATE: Published in 1971

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Rawls's book offers a major contribution to modern thinking about the proper rela-

tionship between individual citizens and government and represents a landmark attempt to resolve the ethical dilemma created by the conflict between equality and freedom.

According to the views John Rawls expresses in *A Theory of Justice*, political society should be viewed as the product of a choice made by free, rational, and equal persons who seek fair institutions and arrangements for the governance of their relationships. His theory, therefore, develops and generalizes the social contract theories of John Locke, Jean-Jacques Rousseau, and Immanuel Kant, while insisting that principles of justice for the basic structure of society are the object of the theoretical "agreement" between people and government.

In search of the principles of justice, Rawls places every person in an original position of equality corresponding to the state of nature in traditional contract theory. In this imaginary position, all people operate behind a "veil of ignorance" shielded from any knowledge of their relative positions in society, wealth, natural assets, and abilities. No person, therefore, can know what principles or social arrangements would be to his or her advantage. In this theoretical condition of equality and ignorance, Rawls then asks what principles of justice would free and rational persons choose as a basis for their government.

By this method, Rawls deduces his two principles of justice. The first broadly addresses the issue of personal freedom: Every person should have an equal right to the most extensive basic liberty compatible with similar liberty for others. Under this principle, the primary reason for limiting personal freedom is to avoid conflict among the full range of rights individuals wish to enjoy and that political institutions are obliged to protect.

The second principle holds that social and economic inequalities should be arranged so that they are reasonably expected to be to everyone's advantage and are attached to positions and offices that are open to all. Inequalities, therefore, are unjust if some are systematically advantaged at the expense of others, or if some are systematically excluded from influence over authoritative decisions.

*John R. Rink*

SEE ALSO: Deontological ethics; Distributive justice; Kant, Immanuel; Kantian ethics; Locke, John;

Nozick, Robert; Rawls, John; Rousseau, Jean-Jacques; Social contract theory; Social justice and responsibility.

## Therapist-patient relationship

DEFINITION: Association between a psychotherapist and client

TYPE OF ETHICS: Psychological ethics

SIGNIFICANCE: Ethical aspects of the therapist-patient relationship are governed both by codes of professional conduct and by statutory law. The relationship raises issues involving paternalism, autonomy, confidentiality, and informed consent.

There are often disagreements among therapists regarding what constitutes the best treatment for a given individual. At last count, almost three hundred different forms of treatment had been described for the alleviation of emotional disorders. Samuel Perry, Allen Frances, and John Clarkin group treatments into three broad categories in their book *A DSM-III Casebook of Differential Therapeutics* (1985). These categories are exploratory, directive, and experiential. Exploratory techniques include psychoanalysis and treatments that are not as lengthy or as frequent as psychoanalysis but utilize at least some psychoanalytic techniques. Proponents of these psychodynamic treatments argue that their treatments are useful for many patients and can be adapted to the requirements of individual patients better than can traditional psychoanalysis, which requires the patient to come to therapy four to five days a week.

Directive techniques include the use of principles derived from the study of how people learn and may utilize reward, punishment, advice giving, or other methods designed to change maladaptive behaviors. For example, some directive therapists argue that patients have learned misconceptions about themselves or others that must be unlearned. Other therapists attempt to reduce patient anxieties by gradually exposing them to frightening situations in order to reduce and eliminate the impact of the anxiety-provoking situation.

Experiential techniques utilize a different perspective. Advocates of these techniques emphasize the expression of feelings. They see little, if any,

value in diagnosis or psychiatric classifications. They also object to the power differential found in most therapist-patient relationships. Instead, experiential therapy is viewed as an encounter between two equal individuals who care for each other as real people. Experiential therapists tend to focus on the present and believe that personal growth is an important aspect of therapy. Thus, it is not necessary to be emotionally disturbed to benefit from experiential treatment.

It should be pointed out that these descriptions are necessarily brief and are designed to give the reader an overview rather than a detailed understanding of techniques used in therapist-patient relationships. They are helpful, however, for providing a foundation for understanding some of the ethical issues involved in such relationships.

#### **INFORMED CONSENT AND CONFIDENTIALITY**

The American Psychological Association's "Ethical Principles and Code of Conduct" (1992) discusses a number of topics relevant to therapist-patient relationships. The code of conduct requires therapists to discuss with patients such topics as the nature and anticipated course of therapy, fees, and confidentiality. Thus, the beginning of a therapist-patient relationship involves the informed consent of the patient. Daniel R. Somberg, Gerald L. Stone, and Charles D. Claiborn (1993) suggest that this includes discussion of the potential risks of therapy, the length of treatment, the procedures to be used, alternatives to therapy, and the limits of confidentiality. Therapists need to be sure that the patient has given consent freely, and if the patient is unable to give consent legally (for example, if he or she is a young child), permission must be obtained from those who are able to give legal consent. Even with individuals who are not capable of giving informed consent, however, psychologists have an obligation to explain the proposed intervention and to seek cooperation and agreement. In addition, the therapist must take into account that person's best interest.

With regard to confidentiality, the limits of confidentiality must be discussed. In many jurisdictions, for example, there are limitations on confidentiality when treatment is done in a group or family setting. There may also be limitations on confidentiality whenever more than one therapist and one patient are present, as in marital therapy, for example. Disclosures of confidential information are not permitted

without the consent of the individual unless permitted by law. Usually, disclosures are limited in order to obtain professional consultations and to provide needed professional services. In addition, disclosures can be made in order to protect a patient or others from harm. Such disclosures are discussed further under the duty to warn.

#### **DUTY TO WARN**

This requirement arose out of a suit brought by the parents of Tatiana Tarasoff in the 1970's. Tatiana had been killed by an individual who had been in treatment at the student health facility at the University of California at Berkeley. The patient had revealed to the therapist that he was extremely attached to Tatiana and that he planned to purchase a gun. The therapist, after consulting with colleagues, concluded that the patient was both mentally ill and dangerous and should be hospitalized. Police interviewed the patient and decided there was no need for hospitalization after the patient agreed not to contact Tatiana. The parents of Tatiana sued, and their attorney eventually came before the California Supreme Court, arguing that the treating therapist should have warned Tatiana Tarasoff or her family and that the patient should have been committed involuntarily to an inpatient facility. Initially, the court decided that not only did the therapist have a duty to warn because of the special relationship between therapist and patient but also that the police might be liable, since their questioning of the patient probably resulted in the patient's decision to terminate treatment.

In a later opinion, the same court broadened the duty of the therapist to protect others from dangerous actions of patients but no longer held the police liable. Since that time, a number of states have passed laws requiring therapists to breach confidentiality in the face of patient threats to harm others. Alan Stone, in his book *Law, Psychiatry, and Morality* (1984), argues that therapists are not effective in consistently evaluating the dangerousness of their patients. Nevertheless, he believes that when a therapist is convinced of the dangerousness of a patient, the special relationship between patient and therapist does justify the legal duty to protect both the patient and the public. Thus, therapists are called upon to balance the interests of society against the interests of patient-therapist relationship.

*Norman Abeles*



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SEE ALSO: Confidentiality; Diagnosis; Electroshock therapy; Group therapy; Institutionalization of patients; Medical ethics; Physician-patient relationship; *Principles of Medical Ethics with Annotations Especially Applicable to Psychiatry*; Professional ethics; Psychology; Psychopharmacology.

## Thomas Aquinas

IDENTIFICATION: Italian theologian

BORN: 1224 or 1225, Roccasecca, near Naples, Kingdom of Sicily (now in Italy)

DIED: March 7, 1274, Fossanova, Latium, Papal States (now in Italy)

TYPE OF ETHICS: Medieval history

SIGNIFICANCE: In such works as *Summa Theologica* (c. 1265-1273) and *Summa Contra Gentiles* (c. 1258-1264), Thomas Aquinas combined Aristotle's philosophical ethics based on happiness and virtue with the Christian understanding of law, grace, and love of God.

The moral life, for Thomas Aquinas, consists in each person achieving human fulfillment through freely chosen actions. Presupposed is a human nature with a given, determinate structure and a corresponding determinate fulfillment or perfection. Actions are morally good if they promote this fulfillment and bad if they hinder it. In this sense, Thomas Aquinas's ethics are teleological and eudaimonistic, but unlike classical utilitarianism, the end of good action is not simply pleasure, but the perfection of the human being. Being naturally social, persons cannot attain their perfection alone, but only in community. Consequently, although the ethical life is ordered to promote personal fulfillment, it is not individualistic. Every aspect of Aquinas's ethics (good action, virtue, law, and so forth) is understood in the light of achieving one's fulfillment.

**HAPPINESS AND GOOD AND EVIL ACTIONS**

Aquinas recognized two levels of human fulfillment or happiness. First is the perfection of human nature simply on the natural level, which is the object of philosophical ethics. Second is the Christian understanding of human nature as raised by divine grace and destined to a supernatural end. Theological ethics treats the latter and was Aquinas's major concern. At both levels, happiness lies primarily in intellectual activity, that of knowing God. The natural end consists in knowing God by philosophical investigation, while the supernatural end consists in a direct vision of God, which is possible only after death.

Actions such as studying, educating, praying, and temperate eating are good because they are intrinsic to true human fulfillment, while acts like murder, stealing, or adultery hinder it and therefore are evil. Besides choosing and performing a good act, a person must intend a good end; friendship in itself is good, but it would not be morally good if it were chosen for the sake of vanity or ambition. Morally good action requires a good act, the right circumstances, and a good intention.

**VIRTUE AND VICE**

An integral part of Aquinas's ethics is his theory of virtue and vice. Both virtue and vice are "habits," steady inner dispositions inclining an agent to a certain mode of action. The virtue of courage inclines one to face dangers when reason judges that good action requires it; under the influence of the vice of



*Saint Thomas Aquinas.* (Library of Congress)

cowardice, one would tend to commit evil action rather than face danger. Hence, all habitual tendencies toward perfective activities are virtues and their opposites are vices. There are many different moral virtues and vices corresponding to the many different spheres of moral action: the virtue of religion is a disposition to be properly related to God, liberality is the virtue of being generous with one's wealth, truthfulness concerns speaking the truth, and so on. The chief moral virtues are the four cardinal virtues: temperance, the right disposition toward pleasures (opposed vices: gluttony, drunkenness, sexual promiscuity); courage, the right disposition toward fearful dangers (opposed vices: cowardice, recklessness); justice, the disposition to respect the rights of others and to treat them fairly (opposed vice: injustice); and prudence, the disposition to deliberate well about moral action. Since

all good action requires a good judgment about what should be done, every other virtue depends upon prudence. These moral virtues are acquired by repeatedly performing appropriate virtuous actions.

The theological virtues are infused by God and are dispositions toward actions directed to the supernatural end. By means of the three theological virtues—faith, hope, and charity (love)—a person believes, hopes in, and loves God. These virtues, for Aquinas, are higher than the moral virtues, and among them charity is the highest. Ultimately, every virtuous action is done for the love of God and therefore depends upon the virtue of charity.

### MORAL LAW

Moral law is a rational principle that directs actions toward their proper ends. Lacking animal instinct, free, rational, moral agents direct themselves toward an end according to a rational conception. This is supplied by the law, which commands good acts and prohibits bad acts. Since action always occurs in singular, concrete circumstances, however, law alone is an insufficient rule. Every particular action requires a prudential judgment as its proximate rule.

There are several kinds of law. First is the divine law, the explicit commands of God, such as the Ten Commandments or the Beatitudes, which direct persons to their supernatural end. Second is the natural law, consisting of general principles of right action that are discovered by reason, which reflects on human experience and learns over time what leads to fulfillment and what does not. Because human nature is determinate and is shared by all, the general principles of the natural law are valid for everyone and for all times. Finally, there are human positive laws, the civil laws enacted by society. These are part of the moral law in that they direct moral actions, especially those related to life in society. If, however, a civil law contradicts the natural law or the divine law, it is not a true law and has no binding force. All law, Aquinas said, is ultimately part of the eternal law, the ordering wisdom of God by which he governs the whole of creation.

*David M. Gallagher*

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SEE ALSO: Aristotle; Benevolence; Christian ethics; Natural law; *Summa Theologica*; Teleological ethics; Virtue.

## Thoreau, Henry David

IDENTIFICATION: American writer and philosopher  
 BORN: July 12, 1817, Concord, Massachusetts  
 DIED: May 6, 1862, Concord, Massachusetts  
 TYPE OF ETHICS: Modern history  
 SIGNIFICANCE: The most influential practitioner of

New England Transcendentalism, Thoreau believed that self-reliant persons could, by using nature as a guide, live moral and productive lives without the excessive use of material goods. His most important works include "Civil Disobedience" (1849) and *Walden: Or, Life in the Woods* (1854).

Whether the words of *Walden* and "Resistance to Civil Government" ("Civil Disobedience") or the actions on which they are based have had greater influence, it is clear that Thoreau's life refutes the notion that the Transcendentalists spent their time in the clouds rather than on Earth. A skilled observer of nature as well as a citizen who spoke his mind on current ethical questions, Thoreau made the idealism of Transcendental philosophy a part of his daily life. At Walden Pond, he put into practice Ralph Waldo Emerson's advice to be self-reliant and self-directed. He built his own house, planted his own garden, and lived without a conventional job for more than two years quite contentedly and, as he goes into great detail to show, quite economically.

Thoreau believed that to mire oneself in materialism and then to sacrifice one's principles for fear of losing those material things was to sink into evil. He established that point in his essay "Resistance to Civil Government," in which he chastises his fellow citizens for grumbling about the government's war in Mexico while continuing to pay the taxes that supported it. His own refusal to pay was based not only on his moral judgment of the war but also on the questionable ethicality of a private individual's being forced to support any activity of the larger society. In "Resistance" and other essays—"A Plea for Captain John Brown," "Slavery in Massachusetts," "Life Without Principle"—Thoreau chides his fellow citizens for the disparity between their actions and their principles.

*William L. Howard*

SEE ALSO: Civil disobedience; Conscientious objection; Conservation; Emerson, Ralph Waldo; Environmental ethics; Transcendentalism; *Walden*.

## Three-strikes laws

**DEFINITION:** State laws mandating twenty-five-year-to-life prison sentences—usually without possibility of parole—for persons convicted of third felony offenses

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Designed to remove habitual offenders from society, these laws violate several classical judicial principles and minimize judicial discretion, while also contributing to falling crime rates and rising prison populations in the United States.

The term “three-strikes laws” draws on the baseball analogy that calls a batter out after accumulating three strikes before hitting the ball fairly. The concept was introduced to U.S. criminal justice during the 1990’s, a period of declining national crime rates but growing concern about drug abuse and violence. A federal law was enacted during Bill Clinton’s presidency by a Democratic Congress in response to hardened voter sentiment on crime control issues. The federal law requires only one previous serious violent felony and one serious drug offense for the third felony to earn a life imprisonment. By 2003, twenty-six states had also enacted three-strikes laws and some, like Georgia, enacted two-strikes laws. California’s law, signed in 1994 by Governor Pete Wilson, followed outrage over the 1993 abduction-murder of twelve-year-old schoolgirl Polly Klaas by a twice-convicted kidnapper who was on parole. California’s law is retroactive, reaching back before its enactment, and progressive in that second-time offenders receive double the sentences that first-time offenders would receive for their crimes, before they are sentenced to life in prison for their third felonies.

### PHILOSOPHY OF PUNISHMENT

Three-strikes laws embody the principles of certainty of punishment and of protecting the public through incapacitating offenders. However, they are more consistent with eighteenth century British philosopher Jeremy Bentham’s idea that repeat offenders should receive harsher sentences to outweigh the profit from offenses likely to be committed. In this, Bentham’s views differed from those of his contemporary, Italian classical theorist Cesare Beccaria, whose work informed the authors of the U.S. Consti-

tution. Indeed, three-strikes laws contradict classical ideas that punishment should fit the crime, since the lengths of sentences they impose are related to the numbers of offenses committed, rather than their seriousness. Under classical theory, punishment should be no more than deserved for a specific crime, rather than a series of crimes, and offenders should not be sentenced twice for a crime. Under the three-strikes laws, offenders receive, in effect, sentences for three crimes, even though they have already received sentences for their previous two offenses.

Three-strikes sentences are a version of mandatory sentences, meaning that they are invoked automatically on an offender’s conviction. This removes a judge’s discretion to set sentences based on the uniqueness of the cases, degrees of culpability, and other mitigating or aggravating circumstances. The fundamental moral question remains, should offenders be punished for the kinds of person they may be—that is, repeat offenders—or should they be punished strictly for the specific offenses they commit, with sentence lengths based on the seriousness of the harm they cause? Under a three-strikes law offenders may get life sentences, even if their previous two offenses are comparatively minor nonviolent drug offenses, and even if their third offenses are less serious than their previous two. Offenses as minor as purse-snatching and shoplifting count as “strikes” under three-strikes laws.

### IMPACT AND CRITICISM

Advocates of stricter sentencing claim that the 5 percent per year decline in crime rates observed in the United States through the 1990’s resulted in part from the incarceration of habitual offenders by three-strikes laws, even though thirty-five states already had other habitual-offender laws in place since 1971. They claim that crime in states such as California has gone down 40 percent since implementation of three-strikes laws in 1994. They also claim that the certainty of punishment under three-strikes laws deters would-be offenders from continuing their patterns of crime. However, the actual effectiveness of the laws has been questioned by critics, such as the Sentencing Project, who argue that some states without three-strikes laws experienced similar reductions in crime rates through the same period. New York experienced a 41 percent reduction; Massachusetts, 33 percent; and Washington, D.C., 31 percent.



### Three Strikes in California

Many people argue that three-strikes laws are inherently unethical and cite cases in California, which has an especially strict law. One of the most notorious cases is that of Leandro Andrade. In 1995, he shoplifted nine videocassettes from two K-Mart stores to give to his nieces for Christmas gifts. His crime was completely nonviolent, and he did not even resist arrest. However, because he had two prior felony convictions, he was given *two* sentences of from twenty-five years to life and could not hope for release before the year 2046.

In another California case, Gary Ewing received a twenty-five-year sentence for stealing three golf clubs, worth at total of \$400, from a country club.

Critics claim that three-strikes punishment is excessive and unnecessary, that it contributes to the problems of clogged courts and prison overcrowding, and that it increases the determination of third-time offenders to avoid arrest. These laws abandon the classical principle that repeat offenders are more likely to choose to commit lesser offenses. Instead, facing three-strikes laws, offenders might choose additional and more serious offenses in order to avoid apprehension and conviction.

Doug Kieso, who researched California's three-strikes laws, argues that the initial fear of "clogged courts" was based on the assumption that no plea bargaining would take place. However, he found evidence that judges and appellate courts have "looked the other way," allowing plea bargaining to take place, thereby providing added "pressure" that is used by prosecutors to force defendants to accept longer sentences, rather than risk a life sentence.

#### HIGHER COURTS

In 2003 the U.S. Supreme Court considered the case against a Court of Appeals ruling that California's three-strikes law was unconstitutional due to its violation of the Eighth Amendment ban on cruel and unusual punishment. Consistent with classical principles, the federal Court of Appeals had ruled that punishments for third-strike crimes cannot be grossly disproportionate to the offenses committed. How-

ever, by a 5-4 majority, the Supreme Court upheld the California law, allowing states the discretion to incapacitate repeat offenders for long periods in the interests of protecting public safety.

Whether because of state fiscal crises or a recognition of the ethical problems of "vengeance as social policy," some three-strikes states, such as Michigan, had by 2003 repealed their determinate sentences, at least for drug offending.

Stuart Henry

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SEE ALSO: Arrest records; Criminal punishment; Erroneous convictions; Parole of convicted prisoners; Peltier conviction; Punishment.

## Tillich, Paul

IDENTIFICATION: German American theologian

BORN: August 20, 1886, Starzeddel, Germany

DIED: October 22, 1965, Chicago, Illinois

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Tillich was one of the leading Christian theologians of the twentieth century. In such works as *Systematic Theology* (1951-1963), *Dynamics of Faith* (1957), and *The Protestant Era* (1948), he proposed a new conduit of Christian



systematic theology that helped to facilitate essential dialogue between Protestant and Roman Catholic Christianity, and enabled the Christian faith to relate to other world religions and to the world of secularism.

Tillich was a professor of theology and philosophy at a number of German universities before he was expelled by the Nazi regime for his ties with the Religious Socialists and his vehement anti-Nazi stand. He emigrated to the United States in 1933 and taught at Union Theological Seminary in New York (1933-1955), Harvard University (1955-1962), and the University of Chicago (1962-1965).

Tillich's major teaching in *Dynamics of Faith* (1957), the classic introduction to his thought, is the significance of faith as ultimate concern, which means that the unpredictable, and often forceful, penetration of the abstract ("ultimate") into one's consciousness elicits a concrete response ("concern"), making the revelatory manageable in one's own *Weltanschauung* (worldview). The experience of ultimate concern is a continual process of unconditional correlation of opposite but related elements (subject/object, particular/universal; law/freedom, and so forth), which Tillich views as the essential-existential ground of being, intellectually and emotionally. A true ultimacy, such as God-centrism, is worthy of human commitment, and such an ultimacy is reached by means of an assemblage of rites and symbols that point to and participate in but never replace the sacredness of an ultimate concern. A false ultimacy is an ultimate commitment to that which is not ultimate (idolatry) and opens the way to the demonic. Thus, for Tillich, the absolutization of Jesus, in opposition to orthodox Christology, is a form of heresy (Christolatry).

Although Tillich's categories of thought are not easily classified, this quintessential liberal Protestant thinker always wrote in the spirit of *Ecclesia Semper Reformanda*, as his complete works and supplementary volumes (Stuttgart, 1959-1981) show clearly. In his last public address (at the Divinity School of the University of Chicago, on October 12, 1965), "The Significance of the History of Religions for the Systematic Theologian" (*The Future of Religions*, 1966), he expressed limitations both in the supersessionist view of traditional Christian theology and the modern views of neo-orthodoxy and the "God is dead"

movement, and he proposed that future Christian systematic theology needs to consider the basic insights of other world religions. He taught as he lived—"on the boundary."

*Zev Garber*

SEE ALSO: Buber, Martin; Christian ethics; Existentialism; Niebuhr, H. Richard; Situational ethics.

## Tipping

DEFINITION: Gratuitously awarding money to persons who provide services, such as waiting on tables

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: From the point of view of customers, the central ethical question relating to tipping is whether the action should be regarded as voluntary or involuntary.

In modern Western societies, tipping is regarded as a custom whereby customers receiving services give to the providers additional direct compensation, usually in the form of cash. Service providers such as taxi drivers, restaurant waiters, hairstylists, and porters are examples of workers who accept tips. Custom generally dictates that tips from satisfied customers should range from 10 to 15 percent of the cost of the services provided, not including sales taxes. Owners of businesses themselves are generally regarded as exempt from tipping. For example, taxicab owners, barbers who own their barbershops, and restaurant owners are exempt.

There are two primary ways one might consider the ethics of tipping. The first is to understand a tip to be a voluntary reward and therefore an evaluation of the service rendered. The second is to consider a tip as an expected form of additional compensation over and above what the workers receive from their employers.

If one chooses to think of tipping as a reward for good service, the giving of tips, as well as the amounts of the tips, are entirely voluntary and left to the discretion of the customer. Seen in this light, generous tips serve as signals to workers that their performance is above average. Conversely, the absence of tips or ungenerous amounts are meant to indicate

### Income Tax and Tipping

Many workers who receive tips do not report their tip income when they file their tax returns. However, failure to report tipping income not only is regarded as unethical, it is illegal. Tips earned by waiters, taxi drivers, hairdressers, caddies, and other service workers are subject to the same tax liabilities as other forms of income. In 2004, all employees working in the United States who received more than twenty dollars per month in tips were required, by federal law, to report their tips in full to their employers. The employers, in turn, were required to withhold from their employees' wages the same amounts for state income tax, federal income tax, Social Security tax, and Medicare tax that they would have withheld for the same amounts of money in the employees' regular salaries.

to workers that their performance needs improvement. From this market perspective, it is ethical to tip only if performance warrants it. In Europe, where tipping is less frequent than in the United States, tipping is considered just such a signal of exemplary service and gratitude on the part of the customer.

In the United States, the public custom of tipping is more complex. Some people consider tipping, as in the European custom, a reward of exemplary service. More often however, American tipping is regarded as customary; tipping is therefore an expected and routine part of the exchange. Customers thus tip 10 to 15 percent of the costs of the services they receive, regardless of the quality of service. Since tips are viewed as part of the overall charges, they are routinely expected by workers. From this perspective, the tip as part of the compensation owed to the server is simply a portion of the total compensation provided by the customer rather than the employer.

The expectation that tipping is customary has arisen, in part, in response to minimum wage laws. Many service workers—particularly those who are most likely to be tipped—are paid below minimum wage levels. Therefore customers, and certainly the workers themselves, view tipping as a just way to close the gap.

*Steve Neiheisel*

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SEE ALSO: Cheating; Equal pay for equal work; Etiquette; Generosity; Income distribution; Minimum-wage laws; Service to others; Taxes.

## Title IX

IDENTIFICATION: Section of the federal Education Amendments designed to ban sex discrimination at educational institutions receiving federal funds

DATE: Enacted in 1972

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: Title IX was based on the straightforward view that the principle of equality demands unbiased treatment of female and male students; in practice, however, its provisions have been difficult to implement and have had both positive and negative consequences.

Title IX was signed into law by President Richard M. Nixon as part of the Education Amendments of 1972. It is administered by the Office of Civil Rights of the federal Department of Education. While Title IX covers all educational institutions receiving federal aid, and all activities of those institutions, its most dramatic impact has been in college sports. Prior to the passage of Title IX, fewer than 32,000 women competed annually in intercollegiate sports. By 2003, more than 150,000 women were competing. Over that same period, the number of girls playing high school sports likewise rose dramatically.

While participation in women's sports has surged, many colleges have eliminated parts of their men's sports programs in order to pay for the women's sports. Men's programs that have been dropped have typically been such nonrevenue-generating sports as swimming, wrestling, gymnastics, and tennis. Some observers have argued that Title IX is the cause, forc-

ing cash-strapped college athletic departments to cut men's programs in order to fund the women's programs and scholarships required under Title IX. Proponents of Title IX have countered that the real culprits are the major men's sports—principally football and basketball—whose coaches' salaries and program costs have skyrocketed.

Government enforcement of Title IX has done little to calm the waters. The Office of Civil Rights regulations have been interpreted by many legal scholars and university administrators to require a quota system for allocating funds and scholarships among men's and women's sports programs. "Quota" carries with it all the bad political baggage of late-twentieth century fights over affirmative action and reverse discrimination.

Underpinning the Title IX controversy are the uneasy relationships among education, sports, and sexuality in America. Universities are centers of learn-

ing and research, yet they also maintain huge athletic departments that are run much like business enterprises. To participate in sports, women must be aggressive and competitive, but those same women face conflicting social pressures to be demure and nurturing. Overlain on this apparent contradiction is the notion that sports is a meritocracy. Since the time of the Roman gladiators, it has been assumed that in sports only the strongest should survive. However, Title IX promotes equal participation for women, still considered in America the weaker sex.

Title IX is but a part of the intricate puzzle of modern gender discrimination. Most observers would agree that until basic cultural constraints on women—and men—are eliminated, no federal law or regulatory scheme can be expected to operate perfectly.

*Robert L. Palmer*

### Title IX and the Women's World Cup

On July 10, 1999, the U.S. women's soccer team beat the Chinese national team, 1-0, to win the World Cup in Pasadena, California. The 90,000-plus spectators who attended the game made up the largest crowd to attend any women's sporting event in history. In the months leading up to the final match, the national media covered the U.S. team's progress through the preliminary games. Many of those games drew record crowds, some of them drew larger television audiences than National Hockey League playoff games airing at the same times, and individual players, such as Mia Hamm, became media stars. The American victory was seen as a great triumph—both for soccer in the United States and for women's sports generally. Less noticed by the public was the fact that the American team's success was also a triumph for Title IX. All twenty women on the American team had attended college on athletic scholarships they could not have dreamed of receiving if they had reached college age before Title IX came into law. Indeed, so aware were the players of their debt to that law that they nicknamed themselves the "Title IX Team."

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SEE ALSO: Affirmative action; College applications; Discrimination; Equal pay for equal work; Equal Rights Amendment; Gender bias; Merit; Professional athlete incomes; Women's ethics.

## Tobacco industry

DEFINITION: Producers and distributors of tobacco products

TYPE OF ETHICS: Business and labor ethics

SIGNIFICANCE: The American tobacco industry has come under fire for marketing products known to have links to severe health problems—a fact that raises questions as to the industry's ethical responsibility for the illnesses and deaths attributed to tobacco use. The issue also involves questions about the personal responsibility of adults who choose to use products they know are harmful.

During the 1990's, the American tobacco industry came under unprecedented attack from state and federal officials who sought compensation from the companies for the cost of medical treatments of tobacco-related illnesses. Government representatives argued that their publicly funded health care systems were swamped with payments for tobacco-related illnesses for which the tobacco industry was largely responsible.

### **INDUSTRY LIABILITY TO SOCIETY**

Even with the addition of federal warnings of health problems associated with cigarettes, smoking remained a popular if declining activity in American culture. Prior to the 1990's the federal government conducted low-key antismoking campaigns, limited mainly to advertisements and surgeon general reports highlighting the dangers of smoking. By the early 1990's, a burst of antismoking activity broke out, starting with a 1993 Environmental Protection Agency (EPA) report, followed by congressional hearings and continuing into regulations by the Clinton administration. The impetus behind the antismoking campaign was the rising costs in government-funded health care programs.

The ballooning Medicare and Medicaid program budgets were blamed on tobacco-related illnesses including cancer and heart disease. The federal and state governments demanded that tobacco companies reimburse them for these health costs, which were partly caused by their products. This demand became part of a lawsuit filed by state governments seeking damages from the tobacco companies. A settlement was reached in 1998, with the major tobacco companies agreeing to pay more than \$200 billion to the states in return for an end to lawsuits over smoking. This money was to be used to reimburse states for health care costs and to pay for antismoking campaigns.

Antismoking advocates argued that the tobacco industry owed society and the government for taking care of those made ill by cigarette smoking. This was a different argument from the one offered by individual smokers who were suing the tobacco industry for smoking-related illnesses they personally suffered. The governments' lawsuits sought reimbursement not for direct damage caused to government or society by cigarette smoking, but for indirect damage—in the form of higher health care costs brought on by

more smoking-related illnesses. This made a single industry responsible for a product voluntarily used and known by the users to be dangerous to human health.

The state governments' arguments were not entirely convincing. Governments have agreed to pay for the poor and elderly's health care costs until their death. Many of those costs would exist with or without smoking because death is inevitable. While smoking may contribute to certain types of terminal illnesses, it does not necessarily produce or increase the costs of caring for terminal patients. Forcing tobacco companies to pay government for terminal illnesses linked to their product makes those companies responsible for the inevitable: terminal illness.

The 1990's also saw another, indirect, government assault on the tobacco industry in the form of rising excise taxes on cigarettes in order to discourage people from taking up smoking and to raise revenues. For many years most states had imposed taxes of only a few cents per pack on cigarettes. By 2004, however, the average state tax on a pack of cigarettes was sixty cents, and sixteen states had raised their taxes to more than one dollar a pack. Not surprisingly, the states with the lowest tax rates were all tobacco-producing southern states. Meanwhile, smokers in New York City faced a double tax: one dollar and fifty cents went to both the city and the state, adding a total of three dollars in taxes to each pack of cigarettes. In early 2004, New York City added to smokers' difficulties by outlawing all smoking in restaurants.

### **INDUSTRY LIABILITY TO INDIVIDUAL SMOKERS**

In addition to lawsuits filed by state and federal governments, tobacco companies faced suits from individual smokers seeking damages for their own terminal illnesses. Other companies have suffered considerable economic damages when their products were found to have contributed to illness or death of consumers. The asbestos industry, the producers of silicon breast implants, and the producers of the Dalkon Shield all paid huge sums to those who suffered medical problems from their products.

However, there was a significant difference between those products and tobacco products. For nearly forty years consumers had been aware of the dangers of cigarette smoking, while those who used the other products were unaware of potential health

### State Excise Tax Rates on Cigarette Packs in 2004

<i>Rank</i>	<i>State</i>	<i>Cents</i>	<i>Rank</i>	<i>State</i>	<i>Cents</i>
1	New Jersey	205	27	Arkansas	59
2	Rhode Island	171	28	Idaho	57
3	Connecticut	151	29	Indiana	55.5
	Massachusetts	151	30	Delaware	55
5	New York*	150		Ohio	55
6	Washington	142.5		West Virginia	55
7	Hawaii	140	33	South Dakota	53
8	Oregon	128	34	New Hampshire	52
9	Michigan	125	35	Minnesota	48
10	Vermont	119	36	North Dakota	44
11	Arizona	118	37	Texas	41
12	Alaska	100	38	Georgia	37
	District of Columbia	100	39	Iowa	36
	Maine	100		Louisiana	36
	Maryland	100	41	Florida	33.9
	Pennsylvania	100	42	Oklahoma	23
17	Illinois*	98	43	Colorado	20
18	New Mexico	91		Tennessee*	20
19	California	87	45	Mississippi	18
20	Nevada	80	46	Missouri*	17
21	Kansas	79	47	Alabama*	16.5
22	Wisconsin	77	48	South Carolina	7
23	Montana	70	49	North Carolina	5
24	Utah	69.5	50	Kentucky	3
25	Nebraska	64	51	Virginia*	2.5
26	Wyoming	60			

*Source:* Federation of Tax Administrators. Figures reflect scheduled tax rates as of July 1, 2004. Median rate for the country was 60 cents per pack. Asterisked (\*) states permitted their counties and cities to impose additional taxes, ranging up to 15 cents per pack in all jurisdictions except New York City, which imposed an additional \$1.50 per pack.

problems attributed to the products' use. However, prior knowledge of the potential health problems caused by cigarette smoking can shift only part of the responsibility from the industry to the consumer.

Smokers can also attribute specific illnesses and possibly early death and considerable suffering to tobacco products. Individuals suffering because of asbestos exposure or the negligence of makers of breast implants were paid directly by the companies in-

involved. By contrast, no government claimed that it should be reimbursed for the costs of caring for those who suffered lung cancers because of asbestos exposure.

The tobacco industry also had to accept responsibility for other ingredients in cigarettes, including nicotine. Studies have shown that nicotine is an addictive drug, partly explaining the difficulty many smokers have in "kicking the habit" of cigarettes.



During the 1990's further evidence was uncovered suggesting that tobacco companies had manipulated nicotine levels in cigarettes in order to create addicted smokers of their products. If tobacco companies were guilty of adjusting nicotine levels and knew about the addictive qualities of nicotine, then that fact raises new questions about the industry's accountability for the health problems of cigarette smokers.

While an individual might be considered responsible for choosing to smoke, an addictive and dangerous product might condemn that person to serious illness or death. An addictive product, not revealed as such to the consumer, places responsibility for its effects squarely on the tobacco industry. Deliberate manipulation of nicotine levels would suggest the companies were attempting to create an addiction to a product that all knew was potentially unsafe. Health problems including disease and death traced to cigarettes and their addictive qualities would make the tobacco industry responsible for the damage caused by smoking.

### **The Lethal Dangers of Not Smoking**

Tobacco-related diseases are not the only health threats that the cigarette industry poses to the public. According to a National Fire Protection Association study of fires in the United States over the twenty-five years leading up to 2004, the greatest single cause of fire-related deaths is unextinguished cigarettes. Over that period, about 25,000 Americans—including many nonsmokers—were killed by fires started by untended cigarettes. The tobacco industry admits to designing cigarettes to keep burning when not being smoked—to save smokers the trouble of relighting. However, critics note that cigarettes that burn out on their own result in more sales.

It has long been possible to manufacture cigarettes that are self-extinguishing when not being smoked. In mid-2004, New York became the first state to ban the sale of cigarettes that do not meet fire-resistance standards. The New York law was expected to inspire other states to enact similar legislation and perhaps move the U.S. Congress to create a federal law requiring self-extinguishing cigarettes.

### **RESPONSIBILITY TO NONSMOKERS**

Another issue of responsibility for the tobacco industry is the cost to nonsmokers and their exposure to smoking. During the 1990's, the federal government and private antismoking organizations used a 1993 EPA report to warn of the dangers of what became known as secondhand smoking—the cigarette smoke inhaled by nonsmokers exposed to cigarette smoking.

The EPA report linked secondhand smoking to asthma in children or heart disease and cancer in adults. The report prompted the federal government to seek new methods of limiting exposure to smoking. Cigarette smoking was tied to the health problems of nonsmokers, breaking the chain of responsibility usually placed on smokers. Nonsmokers did not choose to smoke yet suffered negative effects of the product. They could thus blame any ill effects they suffered on the industry.

With secondhand smoking possibly contributing to negative health effects, local governments began limiting where and when people could smoke within public spaces. Starting in the mid-1990's, laws were passed prohibiting smoking in many public buildings including airports, courtrooms, and government offices. Supporters of the bans argued that nonsmokers in those buildings had no choice but to inhale cigarette smoke unless smoking was banned. The bans became broader as many cities and some states began prohibiting smoking within private businesses including bars, restaurants, and stores. These bans, initiated throughout the United States, were supported by the public based on the fear that secondhand smoke was dangerous. However, when it came to secondhand smoking, it was the antismoking advocates who faced ethical questions.

### **ETHICS OF TOBACCO CRITICS**

When the EPA issued its 1993 report claiming that private studies linked secondhand smoking to health concerns, it did not explain the methodological problems associated with its report. The EPA report was actually a combination of nine studies, none of which showed a significant connection between secondhand smoking and health problems for nonsmokers. The EPA combined those nine studies and produced a report that contradicted the results of the nine. The greatest concern raised by this is the public policy that was based on the distorted results. Laws

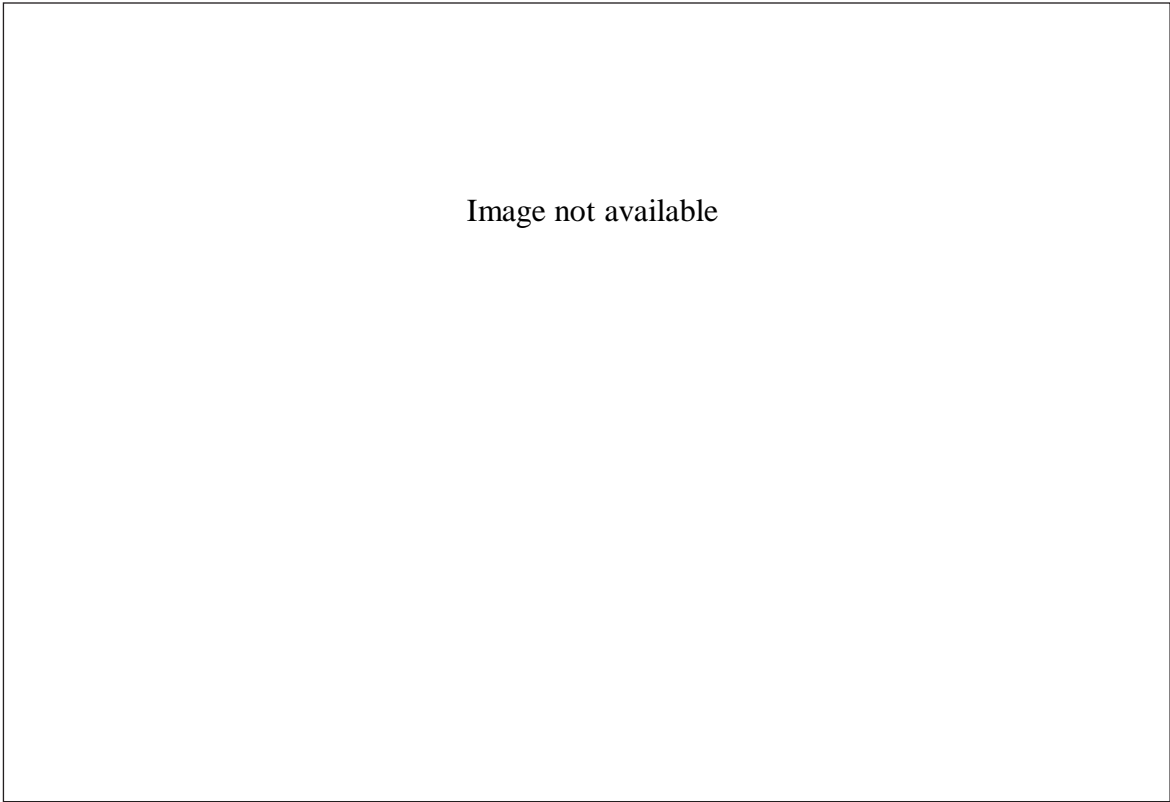


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*Young antismoking demonstrators greet Florida governor Lawton Chiles after he returns from a trip in which he helped to negotiate a multibillion-dollar compensation agreement with the tobacco industry in August, 1997. (AP/Wide World Photos)*

passed restricting public smoking were based on public belief that secondhand smoke was dangerous to nonsmokers. Lack of definitive scientific proof of this casts doubt on the wisdom of limiting the right to smoke. It also raises concerns about the tactics of antismoking advocates. Those seeking to limit smoking are limiting the rights of other individuals to pursue activities—smoking—that they enjoy. Such a limitation of freedom must be accompanied by some national goal promoting the general welfare. If smoking does not harm nonsmokers, then the rush to limit exposure to secondhand smoking may be an unnecessary limit on individual choice.

#### **ETHICS OF ADVERTISING**

Known health dangers of smoking raise questions about the ethics of tobacco advertising. Companies use advertising to create new markets for their products, drawing in new consumers. These advertise-

ments highlight the popularity of products and suggest that use of the products will enhance a person's social standing and make him or her more popular among others. Like all other advertising, cigarette advertisements promote products, attempting to attract youths into using tobacco. However, even with the warning labels attached to such ads, there is little information about the potential harms associated with smoking. Young people have less experience with those dangers.

Antismoking advocates point to print ads, sponsorship of athletic events by tobacco companies, and placement of products in television shows and movies as examples of the industry's attempt to glamorize smoking to youth. The companies clearly attempt to gloss over the dangers of smoking while highlighting its social acceptability. Those seeking to regulate cigarettes contend that smoking should never receive any positive public relations because of

the serious health problems caused by it. Recruiting people to engage in smoking would expose them to the addictive nature of nicotine and possibly to higher rates of cancer and heart disease. To meet this criticism, the tobacco industry agreed to implement voluntary limitations on its advertising and mounted another ad campaign attempting to limit youth smoking. For the first time in any industry's history, the makers of products were spending money attempting to dissuade consumers from using their products.

*Douglas Cloutre*

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SEE ALSO: Advertising; Business ethics; Drug abuse; Health care allocation; Medical insurance; Product safety and liability; Taxes.

## Tolerance

DEFINITION: Indulgence for, or allowance of, beliefs or practices that conflict with one's own

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: Arguably as a consequence of ever-increasing diversity, tolerance of differing views, and especially of different religions, has become a widespread moral ideal in many Western societies. This ideal, however, is neither universally espoused nor always successfully realized by those who do embrace it.

The history of tolerance is shorter than are those of most of the concepts pertaining to personal and social ethics that are included in this work. The word itself has a long history, deriving from Latin and Greek words meaning "to bear" or "to put up with," but for centuries it referred to circumstances of physical conditions. In the sense of putting up with practices regarded as contrary to one's own, the word is not found before 1765. Although the word "toleration" was used in this general sense two centuries earlier, that term invariably referred to civil or religious bodies that were regarded as authoritative and capable of restricting the exercise of nonconforming thought. To tolerate dissident views implies the power not to tolerate them. The idea of tolerance as a personal ethical principle or general social attitude has developed much more slowly.

### THE PARADOX OF TOLERANCE: EARLY ADVOCATES

Why should one have any sympathy for beliefs or practices that one believes to be wrong or wrong-headed? Throughout most of human history, the right to differ, especially in religious matters, has simply been denied. A historical survey of human behavior in such matters might raise the question of whether powerful convictions and tolerance can ever coexist.

Michel de Montaigne was a man of remarkable tolerance for his time. He first published his *Essays* in 1580, and the title of one essay, "It Is Folly to Measure the True and the False by Our Own Capacity," suggests his disinclination to pass moral judgments. Although Montaigne did not preach nonconformity, the whole tenor of his work is individualistic and nonjudgmental. A corollary of the Renaissance spirit of individualism exemplified by Montaigne is respect for others as worthwhile individuals in their own right.

An early advocate of religious tolerance was the Jewish philosopher Moses Mendelssohn (grandfather of the composer Felix Mendelssohn-Bartholdy), whose friendship with Gotthold Ephraim Lessing, a noted writer of German Protestant origin, during the mid-eighteenth century shocked most of his coreligionists. He went on to defy Mosaic law by denouncing excommunication—certainly ironic behavior for a man named Moses. He saw excommunication as the attempt to control thought, which in his view neither church nor state had the right to do.

In the nineteenth century, Harriet Taylor identified the idea of conformity as "the root of all intolerance." John Stuart Mill, much influenced by Taylor (who became his wife), made individuality the subject of the third chapter of his *On Liberty* (1859). "In proportion to the development of his individuality, each person becomes more valuable to himself, and is therefore capable of being more valuable to others," he wrote. Thus, Mill would allow the widest latitude in people's ideas and behavior as long as they do no unjustifiable harm to others. One should not oppress the individuality of another, Mill argues, although one has a right to exercise one's own individuality in opposition in various ways; for example, by avoiding the society of, or cautioning others against, a person whose views one regards as wrong or dangerous.

### ORGANIZED RELIGION AND TOLERANCE

Liberal Protestant thought has tended to minimize doctrine or at least find room for considerable differences within the confines of doctrine. Like orthodox Judaism, Roman Catholicism was slower to countenance deviation from official doctrine, but since the Second Vatican Council (1962-1965) Catholicism too has shown more of an inclination to tolerate views formerly regarded as dangerous. The ecumenical movement among Christians of various denominations has subsequently fostered tolerance as a positive and spiritually enriching value.

### TOLERANCE AS A MODERN CHALLENGE

Increasingly in the modern world, liberal ethical thought has condemned the attitude of intolerance on the part of those who do not or cannot actively interfere with nonconforming individualists, the point being that people can hardly be expected to act tolerantly in the social sphere if they harbor intolerant attitudes. Certainly, many people without the disposition or capacity to interfere significantly with others' liberties express their intolerance in small ways that nevertheless work hardships on nonconformists and contribute to a general milieu of intolerance.

The limits of tolerance are often manifest in the public arena. For example, abortion, though morally acceptable to millions of people, remains for other millions a horrid evil not to be tolerated. It is unlikely that the fierce opposition to abortion clinics throughout the United States can be explained merely by the objection to the expenditure of public funds on a practice believed by its opponents to be evil. Abortion is, to many of its opponents, intolerable in itself despite its acceptance by others whose ethical standards generally appear to be above reproach. Some normally law-abiding people are quite willing to break the law to prevent what they regard as the murder of innocents; others are appalled by what they regard as the blatant infringement on a woman's right not to bear unwanted children who in many cases would impose a burden on society.

It may well be that the soundest ethical basis for tolerance is to be found not in organized religion but in humanistic respect for others and their right to express themselves freely so long as their expression does not harm other individuals or society. Because it is so difficult to achieve a consensus regard-

ing what constitutes serious and unjustifiable harm, however, the ethical value of tolerance remains controversial.

*Robert P. Ellis*

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SEE ALSO: Civil rights and liberties; Diversity; Freedom of expression; Mill, John Stuart; Multiculturalism; *On Liberty*; Private vs. public morality; Religion.

## Torah

**IDENTIFICATION:** First five books of the Hebrew Bible, or Old Testament; also, totality of Hebrew oral and written law passed down from Moses

**DATE:** Collected and written before 622 B.C.E.

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** Torah is a system derived from contact between the human and the divine that instructs by means of narratives, aphorisms, laws, commandments, and statutes, providing rules of life for individuals and society. The goal provided by Torah is to achieve spiritual and temporal happiness in the full realization of the divine will.

Torah is a feminine noun formation of the verbal root *yrh* (“to instruct”) in its causative conjugational form; the root may be semantically related to the Arabic

*rawa(y)* (“to hand down”) or to the Akkadian (*w*)*aru* (“to guide”). The renderings of the biblical Hebrew word *torah* as *nomos* in the Greek Septuagint (first half of the third century B.C.E.) and as *lex* in the early Latin Bible translations have historically and theologically given rise to the misunderstanding that *torah* means legalism and that Torah means “Law.” In essence, Torah is not supernatural revelation, religious dogma, or general self-evident propositions. It is the cumulative record of moral truths formed by the divine, and codified by humanity. In addition, modern Hebrew uses the word *torah* to designate the thinking system of a savant (for example, the *torah* of Plato, Maimonides, or Einstein) or a body of knowledge (the *torah* of mechanics).

### DUAL TORAH

Various biblical verses point to the Pentateuch as Torah distinct from the rest of the Scriptures. The verse “Moses charged us with the Teaching (Torah) as the heritage of the congregation of Jacob” (Deut. 33:44) suggests the inalienable importance of Torah to Israel: It is to be transmitted from age to age, and this transmission has become the major factor for the unity of the Jewish people throughout their wanderings.

The rabbis of the Talmud kept the Torah alive and made its message relevant in different regions and times. This has been done by means of the rabbinic hermeneutic of a dual Torah that has been read into verses from the book of Exodus. Regarding God’s words to Moses regarding the covenantal relationship between Himself and Israel, it is said in Exodus, “Write down [*ktav*] these words, for in accordance [*al pi*; literally, ‘by the mouth’] with these words I have made a covenant with you and with Israel” (Exod. 34:27), and, “I will give you the stone tablets with the teachings [*torah*] and commandments which I have inscribed [*ktav-ti*] to instruct [by word of mouth] them” (Exod. 24:12). The sages saw the words “write,” “accordance,” and “instruct” as the legitimate warrant for the written Torah (*Torah shehbiktav*) and the oral Torah (*Torah shehb’al peh*). In their view, the written Torah, the teaching of Moses, is eternal. The oral Torah is the application of the written Torah to forever changing historical situations, which continues to uncover new levels of depth and meaning and thus makes new facets of Judaism visible and meaningful in each generation.



### THE PROCESS OF TORAH: REVELATION AND REASON

The ninth principle of the Creed of Maimonides (1134-1204) states, "I believe with perfect faith that this [written] Torah will not be changed, and that there never will be any other Torah from the Creator, blessed be His Name." It is clear from Maimonides' philosophical magnum opus *The Guide for the Perplexed* (c. 1200) that the written Torah is not to be taken in a literal fashion. For example, Genesis 1:26a says, "And God said, Let us make man in our image, after our likeness." If Judaism expresses strict monotheism, then what is to be made of the plural cohortative "us" and the notion that humanity and God share a "likeness"? For Maimonides, revelation teaches that God is incorporeal and ineffable, while reason imparts that humanity is finite, thus rendering a nonliteral reading (that the plural is that of majesty, anthropomorphic language, figurative speech). Not only in narrative but also in legislation are revelation and reason the primary forces in understanding Torah. Take *lex talionis*, for example.

Three times the Pentateuch mentions the legislation of *lex talionis* (the law of retaliation, of an "eye for an eye"): regarding the penalty for causing a pregnant bystander to miscarry when two individuals fight (Exod. 21:23-25), the case of one who maims another (Lev. 24:19-20), and the punishment meted out to one who gives false testimony (Deut. 19: 18-21).

Although the law of "measure for measure" existed in the ancient Near East and persists today in parts of the Muslim Middle East, there is little evidence that the Torah meant that this legislation should be fulfilled literally except in the case of willful murder. "Life for life" is taken literally in cases of homicidal intention, and fair compensation is appropriate when physical injuries are not fatal. Equitable monetary compensation is deemed appropriate by the oral Torah in the case of a pregnant woman whose unborn child's life is lost and when animal life is forfeited. Indeed, the written Torah casts aside all doubts regarding the intent of the biblical *lex talionis* injunction: "And he that kills a beast shall make it good; and he that kills a man shall be put to death" (Lev. 24:21).

Rejecting the literal application of *lex talionis* puts an end to the mean-spirited charge that Judaism is "strict justice." Instead, Judaism advocates reme-

dial justice for the guilty and concern for the injured. The wisdom of *mamon tahat 'ayin*, the "value of an eye," is not arbitrary, but a principle that is central in any democratic system of torts. The modern Jew who carefully probes for the reasons behind the commandments inculcated by the Torah will see their importance not in faith alone but also in association with logic and practicality.

Nevertheless, the severe language of the written Torah's "eye for an eye" sends forth a strong reminder. There is no remuneration in the world that can properly compensate serious injury, death, or any act of serious victimization.

### THE ETERNAL TORAH

The doctrine of the eternity of the Torah is implicit in verses that speak of individual teachings of the Torah in phrases such as the following: "A perpetual statute throughout your generations in all your [lands of] dwellings" (Lev. 3:17) and "throughout the ages as a covenant for all time" (Exod. 3:16). Biblical (Proverbs, in which Torah equals wisdom), Apocryphal (the wisdom of Ben Sira), and Aggadic (Genesis Rabbah) traditions speak of the preexistence of Torah in Heaven. Although the Talmud acknowledges the prerevelation existence of Torah in Heaven, which was later revealed to Moses at Sinai, it concentrates more on Torah's eternal values.

Jewish thinkers from the first century to the nineteenth century have proclaimed the Torah eternal, some in terms of metaphysics, others in terms of theology, and most in defense of Judaism against the political polemics of Christianity and Islam, which taught that aspects of Torah are temporal or have been superseded. In the first century, Philo Judaeus spoke metaphysically of the Torah as the word (*logos*) of God, the beginning of creation. In the tenth century, Saadia Gaon proclaimed that the Jews were unique only by virtue of the Torah; if the Jewish nation will endure as long as Heaven and Earth, then Torah must also be eternal. In the twelfth century, Maimonides extolled the perfection (eternity) of Torah, regarding which there is neither addition or deletion. After Maimonides, the issue of the eternity of the Torah became routine; the Torah's eternity became an undisputed article of belief. The schools of Kabbala, however, declared that the preexistent form of Torah is eternal but that the words and message of the Torah are recycled every 7,000 years.

In the nineteenth century, the *Wissenschaft des Judentums* (Scientific Study of Judaism) movement, inspired by the scholarship of biblical critics, presented a historical-critical approach to Torah study. As a result, the traditional concept of the eternity of the Torah became a non sequitur and the idea of the Torah as a human book prevailed. By the mid-twentieth century, however, responding to negative trends in higher literary criticism, which was affected by classical Christian bias and “higher” anti-Semitism, objective and critical studies by Jewish loyalists helped to reaffirm the Jewishness of the Bible’s origins. No matter how a Jew views the nature of Torah—as a kind of “mythicizing history” or as a product of the people for the people or as written (inspired) by God—Torah as ultimate authority is an indisputable article of faith.

### THE WAY OF TORAH: THREE PATHS

Whether the Torah is defined as the result of an exclusive encounter at Sinai or of an evolving journey from Sinai, this national treasure is traditionally understood by the response of *na’aseh ve-nishma’* (“We shall do and we shall hear [reason]”). Accordingly, the way of Torah presents three paths for the contemporary Jew:

1. One should believe that God’s Torah given at Sinai is all knowledge. (*Na’aseh* alone.)
2. The Torah-at-Sinai tradition should be abandoned, and Torah should be explained in purely rationalist terms. Torah is made in the image of the Jewish people. (*Nishma’* alone.)
3. One should accept the existential position that God’s teaching was shared at Sinai, face to face, with all of Israel, present and future. “Present” implies that God’s revelation occurred and that Torah is the memory of this unusual theophany; “future” hints that Israel’s dialogue with God is an ongoing process. This view holds that people know only a part of divine truth and that each generation seeks, makes distinctions, categorizes, and strives to discover more. (*Na’aseh ve-nishma’*.)

*Na’aseh* alone permits no ultimate questions; *nishma’* alone provides no ultimate answers. *Na’aseh* and *nishma’* together ask questions and attempt answers but leave many uncertainties unanswered. Yet uncertainty is truth in the making and the inevitable price for intellectual freedom.

Zev Garber

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SEE ALSO: Bahya ben Joseph ibn Paquda; Hebrew Bible; Jewish ethics; Kabbala; Maimonides, Moses; Moses; Philo of Alexandria; Talmud; Ten Commandments; *Tzaddik*.

## Torture

**DEFINITION:** Deliberate, systematic inflicting of physical or mental pain, as a means of coercing information or confession, as a form of punishment, or out of sheer cruelty

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Torture is almost universally thought of as a moral evil, but it is not always labeled as an absolute evil. Some consequentialists advocate the use of torture on terrorists or combatants in order to gain information that would save the lives of others. Even those who deem such acts to be excusable, however, would agree that they corrupt the goodness of their perpetrators.

The darker chapters in human history, including those of the modern era, have all involved torture. In fact, modern torture on a large scale, as practiced in Adolf Hitler’s death camps and Joseph Stalin’s gulags, has eclipsed even the horrors of the notorious

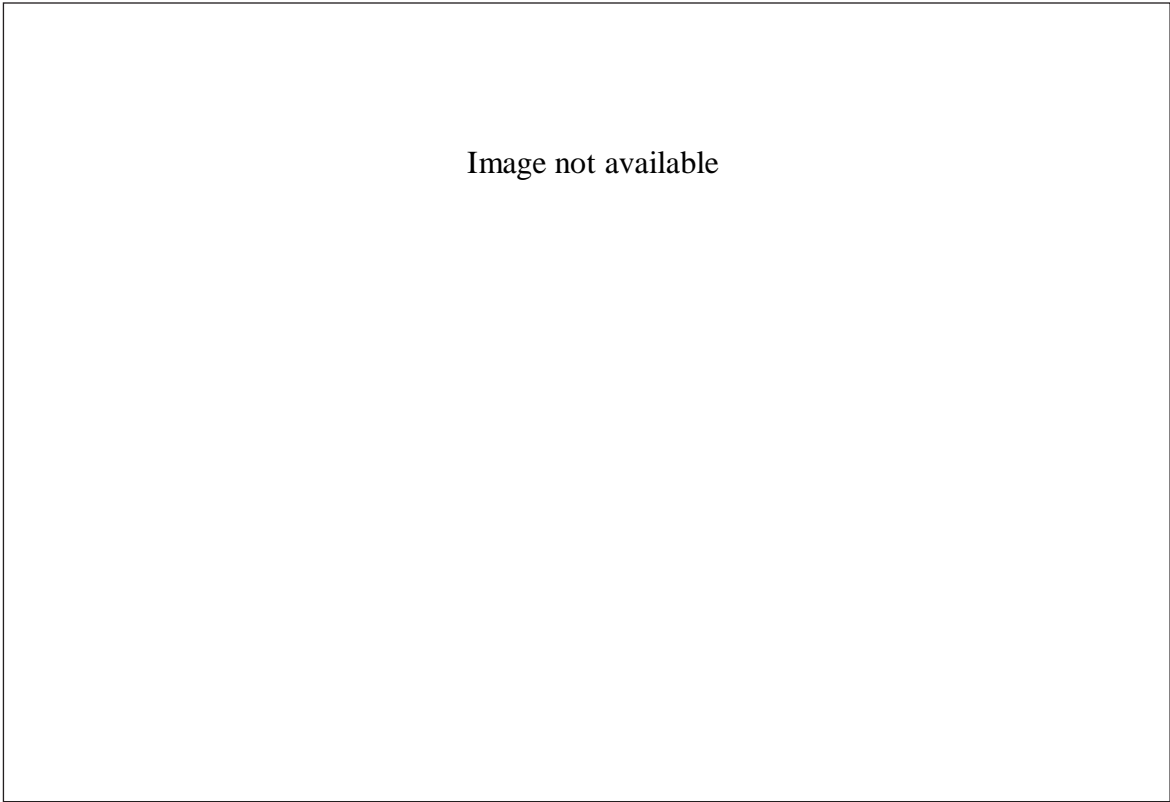


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*Members of the Israeli human rights group B'tselem demonstrate a torture technique they claimed was frequently used by Israeli security agents while interrogating Palestinian prisoners. The demonstration was conducted in a press conference designed to call public attention to the issue of government-inflicted torture in 1998. (AP/Wide World Photos)*

Spanish Inquisition. Yet there are no places where torture is still legally sanctioned, and it is viewed as morally repugnant, if not universally, at least in more highly developed countries. That, however, has not always been the case.

### **JUDICIAL TORTURE**

In Europe after 1300, when the Roman canon law of evidence replaced ordeal as the basis for determining criminal guilt, legal torture became widespread. Ironically, the new law, in attempting to protect the accused against capricious justice, fostered judicial torture, because the death penalty, imposed for a variety of crimes, required “full proof” (the evidence of two eyewitnesses) or “half proof” (sufficient circumstantial evidence) plus a confession. Because many crimes were not witnessed, magistrates were empowered to torture suspects to exact confessions, and

they had at their disposal the infamous devices that haunt even the modern imagination—thumb and leg screws, pressing weights, rack, iron maiden, and strappado.

Although barbaric, torture was allowed because almost all criminal offenses carried blood sanctions, from death and maiming to branding and whipping. Capital punishment, which was exacted for crimes as minor as burglary, was meted out through such gruesome means as hanging, drawing and quartering, burning at the stake, pressing, gibbeting, beheading, and impaling. Knowing what the accused faced, magistrates demanded that suspects bear witness against themselves, and they usually resorted to torture only when the suspects remained uncooperative. Torture was seldom employed in full-proof cases or when the penalties faced were less severe than execution, and its use for punishment was not widely condoned.

**ABOLITION OF LEGAL TORTURE**

The practice of judicial torture was gradually abandoned, partly because alternatives to death as punishment for serious criminal offenses made it less necessary. Transportation and indentured servitude, imprisonment, and conveyance to the galleys were

options for judges in capital cases in which conviction was based on strong circumstantial evidence rather than incontrovertible proof. Furthermore, the validity of confessions exacted through torture had always been in doubt, and during the Enlightenment, circa 1750, that doubt was joined to the moral argu-

**U.S. Abuse of Iraqi Prisoners**

In early 2004, stunning new stories coming out of U.S.-occupied Iraq reported that U.S. military personnel had been severely and frequently abusing Iraqi prisoners under their control. The revelations were made even more shocking by the publication of photographs showing U.S. soldiers laughing and gesticulating beside such scenes as naked Iraqi men piled on top of each other and posed in positions simulating sex acts—scenes particularly abhorrent to Muslims. These revelations prompted Army and government investigations that led to changes in the command structure, the disciplining of key personnel, and criminal charges against those directly responsible for acts of abuse. Investigations and criminal proceedings continued through the year. Meanwhile, Americans were left to ponder how it was possible for fellow citizens representing the United States to participate in such unethical behavior.

Most news stories focused on Abu Ghraib, a prison near Baghdad administered by the U.S. military since the fall of Saddam Hussein's regime in early 2003. During Hussein's time, Abu Ghraib had been a notorious center of torture and secret executions of suspected government opponents. After Hussein's regime fell, Iraqi civilians gutted the prison, but the U.S. Army soon renovated the facility and began using it as a detention center for common criminals, civilians suspected of committing "crimes against the coalition," and known leaders of anticoalition insurgent movements.

Abu Ghraib's already unsavory reputation combined with the revelations of U.S. misbehavior to raise protests against the U.S. occupation to new levels both within and outside Iraq. Recognition of these acts of torture did irreparable damage to the moral reputation of the United States. As the scandal unfolded, evidence of U.S. military misconduct grew. In April, 2004, *The New Yorker* magazine obtained a copy of the official report of a secret Army investigation of the scandal written by Major General Antonio M. Taguba in February. According to Taguba, numerous instances of "sadistic, blatant, and wanton criminal abuses" had occurred at Abu Ghraib during the previous autumn.

Image not available

*Two Iraqi men rest in the shade of a wall decorated with graffiti condemning American treatment of prisoners. One illustration is a faithful copy of one of the most notorious photographs taken at Abu Ghraib: A hooded Iraqi standing on a flimsy box was told that if he fell off the box, he would be electrocuted by the wires attached to his body. (AP/Wide World Photos)*

ments promulgated against torture by such thinkers as Voltaire. By the end of the nineteenth century, legal torture had become an anomaly, and protections against it, as provided by the “cruel and unusual punishment” injunction of the Eighth Amendment to the U.S. Constitution, were almost universally in place.

### MODERN TORTURE

It is, however, one thing to abolish a practice on paper, to make it illegal, and another to curtail completely its practice. As late as 1984, when the United Nations adopted the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, dozens of nations, in violation of their own laws, were secretly sanctioning its use. In recent history, it has been a particularly invidious practice during war, despite Geneva Conference protocols, and during civil unrest and insurrection, when it has been used as an instrument of persecution and suppression, as in internally troubled states such as Chile, El Salvador, South Africa, Cambodia, and the former Yugoslavian state of Bosnia-Herzegovina.

It is unlikely that torture can ever be completely eradicated. It only takes two, persecutor and victim, to dance torture’s grim dance, and the potential for torture exists in any interpersonal relationship in which one party exercises physical or psychological control over another, as in, for example, familial relationships between parent and child or husband and wife.

The crude instruments of the *ancien régime* are now museum pieces, but they have been replaced by such things as psychoactive “brainwashing” drugs and electroshock, courtesy of modern science. The crude methods have not disappeared, even in the United States, as the burned, scarred, and starved bodies of abused children have testified.

Although organizations such as Amnesty International can bring before the United Nations evidence of the torture of citizens by governments, exposure of its practice under private circumstances—for example, within the family—has depended largely on the willingness of victims to complain. In the last few decades, victims have been more inclined to seek help and legal remedy, encouraged by civil rights legisla-

tion, counseling, and an awareness, fostered by media coverage of abuse, that their situation is not unique. Tragically, tortured children are often too young to know that redress is even possible.

The belief that the modern era is more humane and more morally astute than were previous eras is partly illusory. Although modern efforts to rectify human abuse and cruelty may be unprecedented, extending even to animals, modern events have repeatedly revealed and psychological studies have often documented that the sadomasochistic impulses that lie behind torture frequently accompany such fundamental human feelings as frustration, rage, guilt, and shame. The best hope for ending torture lies in legal recourse made possible by public awareness and ethical vigilance.

John W. Fiero

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SEE ALSO: Abuse; Amnesty International; Animal rights; Coercion; Cruelty; Electroshock therapy; Holocaust; Military ethics; Oppression; Punishment; Terrorism.



## Toxic waste

**DEFINITION:** Poisonous or other dangerous substances needing specialized forms of disposal

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Ethical practices of toxic waste disposal are those that protect the environment and human life.

By the early twenty-first century, toxic waste was spreading throughout the world at an alarming rate. To protect the environment and human life, ethical practices must be employed to dispose of toxic waste materials generated by industry, agriculture, consumers, and individual persons. The numerous toxic-waste disposal abuses of the past were sometimes due to ignorance or carelessness; however, many abuses were due to the unethical practices used to save companies or individuals time and money in waste disposal. Disposed toxic substances can be highly detrimental to people, whether the people are aware that they are being exposed to the materials or not. Among other things, careless, unethical dumping of toxic waste has produced dirty streams, greasy drinking water, noxious fumes, and human suffering, disease, and death.

### TOXIC SITES

During the nineteenth and twentieth centuries, many toxic waste substances were spread into the air, soil, and water. For example, Love Canal, an artificial waterway that was built near Niagara Falls, New York, during the 1890's became a site of industrial toxic waste disposal, with more than forty toxic organic compounds found in the canal and in nearby soil, water, and air samples collected during the late 1970's. In May, 1980, the federal Environmental Protection Agency released a study showing a rate of chromosome damage among babies born to people living near the Love Canal site. Among myriad other sites where dumped toxic wastes have produced documented cancer, mysterious health problems, and other devastating effects are Waukegan Harbor, Illinois; Times Beach, Missouri; Woburn, Massachusetts; Mapleton, Utah; and Bhopal, India.

Many of the more than fifty thousand toxic-waste-producing firms in the United States contract with waste-disposal companies to provide ethical, scientifically sound, legal ways to dispose of their waste materials. Some companies dump or bury their toxic wastes on-site. In many instances when problems develop, waste disposers claim that the problems are not serious and decline to spend any money to clean up disposal sites. This difficulty led the U.S. Congress to pass the Comprehensive Environmental Response, Compensation, and Liability Act in 1980, which included the establishment of the Superfund to pay for immediate cleanup of abandoned toxic-waste sites and inoperative sites where the owners refuse to clean them up.

As the numbers of toxic waste sites, the amounts and varieties of chemical contamination, and cleanup costs continue to escalate, the only feasible solutions for protecting the environment and human life and rights appear to be regulatory controls that focus on waste minimization and ethical practices of waste disposal. Grassroots organizations across America demand that the government legislate and enforce such action.

*Alvin K. Benson*

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SEE ALSO: Bioethics; Birth defects; Business ethics; Environmental ethics; Environmental movement; Environmental Protection Agency; "Not in my backyard"; Nuclear energy; Pollution permits; *Silent Spring*; Sustainability of resources.

## Tragedy

**DEFINITION:** Form of literary drama and a topic of philosophical investigation that involves the extremes of human behavior in the face of life's great misfortunes

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Both tragedy and ethics focus on the moral value of human conduct in the face of life's conflicts and extremities.

The term "tragedy" has been used in at least two distinct senses. First, tragedy refers to a genre of literary and dramatic works originally developed in ancient Greece. Aristotle defined tragedy, in this first sense, as an imitation (a theatrical play) of an action by, typically, a noble person whose character is flawed by a single weakness (such as pride or envy) that causes him to make an error in judgment resulting in his downfall. The hero moves from a state of ignorance to one of insight generally at the cost of personal misery. Aristotle believed the spectator of a tragic drama underwent a catharsis, or cleansing, of his own emotions.

In the second sense, tragedy has been used to refer to a subject of philosophical theorizing involving the meaning of tragic literature as well as the possible existence of tragic events in the world that must be philosophically reckoned with in any worldview. It is in this latter meaning of tragedy that the primary ethical import lies. However, it is unlikely that the two senses of the term can or should be completely disentangled, since presumably literature and drama often mirror something significant about human existence.

Plato, unlike Aristotle, believed that there were several ethically undesirable consequences of Greek tragedy and drama. Plato condemned tragic poetry for making men too emotional. Tragic drama, Plato argued, implies that a good person may be undone by an accidental reversal of fortune. Tragedies thus teach the young that their well-being is contingent upon the whims and vagaries of appearance. For Plato, the world of appearance and consequently what generally passes for "tragedy" is ultimately unreal. Even one's physical death is tragic only as long as one is in ignorance. For example, Socrates, Plato's teacher, understood the immortality and superiority of the real; hence, he did not fear the hemlock poison that the Athenian town counsel required him to drink.

What appeared to be a tragedy was in actuality a great victory for the good. Tragedies, however, encourage the audience to think that a hero can be undone by an accidental reversal of fortune. Consequently, for Plato, tragedies teach falsely and inspire fear of unrealities.

### THE GERMAN PHILOSOPHERS

The early nineteenth century German philosopher G. W. F. Hegel held that, in the first sense noted above, Aristotle's definition of tragedy was definitive. In the second sense, however, tragedy is motivated by a conflict of two great moral forces, both justified and both embodying the good. For example, in Sophocles' ancient Greek play *Antigone*, one protagonist—Antigone—is motivated by justifiable family values to provide a proper burial for her brother, while King Creon is equally justified by public values to prevent her from doing so. The task of the tragic hero is to attain a "synthesis" in which the claims of each side are reconciled. Antigone and Creon are both right but not right enough. Consequently, their destruction is just and reveals the absolute rule of the divine principle. Hence, in Hegel, the ethical dilemma of tragedy consists in the conflict between two goods that can be resolved only through a higher synthesis of good. In one-sidedness, the tragic hero fails to comprehend this synthesis and is justifiably overruled and destroyed by the might of absolute justice.

Arthur Schopenhauer, taking a consistently pessimistic view of human life, argued that all existence is tragic. Quoting an ancient Greek source, he noted that the greatest thing that one could ever hope for was to have never been born. A quick death would be the next most desirable event. Thus, tragic art reveals the terrible side of life, which relentlessly destroys and annihilates anything that the human spirit might cherish. For Schopenhauer, tragedy teaches that the only resolution to the arbitrary cruelties of life is total renunciation of the will.

Friedrich Nietzsche, a student of Schopenhauer, believed that Greek tragedy answered a fundamental need of human life. Greek tragedy gave the Greeks the ability to face the horrors and arbitrariness of life and yet find a basis for self-affirmation. Nietzsche, while acknowledging the reality of human suffering, rejected the excessive rationalism of Plato and the excessive pessimism of Schopenhauer. In the two

Greek gods Dionysus and Apollo, Nietzsche discovered two basic elements of human nature. Dionysus embodies excess, vitality, and passion, while Apollo represents reason, order, and balance. In the time of the ancient Greeks, the tragic art form accomplished a unification of these tendencies and enabled the Greek culture to grow strong and noble.

In Nietzsche's later work, he showed that perception of the tragic realities of life could lead in two directions: to nihilism or to the superman. The superman is an individual who declares, "Joy is deeper than woe!" He affirms life and self in full light of the ambiguities and tragic qualities to which human flesh is heir. These elite and noble "Yea-Sayers" of Nietzsche represent his answer to the ethical challenge given by the tragic aspect of life.

During the late twentieth century, there was a general concern that the tragic sense of life had been lost, to the detriment of humanity's self-image. Tragedy has generally depicted a sometimes horrifying but heroic picture of the human condition. Although in tragedy there have been great "reversals of fortune," there has also been the implication that humanity has fallen from a great height. The twentieth century did not sustain a vision of human nature that was sufficient for great tragedy. For example, in Samuel Beckett's *Waiting for Godot* (1954) and Arthur Miller's *Death of a Salesman* (1949), tragedy was superseded by the Theater of the Absurd. The protagonists of these tragicomedies minimize the horror and terror of life but also fail even to hint at its possible greatness. These antiheroes exit the stage with a "whimper," not a bang.

Some recent developments did, however, follow the ennobling promises of modernity. Miguel de Unamuno y Jugo (1864-1936), author of *The Tragic Sense of Life*, argued that humanity thirsts for a status in life that reason cannot support. People live in the tragic sense of life when they refuse to abandon either the heart or the intellect. Humanity is neither God nor worm, but something in between. Unamuno suggests that this tension is unresolvable, yet people may live authentically by refusing to deny either aspect of life. Thus, a form of "tragic optimism" appeared to be emerging in the late twentieth century. By following the guidelines of Nietzsche, Unamuno, and other twentieth century philosophers, it is possible to recapture the nobility of humanity at the expense of illusions about absolutes. In the recognition

that life is a mystery to be heroically lived and not a problem to be intellectually solved, the birth pain of a new postmodern form of tragedy may be heard.

Paul Rentz

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## Transcendentalism

DEFINITION: Philosophical belief in an objective reality that exists beyond human experience

TYPE OF ETHICS: Theory of ethics

SIGNIFICANCE: Transcendentalism holds that the structure of the mind both grounds, and determines the limits of, human knowledge, and that there is an absolute division between human knowledge and reality. Some schools of transcendentalism also believe that the gap between experience and the real world can be breached in moments of irrational spirituality that provide guidance as to the ethically proper way to live

one's life. Others emphasize the rational nature of reality and assert that obeying rational moral law is the only way to achieve harmony with the objective world.

Transcendentalism was an idealistic revolt against materialist philosophies such as John Locke's empiricism, Sir Isaac Newton's mechanism, and William Paley's utilitarianism. In those materialist theories, one's code of behavior derived from a compilation of sensory experiences by means of which one determined what was good or useful. The transcendentalist, however, believed that one's code of behavior preceded his or her experiences, that the structure of ideas inherent in the mind itself molded ethical conduct.

### ORIGINS

Although the term "transcendental" had been employed by medieval philosophers, the Prussian philosopher Immanuel Kant first used the term in its modern meaning during the late eighteenth century. His *Critique of Pure Reason* (1781) addressed a fundamental philosophical question: Does all knowledge come from the senses' interactions with the world, or is some knowledge embedded in the mind prior to sensory experiences? He concluded that there were ideas that "transcended" experience and that ethical conduct was a matter of the mind's inherent desire to act consistently with itself.

Philosophers and literary figures in Germany, France, Great Britain, and the United States who were seeking a liberating idealism believed that they had found it in Kant's work. His idea that the mind contained a set of moral ideas that helped mold a person's relationship to the universe made his theories a welcome alternative to materialistically based ones. His idea that one's primary ethical duty was to remain faithful to the ethical laws dictated by one's own mind appealed to those who were hungry for a more spiritually and individually based set of ethics. Many strongly believed that this set of transcendent ideas was humankind's connection to God, in which its highest and noblest aspirations could be found.

### AMERICAN TRANSCENDENTALISM

Among those who were influenced by Kant were the American Transcendentalists, although they received his philosophy secondhand through the works

of the British authors Samuel Taylor Coleridge and Thomas Carlyle. This group consisted generally of New Englanders, many of them Unitarian ministers or former ministers, who were most influential from the first meeting of the Transcendental Club in 1836 until the American Civil War. Prominent members of the movement were Bronson Alcott, George Ripley, Theodore Parker, William H. Channing, Margaret Fuller, Henry David Thoreau, and Ralph Waldo Emerson, most of whom also contributed to the literary journal *The Dial*.

A popular idea among the group was Coleridge's simplified version of Kant's theory that the mind was divided into a higher faculty, called "reason," that sought to systematize and unify the various impressions collected and analyzed by the lower faculty, termed the "understanding." The works of Emerson and Thoreau both emphasize reason. "Higher laws" or "spiritual laws," as they called them, ranked above the mechanical rules of cause and effect in the material world and gave unity and ethical purpose to human activities. The permanence of the higher laws appealed to these thinkers, who deplored the utilitarian values and relative ethics that seemed to have replaced principled behavior. They also liked Kant's idea that the source of morals, and thus the closest link to God, was found in one's own mind. From this premise, they developed their influential concept of self-reliance.

Many of the major works of American Transcendentalism appropriated Kant's idea that morality exists in the mind and fused it with a mystical belief that a divine spirit was prevalent in nature. In *Nature* (1836), Emerson argued that ethics and the natural world were inextricably linked: "the moral law lies at the centre of nature. . . . All things with which we deal, preach to us. What is a farm but a mute gospel?" Thoreau expressed similar thoughts in *Walden* (1854). He spent two years at Walden Pond, where he built his own house, planted and harvested his own food, and yet reserved ample time for reflection. He consistently linked the simple acts of his daily life, such as hoeing a bean field or plumbing the depths of the pond, to the immanence of a universal spirit.

Although they resisted the trendiness of social movements, the American Transcendentalists were attracted to the moral issues raised by those movements. Margaret Fuller, in *Woman in the Nineteenth Century* (1845), argued the case for women's rights.

Thoreau went to jail rather than pay taxes that supported an immoral war, an experience that he chronicled in “Resistance to Civil Government” (1849), and in “Slavery in Massachusetts” (1854), he opposed slavery and the moral irresponsibility of those who allowed themselves to become accomplices to its evil.

Aside from the major political events of their time, the Transcendentalists were also concerned with the ethical content of their own day-to-day lives and those of their fellow citizens. In “The Transcendentalist” (1842), Emerson seemed almost to plead with his audience that it “tolerate one or two solitary voices in the land, speaking for thoughts and principles not marketable or perishable.” Thoreau, in “Life Without Principle” (1863), makes a similar case for the role of principles in the too often materialistic lives of the populace.

After several centuries of empirically based philosophy, Transcendentalism provided strong evidence that humankind still recognized a spiritual element in its personality. The Transcendentalists believed that innate spiritual insights were essential in directing ethical judgments.

*William L. Howard*

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SEE ALSO: Emerson, Ralph Waldo; Idealist ethics; Kant, Immanuel; Kantian ethics; Thoreau, Henry David; *Walden*.

## **Treason**

**DEFINITION:** Betrayal of one's nation or one's government to its enemies, foreign or domestic

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Essentially a crime of disloyalty, treason raises the issue of the relative importance or precedence of competing types of loyalty, including loyalty to one's nation, ideals, family, religion, racial or ethnic group, class, gender, and self. The more idealized or mythologized a national government becomes, the more heinous acts of treason against it will seem.

The U.S. Constitution defines treason as “giving aid and comfort to the enemies of the United States.” In most legal systems, however, treason consists also in attempting to overthrow the legal government within the state, and it may be supplemented by crimes such as espionage and sedition. Most ethical systems see one as having moral obligations, including loyalty, to one's nation and to its rulers. Treason, therefore, is ordinarily a seriously blameworthy act, and the attendant horrors of foreign military conquest or revolutionary upheaval add to its inherent evils.

An anarchist could scarcely acknowledge the legitimacy of the concept of treason, but supporters of natural law and Kantian ethics, for example, would advocate a strong degree of deference owed to the sovereign but would also acknowledge that the sovereign may be defied, overthrown, or even assassinated if he or she commands or commits great evil.

Although there is almost universal opprobrium attached to treason done for profit or advancement, other cases of treason are muddied by the contrast of the objective evaluation of the ideology, religion, or philosophy prompting the act with the subjective element of the traitor's personal commitment to that belief.



### Noted Historical Figures Charged with Treason

<i>Name</i>	<i>Basis of treason charges</i>
Niccolò Machiavelli	Tried for treason for opposing Florence's Medici family and sent into exile in 1512.
Guy Fawkes	Executed for plot to blow up England's Parliament and king in 1605.
James Scott, Duke of Monmouth	Executed for rebelling against England's King James II in 1685.
John Locke	Branded a traitor for his association with Monmouth; went into exile in the Netherlands.
Benedict Arnold	U.S. general who plotted to surrender West Point to British forces in 1780.
Aaron Burr	Allegedly conspired to take over western territories of United States during Thomas Jefferson's administration.
Sir Roger Casement	Executed in 1916 for plotting with Germany to obtain arms for Irish rebels.
Mildred Gillars, a.k.a. "Axis Sally"	American who broadcast propaganda for Germany during World War II.
Iva Toguri, a.k.a. "Tokyo Rose"	American who allegedly broadcast propaganda for Japan during World War II.
Ezra Pound	American who broadcast propaganda for Italy during World War II.
William Joyce, a.k.a. "Lord Haw-Haw"	British subject who broadcast propaganda for Germany during World War II.
Henri-Philippe Pétain and Pierre Laval	French leaders who collaborated with German occupation forces during World War II.
Vidkun Quisling	Norwegian officer executed in 1945 for collaborating with German occupation forces during World War II; his name afterward became synonymous with "traitor."
Alger Hiss	Allegedly spied on United States for the Soviet Union during the 1930's-1940's.
Julius Rosenberg and Ethel Rosenberg	Executed in 1953 for allegedly spying on U.S. atom bomb project for the Soviet Union.
Klaus Emil J. Fuchs	Stole British and U.S. atomic secrets for the Soviet Union during the 1940's.
Guy Burgess, Kim Philby, and Donald Maclean	Spied on British intelligence operations for the Soviet Union during the 1940's-1950's.
Sir Anthony Blunt	Spied on Britain for the Soviet Union during the 1930's-1950's.
John Anthony Walker	Spied on U.S. military for the Soviet Union 1970's-1980's.



*Henri-Philippe Pétain (1856-1951) was one of France's greatest military heroes during World War I, but for collaborating with Nazi Germany by heading the puppet Vichy regime during World War II he was branded a traitor. After the war, he was convicted of treason; his sentence was commuted to life imprisonment, and he died in disgrace at the age of ninety-five. (Library of Congress)*

The “judgment of history” often seems particularly amoral. To cite one example, Adolf Hitler is never labeled a traitor despite his having tried unsuccessfully to overthrow the Bavarian state government in the Munich “Beerhall Putsch,” because his eventual capture of the German government a decade later seems to have extinguished the guilt of treason in that view.

*Patrick M. O’Neil*

SEE ALSO: Citizenship; Duty; Espionage; Nationalism; Patriotism; Politics; Revolution; Sedition.

## Treaty of Versailles

**IDENTIFICATION:** Treaty that formally ended the state of war between Germany and the Entente powers, concluding World War I

**DATE:** Ratified on June 28, 1919

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** The Treaty of Versailles imposed harsh, economically disruptive conditions upon Germany aimed at permanently reducing its ability to wage war upon other nations and to act as a world power. These conditions undermined democracy in Germany and arguably fostered the nationalistic excesses that produced Nazi totalitarianism, state terrorism, and renewed global warfare.

The treaty encouraged the rise of German fascism and was an underlying cause of World War II. The German surrender in 1918 was based on a general acceptance of President Woodrow Wilson’s Fourteen Points. In formulating the peace terms, the British and French ignored most of those points.

The treaty stripped Germany of human and material resources, in violation of its avowed goals of national self-determination and respect for territorial integrity, and reduced the German armed forces to a level that was incompatible with national defense. It also imposed crushing indemnities upon Germany and forced Germans to accept sole war guilt. The treaty’s blatant unfairness and economically destabilizing consequences, further aggravated by the onset of the Great Depression in 1931, aided the success of Adolf Hitler’s revanchist, extremist National Socialist (Nazi) Party. Hitler’s sustained efforts to reverse the Versailles treaty provoked World War II, the most devastating conflict in history.

*Michael J. Fontenot*

SEE ALSO: Fascism; Hitler, Adolf; League of Nations; Nationalism.

## Triage

**DEFINITION:** Process of sorting victims of war, accident, or disaster to determine priority of medical treatment

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Triage is perhaps the most extreme single instance of ethically difficult resource allocation. It requires immediate, life-and-death decisions to be made about whose injuries will be treated first and who will be left to wait. The major ethical question raised by triage is whether severity of injury is the only appropriate criterion for determining priority, or whether other considerations such as age, occupation, social status, membership in the enemy military, and criminal record may be considered.

Triage employs a utilitarian calculation concerning how to do the most good with whatever resources are available, determining which patients will be helped at all, and in which order those to be helped will be treated. Triage may be employed in any situation in which all the injured, sick, or wounded cannot be treated: on the battlefield, at the site of a natural disaster, in the first moments of a traffic accident, in the emergency room of a large hospital, or in a country suffering from mass starvation. Triage is more easily defended than are some other types of utilitarian calculations, since there is no intent to sacrifice the innocent for the greater good of the majority. Since triage does require that one make a “quality of life” judgment before one decides which victims will be helped, however, it may be an ethically objectionable practice. If it is wrong to judge who is worth helping and who is not, then it is arguable that triage should be replaced with a “first-come-first-helped” principle.

*Daniel G. Baker*

**SEE ALSO:** Lifeboat ethics; Medical ethics; Military ethics; “Playing god” in medical decision making; Utilitarianism.

## Truman Doctrine

**IDENTIFICATION:** Foreign policy initiative undertaken by the U.S. president Harry S. Truman’s administration to prevent the spread of Soviet communism into Greece and Turkey

**DATE:** Promulgated on March 12, 1947

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** The Truman Doctrine signaled a shift in American foreign policy. It proclaimed a sphere of influence in the Middle East, which had never been a traditional interest of the United States.

The Truman Doctrine was prompted by the British government’s announcement that it would withdraw from Greece after the British had liberated the country from the Nazis in 1944. After World War II, the Soviet Union was a threat to the Balkan Peninsula, and the Eastern European communist regimes were aiding the Greek communists in their civil war against the Greek government. To offset this communist threat, Truman asked the Congress for \$400 million for military and economic aid to Greece and Turkey.

*Bill Manikas*

**SEE ALSO:** Cold War; Communism; International justice; International law; North Atlantic Treaty Organization; Potsdam Conference.

## Trustworthiness

**DEFINITION:** Disposition of character that leads people to do reliably what others have a right to expect of them

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Trustworthiness is a crucial virtue for people living together in a community, in which personal, commercial, and professional relationships depend on it

Trustworthiness involves both words and conduct. A trustworthy person speaks truthfully to others, and therefore the words of such a person are to be trusted. Also, a trustworthy person is willing to make commitments concerning future behavior, and can and will keep whatever commitments have been entered into; therefore, the conduct of such a person is to be

relied upon. A trustworthy mechanic, for example, can be counted on both to tell one truthfully what repairs one's automobile needs and to fulfill the terms of any contract that he or she enters into to do the work.

Trustworthiness is an admirable trait of character because it is socially useful. Hence, it is appropriate to classify it as a moral virtue, even though it has been little discussed by traditional ethical theorists, the word "trustworthy" having entered English only in the nineteenth century.

The term "trustworthy" is ambiguous because it does not specify whether it refers to trustworthiness in some specific respect or trustworthiness as a pervasive disposition of a person's character. When one calls a mechanic trustworthy, one is usually speaking only of trustworthiness regarding automotive repairs, though one could mean to say that the person is trustworthy in all aspects of life. Marital fidelity and honesty in paying income tax will count as evidence of trustworthiness in a mechanic only when the second, broader meaning is intended.

#### RELATIONSHIP TO OTHER VIRTUES

Trustworthiness is akin to and overlaps such other virtues as truthfulness, honesty, and fidelity, but it is distinguishable from each of these. Trustworthiness differs from truthfulness in that the latter pertains only to communication, while the former can relate to a much wider range of behavior. Trustworthiness differs from honesty in that it can concern the keeping of commitments of any kind, not merely those the breach of which would be dishonest. It differs from fidelity in that trustworthiness requires greater effectiveness in the carrying out of commitments than is needed for fidelity; thus, a loyal but incompetent person can be faithful without being trustworthy.

Trustworthiness must also be distinguished from trustfulness (which is not, in general, a virtue) and from the appropriate degrees of trust that ought to pervade various relationships (these degrees of trust often arise only in proportion as the participants are properly trustworthy, yet this proportionality is merely contingent).

Within the family and in personal relationships generally, trustworthiness is required if all is to go well. When a husband is worthy of his wife's trust and she of his, this makes it likelier that they will indeed trust each other and that their affections will

remain firm and their responsibilities will be effectively shared. Lovers, friends, neighbors, and acquaintances all will find that their relationships tend to be strengthened when there are appropriate degrees of trustworthiness on each side.

Some feminist thinkers have particularly focused on the importance of trustworthiness. Sara Ruddick, for example, writes of trustworthiness as one of the virtues especially needed by a mother who is to have a sound relationship with her child. She stresses that the child must be able to rely on the mother to stand up for it against the father, against intrusive government, and against the archaic mores of society. Ruddick's emphasis is controversial, and one might wish to add that children also need to find their fathers trustworthy and need to be taught to be trustworthy themselves. In any case, trustworthiness on all sides seems to be indispensable for good family relationships.

Is trustworthiness more prized in men by women than it is in women by men? There may be some truth in Arthur Schopenhauer's view that women prize stability (and hence trustworthiness) in their liaisons, while men tend to seek variety. Yet such sweeping generalizations carry little weight.

#### TRUSTWORTHINESS IN BUSINESS

It is in the world of business, however, that trustworthiness finds its most distinctive place in modern life, especially in connection with the provision of financial services. Banking activities of a recognizable kind seem to have had their origin during the Renaissance in the dealings of merchant families, among whom the Medici and the Fuggers were leaders. Initially, these families had merely bought and sold on their own account, but then gradually they began to provide financial services to others, transferring money from one city to another, holding deposits, making commercial loans, and insuring against the loss of ships and shipments. The availability of these services became enormously helpful to commerce and set the stage for the rise of capitalism.

It was essential that the providers of such services should develop strong reputations for trustworthiness, since no merchant wanted to deposit funds except with a banker who could be relied upon to handle them as promised. The concept of trust (Latin, *fiducia*) has been central to the activities of banking and insurance from the start. Members of these businesses always have sought to cultivate favorable rep-

utations and have found that the most reliable way of doing so is by actually being trustworthy. Since the eighteenth century, the fiduciary trustworthiness of corporate entities has come to be even more important than that of individuals and families (some corporate entities even came to be called “trusts”). Without fiduciary trust, the economic world as it is known could not exist.

In the professions, such as medicine and law, trustworthiness also has come to play a central role. The patient or client is not equipped to make independent judgments about the complex technicalities of medicine or law and therefore must rely on the knowledge and technical skill of the professional, as well as on the professional’s motivation to serve well. Only professionals who acquire reputations for trustworthiness are likely to be successful in the long run. Part of the role of professional organizations has been to promote trustworthy behavior by members of the professions and to encourage potential patients and clients to trust them.

*Stephen F. Barker*

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SEE ALSO: Business ethics; Feminist ethics; Honesty; Loyalty; Personal relationships; Professional ethics; Promises; Truth; Virtue.

## **Truth**

**DEFINITION:** Factual, actual, and real

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Truth is the central object of philosophical inquiry, and no consensus exists as to any aspect of it. At one extreme lies the belief that there is an objective reality, and objective truth exists either in the world or beyond it. At the other lies the belief that truth merely names the set of conventional beliefs and common metaphors in circulation in a given society, and it is generated by rhetoric rather than reality.

Truth is a feature of propositions—assertions, statements, and claims. If one claims that one’s notebook is on a desk, and it is, one’s claim is true. The desk is not true and the notebook is not true: They simply exist. If one removes the notebook but makes the same assertion as before, the assertion is false, but falseness would still not be a characteristic of the desk or the notebook. Equally, the number nine is neither true or false, but the equation  $9 + 5 = 14$  is true, while  $9 + 15 = 23$  is false.

Truthful statements or assertions represent “things” as they are—reality. False assertions do not depict things as they are. Truthful statements and falsehoods depend on those things as they are, not on a person’s (or a society’s) beliefs, desires, wishes, or prejudices. Furthermore, at the elemental level of logic, the “law of the excluded middle” is operative. According to that law, it is assumed that statements or claims have only two possible conditions: A claim is either true or false.

Throughout history, philosophers have attempted to develop sweeping theories to explain the nature of truth and its opposite, falsehood.

#### **COHERENCE THEORY**

Several philosophical theories of truth are extant, one being the coherence theory. Its groundbreakers include such thinkers as Baruch Spinoza, G. W. F. Hegel, and Gottfried Leibniz, and it is associated with the great rationalist system-making metaphysicians. In coherence theory, when one says that a statement or judgment is true or false, one means that the statement coheres or does not cohere with other statements, which, taken together, create a “system” that is held together either by logic or by pure mathe-



matics. To be called “true,” a statement must fit into a comprehensive account of the universe and its reality. In everyday language, people often reject outlandish assertions (such as someone claiming that he or she sees ghosts or claiming that God visits him or her every day) because the assertions do not cohere with other scientific views or even with common sense.

Believers in the coherence theory justify their position, in part, on the basis of their view of the theory of knowledge and also, in part, on the basis of a priori reasoning such as that found in such fields as mathematics and logic. They believe that all knowledge is a vastly organized and logically expressed interlocking series of statements or judgments.

Critics who reject the coherence theory point out that a priori statements that are typical of mathematics and physics are unlike empirical statements about observations of everyday life, and thus they give priority to empirical evidence rather than a priori judgments. For example, scientists may have determined by observation that water boils at 100 degrees Celsius but may, after further observation, learn that the statement is true of water at sea level but is not true of water at higher altitudes; either way, empirical evidence is the key to “the truth.”

### **CORRESPONDENCE THEORY**

Influenced by Bertrand Russell, many modern philosophers embrace the correspondence theory of truth, which holds that the truth corresponds to reality. As Russell defined the term, truth exists in some form of correspondence between belief and fact (reality). Actually, the lineage of this belief can be traced back to Aristotle, who held that “A” is always “A” and “non-A” is never “A.” By the “facts” of a case, the case is true if the “facts” are true or is false if the “facts” are untrue. The “liar’s paradox,” however, bedevils those who embrace this theory. Eubulides, a Megarian philosopher, a near contemporary of Aristotle, first formulated the paradox: “I am a liar, and what I’m now saying is false.” Correspondence theorists would have to reason that the statement is true if the man is a liar; that is, it is true if it itself is false, but false if it is true.

Writing after the turn of the twentieth century, G. E. Moore justified the correspondence theory on the grounds that statements that reflect reality are true and those that do not reflect reality are false.

Moore held that truth is agreement between belief and fact. If the former is true, there is a “fact” in the universe to which the belief corresponds; if the belief were false, there would be no “fact” to which it could correspond. Bertrand Russell added that there can be no incompatibility among “real” facts, but there are many incompatibilities among falsehoods.

### **PRAGMATIC THEORY**

Pragmatic theory holds that the truth is the satisfactory solution to a problematic situation. This theory developed, in part, as a reaction against Cartesian logic. René Descartes considered matters individually and subjectively, believing that an idea was clear and true if it seemed to him to be clear and true, never considering that an idea might seem clear and true even though it was false. Pragmatists such as Charles S. Peirce, who wrote during the late nineteenth and early twentieth centuries, argued that truth had a public rather than an individual character and that it should never be severed from the practicality and reality of human life or from the human pursuit of knowledge. Peirce then defined scientific truth as a learned judgment ultimately agreed upon by all who investigate a certain statement, issue, or problem.

John Dewey’s definition of pragmatic theory differed from that of Peirce; Dewey held that truth originates with doubt, which in turn prompts an investigation. First, relevant “facts” are gathered and applied; they mark off what seems safe and secure (true). Investigation then begins, lasting until “reality” (truth) is verified. Russell disagreed with Dewey, however, holding that truth is still truth even if it is not verified by an investigator. Another critic formed an example of what Russell meant: Smith committed a crime on Monday that was not discovered until Friday. The truth (the crime), “happened” on Monday and became reality then even if the authorities did not verify that truth until later.

Another pragmatist, William James, developed his own views of truth, holding that truth was expedient—it was whatever put one in a satisfactory position with the world. James came under attack from others who objected to his amoral approach, for if truth was only an expedient and a satisfactory position then lies might become truth, good might become bad, and all definitions of truth would be torn asunder.

Many pragmatists are also empiricists. For example, Isaac Newton’s theory of gravitation is true be-

cause Newton's ideas lead to computations that agree with observations. The old corpuscular theory of light was eventually rejected because certain of its ideas did not agree with experience and observation.

### **EARLY EVOLUTION OF THE PHILOSOPHICAL CONCERN FOR THE TRUTH**

Many early philosophers, in addition to those mentioned above, decided that objective truth existed. Plato's ideas included elements of both the correspondence and coherence theories, and, as mentioned above, Aristotle also developed the correspondence model. Challenges and criticisms of this idea were made by the early Sophists, who held that the truth was relative, and early skeptics, who argued that the real truth is not knowable by humans and that people should therefore live in a state of suspension of judgment.

During the Middle Ages, the doctrine of double truth was in vogue, largely because it appeared to save theology from philosophy. Those who stressed double truth claimed that what might be true in philosophy might be false for religion. Thomas Aquinas contributed to the debate by modifying the correspondence theory. He held that truth was the "adequation" of thought to things, and added that since truth is a transcendental concept, the highest truth was that of God. In the modern era, the double truth doctrine remains in vogue, as would-be religionists allow science and theology to coexist.

Later philosophers added depth to the search for truth. Baruch Spinoza, for example, argued that truth was the standard literally of itself and of the false as well. Leibniz drew a distinction between truths of reason and truths of facts (today's analytic-synthetic distinction). The former relied on the principle of identity and the latter simply on "sufficient" reason. John Locke joined the debate by drawing distinctions between truths of thought and truths of words; the former rested on the agreement of ideas with things, the latter on the agreement of ideas. Hegel explored what he called the "historical truth" versus formal truth, with the former relating to concrete existence and the latter to mathematics.

### **TRUTH, ERROR, LOGIC, AND MORALITY**

Formal logic holds that a proposition or a fact is true if it reports, portrays, or describes "things" as they are (reality). A true idea corresponds in structure

to reality. Formal logic, however, cannot account for certain types of falsehoods or errors, especially those that have moral or ethical overtones. Out of prejudice, ignorance, willfulness, or "feelings," people may embrace error. Many, for example, are superstitious; some deny certain scientific "truths" because they are not in accord with feelings or beliefs. Others embrace patently false philosophies and doubtful theological heresies because such heresies make them "feel" better. Worse, humans who are ignorant of "facts" experience a certain type of a void or a vacuum, and they often fill in their void or vacuum with errors.

Volitional untruth often leads to immorality and/or unethical behavior. Many a liar, for example, justifies his or her falsehoods with the phrase "everyone does it." Many a politician justifies the courting and the accepting of bribes because "everyone does it." Many a priest, preacher, or rabbi professes goodness while leading a private life that no "good" God could condone. Unfortunately, religion provides fertile ground for volitional untruth. Religionists believe in doctrines and ideas that are impossible to prove true. Yet many religionists still persecute and discriminate against those who do not embrace their unprovable assertions.

Prejudice appears to be a major source of volitional untruth that causes great harm. Historical examples could include the Holocaust, the German slaughter of at least six million Jews; Joseph Stalin's mass murders before and during World War II; and Serbia's "ethnic cleansing," a euphemism for attacks (that led to much destruction and many deaths) on other ethnic groups in what used to be Yugoslavia. It is clear that, worldwide, much racism and rabid ethnocentrism still exists.

### **TRUTH AS COMMON SENSE**

When "common" people, living in the real world, use the term "common sense," they generally contrast the term with its opposite, nonsense, for what is opposed to common sense is nonsensical. Generally, people who have common sense tend to trust their five senses of perception and therefore to trust the observations about reality that their senses record. Common sense as a form of truth is usually opposed to "high" and obvious paradox, and it offers people protection from gross absurdity. For example, a person with common sense probably will not give much consideration to the following question: "if a tree

falls in the forest, does it make a noise if no one is there to hear it?" Common sense dictates that one should disregard that question, because it involves only mental gymnastics. Likewise, most people do not attempt to determine how many angels can stand on the head of a pin.

In terms of the truth (or philosophy) of common sense, Aristotle was one of the first to stress "A" and "non-A" and to argue that the reality of the world was for the most part exactly what it seemed to be. Some modern philosophers echo Aristotle's dictum. For example, G. E. Moore developed "truisms" that implied the correctness of common sense: Earth has existed many years in time and in space; human beings have also existed for many years and have related to the material Earth and to each other. Thus, Moore condemned philosophers who tried to deny the existence of material things, of space, and of time. Some woebegone philosophers, Moore complained, had even denied the existence of minds other than their own; thus, they had to convince their listeners or their readers that they—the listeners and readers—did not exist, but if they did not exist, how could they hear of or read about the philosopher's opinions in the first place?

Commonsense observations do, of course, have limitations. Common sense can produce error. Primitive humans probably could not have believed the modern "view" that the earth is always revolving in an orbit around the Sun. Trusting their powers of observation, primitives would likely laugh at such a statement because the earth under their feet was not moving. Philosophers who stress common sense, however, argue that such error is always temporary because common sense evolves as more is learned about the world and reality.

### TRUTH AND UNTRUTH IN THE WORLD OF POLITICS AND ECONOMICS

In the real world in which people live, falsehoods and unethical behavior abound (caused by, for example, personal character flaws or someone's drive for power). Nowhere is this more evident than in the United States' political system and economic system. In politics, for example, in recent decades Americans have witnessed something of a public circus. The Watergate scandal of the early 1970's disgusted many people, especially after certain tapes revealed that President Richard Nixon, in speaking to aides, acted

much like a Mafia chieftain who plotted the destruction of his political enemies (real or imagined). The tapes also proved that Nixon was deeply involved in the scandal, not blameless as he had earlier maintained.

The 1980's and early 1990's witnessed such episodes as the "Iran-Contra" affair, which tainted President Ronald Reagan, and various congressional scandals involving the House of Representatives' "bank," its "post office," and its restaurant. Concerning economics, people witnessed such developments as the savings and loan scandal, a scandal that cost billions of dollars, most of which the general public ultimately will have to pay.

If one multiplied the examples above by one hundred, one might begin to approach the number of scandals that have occurred in modern America. The root cause has to do with unethical behavior, with falsehood rather than truth, with "bad" rather than "good." So wrong have things gone that many people have despaired and become apathetic, not knowing whom to trust. Furthermore, many analysts from different academic fields now talk about the decline of American civilization.

*James Smallwood*

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SEE ALSO: Absolutism; Aristotle; Deconstruction; Epistemological ethics; Moral realism; Objectivism; Platonic ethics; Pluralism; Pragmatism; Relativism; Subjectivism.

## Tutu, Desmond

IDENTIFICATION: South African cleric and rights activist

BORN: October 7, 1931, Klerksdorp, Transvaal, South Africa

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: As an Anglican cleric, Tutu contributed moral force to help end South Africa's racial segregation.

Of native African heritage, Desmond Tutu grew up in Johannesburg, South Africa, under the rigid racial segregation system of apartheid. After training to become a teacher in black Africans schools, he left that profession because of the country's inherently unequal educational system. Eventually convinced only a moral challenge to apartheid could forcefully combat the system, he became a priest in the Anglican Church in 1961. The church was a worldwide body known for its forthright opposition to racism. Tutu spoke against the inhumanity of racial segregation to increasingly sympathetic listeners in South Africa and abroad. While the South African government used repressive force against violators of segregation laws, Tutu advised his followers to respond with the greater moral force of nonviolence.

After being appointed a bishop, Tutu became secretary-general of the South African Council of Churches in 1978. From that national platform, he courageously

Image not available

Archbishop Desmond Tutu (right) shakes hands with former South African president P. W. Botha in 1996. (AP/Wide World Photos)

transmitted his message of nonviolent opposition to racism and published a series of books, the first of which, *Hope and Suffering*, appeared in 1983. For his sustained nonviolent challenge to apartheid, he received the Nobel Peace Prize in 1984.

Ten years later apartheid definitively ended when South Africa elected its first black majority government and Nelson Mandela became president of the country. By then Tutu was archbishop of Cape Town. In 1995 he was selected to preside over the government's Truth and Reconciliation Commission. Requiring a firm sense of moral balance, the commission investigated atrocities by all factions in the struggle against apartheid. When the commission presented its final report in 1998, it concluded that primary blame lay with the former apartheid government, but that all sides were guilty of outrages. Tutu himself later spoke out against Israeli treatment of Palestinians, calling it a form of apartheid.

*Edward A. Riedinger*

SEE ALSO: Apartheid; Mandela, Nelson; Nobel Peace Prizes; Nonviolence; South Africa's Truth and Reconciliation Commission.

## *Two Treatises of Government*

IDENTIFICATION: Book by John Locke (1632-1704)

DATE: Published in 1690

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: A seminal work of classical liberalism, the *Treatises* argued for natural rights, private property ownership, limited government, and the construction of legitimate government on the basis of consent and a social contract.

*Two Treatises of Government* was supportive of the political agenda of the Whigs and articulated a revolutionary sophisticated political theory of classical liberalism. John Locke's political theory and political ethical arguments were derived from his interpretation of the natural and rational human self-interests to survive and to acquire private property. The moral premises of universal natural rights and government's ethical obligation to protect such rights underpinned Locke's interpretation of natural law.

The law of nature was a source of rational moral political principles and a universal code of ethics. It was morally obligatory for all individuals to consult and comply with these moral precepts. Because of partiality, self-interest, and the personal pursuit of private property, however, humans often misunderstood the law of nature. The law of nature required all individuals to preserve their own lives and property, and "no one ought to harm another in his life, health, liberty, or possessions."

Locke asserted a moral objectivist perspective, based on his assumption that the law of nature had universal applicability and transcended any particular historical or social context. In the state of nature, because of the lack of public authority each individual was responsible for the interpretation and implementation of the law of nature as well as for the punishment of transgressors. Although individuals were relatively equal, free, and independent rational moral agents who pursued property in the state of nature, inconveniences and disputes regarding property transactions prompted individuals to unite by means of a social contract to institute a civil society.

The concept of a state of nature was viewed by Locke as a fictional contrivance that served to demonstrate the normative basis of legitimate political authority. Unlike Thomas Hobbes's political ethical theory that humans were primarily motivated by fear of violent death to fulfill their moral obligations to the state, Locke's moral political philosophy held that individuals were guided by reason in the creation of their social and political institutions. Locke interpreted the political authority relationship as being derived from the consent of citizens to government. Governments were entrusted specifically to protect the natural rights (particularly of private property) of individuals.

Locke's *First Treatise* rejected the political theory of royal absolutism, monarchical prerogative, patriarchalism, and divine right of kings advocated by Sir Robert Filmer's *Patriarcha*. In contrast to Hobbes's theory of political absolutism, which was based upon the passive obedience of citizens, Locke's political theory of classical liberalism was grounded in the normative principles of limited government, governmental accountability, and the active moral assessment by citizens of public authority. Locke justified rebellion against an arbitrary, tyrannical sovereign who ruled by absolute power and existed in a state of



war with the people. In addition to simply being a moral justification of an individual's natural right to mix his or her labor with material objects and thereby claim exclusive property ownership, Locke's labor theory of value and concept of property were broadly identified with the ethical principle of individual moral autonomy.

*Mitchel Gerber*

SEE ALSO: Constitution, U.S.; Hobbes, Thomas; *Leviathan*; Liberalism; Locke, John; Natural law; Social contract theory.

## Tyranny

DEFINITION: Oppressive power unjustly exerted by a government over its people

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Classically, there are three forms of political tyranny: dictatorship, or tyranny by an individual; oligarchy, or tyranny by a group; and nonrepublican democracy, or tyranny of the majority. Each form has been condemned on the grounds that it abridges the right to self-determination.

In seventh century B.C.E. Greece, aristocrats ruled city-states called *poleis*, whose citizens obeyed the laws made by kings and governing councils, called *archons* in Athens. The first tyrant was Cypseus, who took power by force in Corinth in 657 B.C.E. Pisistratus overthrew the political leadership in Athens with his army and ruled as a tyrant from 546 B.C.E. to his death in 528 B.C.E. A Greek tyrant was not necessarily feared or hated. Pisistratus, for example, built temples, sponsored festivals, and was admired, if not loved, by many Athenians. Tyranny, however, was established through extralegal means, and even if the tyrant later obtained popular approval, he still imposed his will on the people. It is this aspect of tyranny that has been emphasized in criticisms of rulers from George III of England by the Americans to Czar Nicholas II by the Russian revolutionaries. Tyranny implies the use of force by a powerful leader to control the people. It results in the denial of freedom and the imposition of the will of the ruler.

*James A. Baer*

SEE ALSO: Arendt, Hannah; Assassination; Dictatorship; Fascism; Hitler, Adolf; Hussein, Saddam; *Leviathan*; Machiavelli, Niccolò; Oppression; *Two Treatises of Government*.

## Tzaddik

DEFINITION: Jewish ideal of a person who is just, righteous, pious, and virtuous, or an action that is morally correct

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: The concept of the *tzaddik* provides Jews with an ideal model of moral and ethical behavior. In Hasidism, it is synonymous with the *rebbe*, the leader of a Hasidic court.

The Bible considers the *tzaddik*, who lives by faith, to be an abomination to the wicked and holds that the actions of the *tzaddik* can influence others to be righteous. Several of the prophets, however, along with the books of Ecclesiastes and Job, suggest a dilemma: The *tzaddik* is rewarded with material prosperity and divine blessings but suffers tribulations; his merit may endure forever, but he may perish in his righteousness. For the rationalist rabbis, the concept of absolute righteousness is unattainable. In their opinion, however, the *tzaddik* is to be praised more than are the ministering angels; his creative acts are coequal with those of God, and he is capable of canceling or at least minimizing the stern decrees of Heaven and Earth.

Indeed, it is because of the sustaining merit of the *tzaddikim*, rather than psychological determinism and mechanics, that the world exists. The Kabbala teaches that the soul of the *tzaddik* exhibits a harmonious relationship between the hidden aspect of the divine and the divine as it is manifested. The *tzaddik's* life, therefore, suggests that the inner turmoil of one's soul is not a problem that defies solution but a mystery that can be resolved if, following the *tzaddik's* narrow path to otherworldliness, one loves and fears God in joy. In the words of one talmudist-kabbalist, "The justification of [man's] life is that, at every moment, he burns in the consuming fire of the Lord, for his soul is the candle of God."

A central concept in the Kabbala is the symbiotic interaction of God and humanity, in which the ac-

tions of the lower world have an impact on the higher world. In the Hasidic world, this developed into the complementary roles of the *rebbe/tzaddik* and the *hasid* (“pious”). During the Shoah (the Holocaust), for example, the cadres of *rebbeim/tzaddikim* were a source of *hithazqut* (“encouragement”), which served to diminish despair (*ye’ush*) among the Hasidim. The *rebbeim/tzaddikim* acted as a kind of sponge for misery, absorbing pain and cruelty before they spilled out and overcame all else. They taught that multiple

acts of holiness in the service of God and humanity help to restore dignity and self-respect, and can bring sanity to a shattered world. This view provides a marked contrast to the “theology of suffering,” which views sainthood in terms of martyrdom.

*Zev Garber*

SEE ALSO: Hasidism; Hebrew Bible; Jewish ethics; Kabbala; Talmud; Torah.

# U

## Unamuno y Jugo, Miguel de

IDENTIFICATION: Spanish philosopher  
BORN: September 29, 1864, Bilbao, Spain  
DIED: December 31, 1936, Salamanca, Spain  
TYPE OF ETHICS: Modern history

SIGNIFICANCE: In such works as *The Life of Don Quixote and Sancho* (*Vida de Don Quijote y Sancho según Miguel de Cervantes Saavedra, explicada y comentada por Miguel de Unamuno*, 1905), *The Tragic Sense of Life in Men and Peoples* (*Del sentimiento trágico de la vida en los hombres y en los pueblos*, 1913), and *The Agony of Christianity* (*La agonía del Cristianismo*, 1925), Unamuno explored his own soul in an attempt to understand humankind's quest for immortality. He believed that faith and emotion were the best tools with which to explore the tragedy of life.

Subjectivity, individualism, an acknowledgment of the role of irrationality, and a sense of life's anguish and tragedy were among the existential values that Miguel de Unamuno y Jugo shared with Søren Kierkegaard, Martin Heidegger, and Friedrich Nietzsche. Although he gave his own distinctive accent to their concept of the tragic sense of life, Unamuno rejected their idea that life was nothingness. He found meaning in his own passionate desire to escape annihilation by questing for the immortality of body and soul, and he concluded that this quest was common to all people. This perception was not derived from the principal philosophical systems of the day. Those systems were too abstract for Unamuno because they yielded only dehumanized ideas about human nature and human beings themselves: "thinking man," "economic man," or "freedom-seeking man."

Having devoted his intellect to exploring his inner self, Unamuno viewed humanity as a creature of flesh and bones, not as a philosophical object or an academic construct. Real humans were driven by passions and by faith. Since reason could explain neither the human search for immortality nor its own ex-

istence, Unamuno viewed humanity as being caught in a tragic struggle between reason and faith—faith being simply the hope that death does not bring annihilation. Unamuno's faith had, as Catholic theologians say, a "vital" religious base that also provided a foundation for his subjectivity and his intense individualism. Regarding most political systems as, at best, cloaks for civil privateering or masks for tyranny, and remaining innately suspicious of ethical and scientific ideals, he was a lifelong champion of the divine rights of individuals and of the battle for the human spirit.

Clifton K. Yearley

SEE ALSO: *Being and Nothingness*; *Beyond Good and Evil*; Hare, R. M.; Heidegger, Martin; Kierkegaard, Søren; Ortega y Gasset, José; Tillich, Paul.

## Uncle Tom's Cabin

IDENTIFICATION: Novel by Harriet Beecher Stowe (1811-1896)

DATE: Published in 1852

TYPE OF ETHICS: Race and ethnicity

SIGNIFICANCE: One of the most influential and best-selling didactic novels in American history, *Uncle Tom's Cabin* used Christian ethics to attack slavery as immoral and to arouse popular sentiment against it.

Harriet Beecher Stowe's best-selling novel was the most influential antislavery work published in the years just prior to the American Civil War. It was a direct response to the moral concessions in the Compromise of 1850, and particularly the Fugitive Slave Law, which required citizens of northern states to return runaway slaves to their southern owners. The novel also refuted some contemporary religious arguments that attempted to justify slavery through biblical evidence.

**CAUTION!!**

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**COLORED PEOPLE**  
**OF BOSTON, ONE & ALL,**  
 You are hereby respectfully **CAUTIONED** and  
 advised, to avoid conversing with the  
**Watchmen and Police Officers**  
**of Boston,**  
 For since the recent **ORDER OF THE MAYOR &**  
**ALDERMEN,** they are empowered to act as  
**KIDNAPPERS**  
 AND  
**Slave Catchers,**  
 And they have already been actually employed in  
**KIDNAPPING, CATCHING, AND KEEPING**  
**SLAVES.** Therefore, if you value your **LIBERTY,**  
 and the *Welfare of the Fugitives* among you, *Shun*  
 them in every possible manner, as so many **HOUNDS**  
 on the track of the most unfortunate of your race.

**Keep a Sharp Look Out for**  
**KIDNAPPERS, and have**  
**TOP EYE open.**

**APRIL 24, 1851.**

*Notice posted in Boston in 1851—the year before Uncle Tom’s Cabin was published in book form—warning African Americans about the dangers of slave catchers. (Library of Congress)*

Stowe was committed to exposing slavery as anti-family and atheistic. She believed that the materialistic values of mid-nineteenth century commerce had numbed Americans’ moral sense and blinded them to the tragic consequences of the slave trade. Stowe believed that the Christian, domestic values embodied by wives and mothers were the best antidote for this evil, and her book makes numerous appeals to American women to use their humanizing influence to end slavery. Another ethical issue raised by the novel is the appropriate response of slaves to oppression. Although some modern readers question the docility of the titular hero, Stowe’s purpose was to create a

Christ-like figure who embodied superior character traits, such as humility, goodness, and submission to God’s will, that were essential in Stowe’s Christian value system.

*William L. Howard*

SEE ALSO: Abolition; Narrative ethics; Racism; Slavery.

## Unconditional surrender

**DEFINITION:** Total military capitulation in which the losing side has no power to negotiate and must accept any conditions that are imposed upon it by the victor

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Refusal to accept anything less than unconditional surrender may significantly prolong military conflicts or increase the destruction they cause, raising ethical questions about the permissible or justifiable scope of warfare.

During some of the most critical days of World War II, American president Franklin D. Roosevelt and British prime minister Winston S. Churchill met in January, 1943, in Casablanca, Morocco. Their intent was to plan future Allied operations and to reassure their hard-pressed Soviet ally that they would make no diplomatic

deals with the common Axis enemy. Concluding this Allied North African Conference (ANFA), Roosevelt publicly announced that the war against Nazi Germany, Japan, and Italy would end only with the “unconditional surrender” of those countries. Roosevelt made it clear that the Allies were conducting war not against the peoples of these enemy nations but against their governments and military machines. Enunciated after Great Britain had been at war for nearly four years and the United States had been at war for two, the doctrine of unconditional surrender signaled the Allied resolve to fight the war to the finish. Roosevelt’s announcement surprised some of his

own military chiefs, as well as Churchill, and it subsequently proved to be a source of confusion and controversy.

### THE DOCTRINE'S ORIGINS

Just as the French Revolution introduced Europeans to the realities of the beginnings of total war, so too did the U.S. Civil War introduce Americans to them. In February, 1862, the previously little-known Brigadier General Ulysses S. Grant gained recognition by demanding the "unconditional surrender" of Confederate Fort Donelson. One year later, in January, 1863, he gained fame for demanding unconditional surrender at Vicksburg, when the commander of Confederate forces holding the town, Simon Bolivar Buckner, requested terms of surrender from Grant. Buckner had reason to expect generosity, for he and Grant had been friends at West Point. Grant's reply, however, was "unconditional surrender." In making this reply, Grant expressed his, and the Union's, acceptance of a grinding, bloody total war. In terms of doctrine, it hardly mattered that Grant later allowed his exhausted and starving Confederate prisoners to go home on parole or that the terms that Grant offered to Confederate general Robert E. Lee, which ended the war at Appomattox, were extremely generous.

### THE DOCTRINE'S EVOLUTION

The diplomacy preceding and during warfare was something with which Americans had little experience between the Civil War and the nation's participation in the last years of World War I. The issuance of President Woodrow Wilson's Fourteen Points in January, 1918, marked a fresh and controversial approach to settling with the enemy, chiefly Wilhelminian Germany. An armistice was predicated on the overthrow of Kaiser Wilhelm and his government and the installation of a government that represented the German people—one that thereby became acceptable to Wilson. On November 9, 1918, the kaiser abdicated and a new government was formed; on November 11, an armistice ended the fighting. Subsequently, Wilson's detailed peace plans were compromised and the planned American participation in a League of Nations failed to materialize. Supporters of Wilson believed that Wilson's Fourteen Points and armistice terms, by separating the German people from the policies of the kaiser's government, had helped to shorten the war.

Many people believed, however, that Germany should have been crushed, that Berlin and most of Germany should have been occupied by the United States and its allies. By the mid-1930's, American disappointment over its wartime experience, combined with the new presence of a rearmed and militant Hitlerian Germany, led to the conclusion that Germany had profited from too much leniency in 1918. The unlimited warfare unleashed by Germany, Japan, and their allies in World War II provided ample grounds for reviving Grant's concept of unconditional surrender.

### THE DOCTRINE DURING WORLD WAR II

President Roosevelt's reassertion of unconditional surrender at Casablanca was aimed at attaining several immediate objectives. A global war had reached a critical stage. A long string of unbroken Allied defeats had just been ended. The Battle of the Atlantic was still being lost. Mistrust persisted between Britain and the United States, on one hand, and their invaluable ally the Soviet Union, on the other. Thus, the doctrine was intended to raise Allied morale, reassure the Russians, and signal Allied resolve to the enemy. Scholars later noted that of all the Allied statements, this was the only one that Adolf Hitler believed completely.

In 1943, Roosevelt's military chieftains apparently had little or no prior knowledge of the unconditional surrender doctrine. Initially, therefore, the doctrine did not represent a military initiative. Roosevelt probably drew upon the recommendations of a 1942 State Department Advisory Committee on Postwar Policy that had been passed on to him by Committee Chairman Norman Davis. The recommendation was that "nothing short of unconditional surrender by the principal enemies, Germany and Japan, could be accepted" (The way was left open for a "negotiated peace" with Italy.) Amid the drama of Casablanca, Roosevelt apparently recalled the Committee's recommendation.

After the Allies won a number of victories in 1944, Roosevelt and his military commanders decided that German resistance had been stiffened by the doctrine, thus prolonging the war, but Winston Churchill adamantly refused to abandon the doctrine. Consequently, in order to preserve harmony within the Grand Alliance, unconditional surrender was retained.



**ETHICAL IMPLICATIONS**

The questions of whether the doctrine of unconditional surrender lengthened the war, whether it was necessary for military victory, and whether it was morally justifiable continued to be controversial after the war's end. Did the ruthless acts of the Axis nations make it ethically permissible to match total war and terror with more total war and terror? No conclusive answers to this question have been found. American Cold War doctrine (1946 to 1986) in reaction to Soviet policy indicated, however, that if war came, the United States and its allies were prepared for a nuclear war of mutually assured destruction (MAD). Logically, the doctrine of unconditional surrender meant annihilation.

*Clifton K. Yearley*

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SEE ALSO: Hiroshima and Nagasaki bombings; Limited war; Military ethics; Mutually Assured Destruction; *On War*; War.

## UNESCO Declaration on the Human Genome and Human Rights

**IDENTIFICATION:** First universal instrument in the field of biology and ethics

**DATE:** Adopted on November 11, 1997

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Written in several iterations by representatives from around the world, this statement aims at striking a balance between the rights and freedoms of human beings and the goal of ensuring freedom of research.

In early 1995 the Bioethics Unit of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) prepared a draft declaration regarding human genome research. The purpose was to prepare a universal instrument designed to safeguard cultural diversity while presenting an ethical stand on genetic research. In September, 1995, that draft was revised by a committee that met in Paris. The revised draft was given to the meeting of government experts in July, 1997, for their comments. The fifth session of the UNESCO International Bioethics Committee reconvened in October, 1997, in Cape Town, South Africa. The final version that emerged was the Universal Declaration on the Human Genome and Human Rights, which was adopted unanimously by the 188 members of the general conference of UNESCO on November 11, 1997. Five years later, the International Society for Bioethics (SIBI) awarded its SIBI Award to UNESCO for the declaration.

The preamble of the declaration presents UNESCO's mandate and previous declarations regarding human rights, discrimination, research, and related issues ratified by member states. The declaration's first section is about human dignity and the human genome. It underscores the unity of all human beings and calls for scientists to respect their subjects, not reduce individuals to genetic characteristics or base their work solely on financial gain. The second section, about the rights of concerned persons, calls for informed consent, rigorous preliminary research, nondiscrimination, confidentiality, and punitive damages for violation of an individual's genome.

The third section is about research on the human genome and has three articles that call for respect of

human rights over research; forbidding practices contrary to human dignity, such as human cloning and making universally available the results of research. The fourth section deals with the conditions under which scientific research is conducted. Its four articles pertain to meticulousness in inquiry, intellectual freedom, restriction of uses to peaceful purposes, and committee assessments. The fifth section pertains to solidarity and international cooperation, with two articles about global cooperation. The sixth section is about the promotion of principles in the declaration, and the final section is about implementation of the declaration by each of the member states.

*Manoj Sharma*

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SEE ALSO: Biotechnology; Genetic engineering; Genetic testing; Human Genome Project; International Covenant on Civil and Political Rights.

## **Union of Concerned Scientists**

**IDENTIFICATION:** Organization established to examine the uses and hazards of nuclear energy

**DATE:** Founded in 1969

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** The Union of Concerned Scientists pursues a vigorous program of public advocacy and education concerning the effects of advanced technology on society and public policy.

At the end of the 1960's, the testing of nuclear weapons had been suspended by the United States, the Soviet Union, and other nations with nuclear arms, but the Strategic Arms Limitation Treaty (SALT) talks that would halt the construction of weapons had not

yet begun. In addition, the first nuclear power plants were either on the drawing boards or actually under construction. The Union of Concerned Scientists (USC) was founded at this time to gather information on the nuclear arms race, arms control, nuclear reactor safety, energy policy, and other related matters. (Although the membership of the USC is not made up exclusively of scientists, a core of technically competent professionals makes its studies definitive and disinterested.)

The USC's findings are made available in its own periodicals, in conferences, in public presentations, in the media, in speaking engagements, and in educational packets provided for school use. The USC also provides court testimony and appearances at hearings such as those conducted by the U.S. Nuclear Regulatory Commission (NRC) regarding the relicensing of atomic power plants. More recently, the USC has broadened its scope to deal with the impact of advanced technology in general on society and has organized scientists on a worldwide basis out of concern for the earth's ecology.

*Robert M. Hawthorne, Jr.*

SEE ALSO: Atom bomb; Atomic Energy Commission; Earth and humanity; Mutually Assured Destruction; Nuclear energy; Nuclear Regulatory Commission; SALT treaties; Science.

## **United Nations**

**IDENTIFICATION:** Intergovernmental world organization established for the promotion of international peace and security

**DATE:** Established in 1945

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** As an international mechanism for collective security, conflict resolution, and promotion of prosperity and humanitarian welfare, the United Nations is frequently involved in disputes that bring the competing goals and varying ethical standards of different nations into conflict.

Established at San Francisco by fifty world governments in 1945, the United Nations (U.N.) represented an effort to foster international cooperation, to encourage peaceful settlement of disputes, to prevent

war, to punish aggression, and to control conflict through a collective security system. After the widespread destruction of World War II, which left tens of millions of people dead, governments realized a need to prevent and control conflict through legal and diplomatic means, while addressing the underlying causes of conflict, such as poverty, ignorance, cultural misunderstanding, injustice, and disrespect for the dignity of the human person, human rights, and fundamental freedoms.

The United Nations was designed to be a comprehensive venue in which causes of conflict could be identified and addressed by governments so as to reduce the propensity to war among nations, and as a place where imminent threats to peace or threats of aggression could be prevented or managed. The U.N. General Assembly, comprising all member states, was charged with overall coordination of U.N. activities, while the Security Council, comprising a smaller number of states—including five great powers as permanent members—was established as the primary U.N. body for maintaining international peace. To address the promotion of human rights, humanitarian assistance, and economic development the Economic and Social Council (ECOSOC) was also established.

### **BASIC ETHICAL PRINCIPLES**

The U.N. system is rooted in several important ethical principles. The U.N. Charter recognizes the principle of the sovereign equality of its members, who are called to cooperate with one another through common efforts to achieve a better world. This reflects the important ethical principle of solidarity. The cooperation is to be achieved by the mutual efforts of governments within their own domestic systems of government. This represents the ethical principle of subsidiarity, which is reflected in the sovereignty, territorial integrity, and political independence of each member state.

The United Nations is not an overarching or all-powerful world government, but rather a system through which politically independent and legally sovereign nations can cooperate to achieve common objectives such as collective security, peace, and greater social and economic advancement. To advance these goals, U.N. member states agree to refrain from the threat or use of force against fellow member states, and to cooperate with other members in punishing member states that violate their obliga-

tions to resolve disputes peacefully. The United Nations is rooted in the ethical principles of charity and preventing harm. However, charity can hurt as well as help and preventing harm often involves threats of harm against those who would inflict harm unjustly. U.N. efforts to oppose aggression may involve the use of force to punish egregious violations of Charter obligations. Wherever it turns the United Nations faces ethical dilemmas.

### **HUMAN RIGHTS AND SELF-DETERMINATION**

Although member states may expect no interference in their domestic affairs or infringement upon their territorial integrity, the U.N. Charter does provide for the promotion of human rights, and it recognizes the principle of self-determination of peoples. If a member state engages in gross violation of human rights, may it expect the United Nations to refrain from any form of intervention? If a member state faces a civil war in which a portion of its population expresses a desire for self-determination, should the United Nations support the existing legal sovereign or should it honor the principle of self-determination of peoples?

These tensions complicate the work of the United Nations, which as a general rule has honored the principle of national sovereignty over that of human rights. The United Nations worked aggressively for the principle of self-determination for colonial areas, which rapidly gained independence and U.N. membership. However, many of these newly independent member states proved to be politically unstable, economically weak, and badly divided along ethnic lines from within. When civil wars and human rights abuses erupted in many of these countries, the tendency of the United Nations was to honor the principle of sovereignty to the detriment of human rights and self-determination. The civil wars were seen as largely domestic disputes lying outside the competence of U.N. collective security efforts, which were designed primarily to prevent international conflicts. There were exceptions to this, as when the United Nations intervened after the independence of the Congo in 1960 to put down civil wars and prevent the self-determination claims of the resource-rich Katanga Province.

As a rule, the Cold War that swiftly overtook international relations after World War II led to a stalemate among the permanent members of the Security Council that possessed veto power and could thus

prevent common action against international security threats. Not until the end of the Cold War in the late 1980's and early 1990's did the Security Council emerge as an active enforcer of collective security, and when it did so, it confronted primarily civil war situations where conflicting claims to self-determination complicated its work.

### **SOLIDARITY AND SUBSIDIARITY**

At the very heart of the U.N. system is the mutual link between the principles of solidarity and subsidiarity. Solidarity is a quality of mutual support, cooperation, loyalty, and fellow feeling. It is most profoundly characteristic of families, where mutual love and support are most deeply felt. It is characteristic of local communities, of church groups, and of clan associations. It is also often exhibited in the feelings of patriotism of citizens toward their country, although in many parts of the world such a national sense of solidarity has never developed, which leaves such countries vulnerable to civil disturbance among competing groups with high levels of solidarity. Finally, the United Nations reflects an effort to develop a sense of global solidarity, in terms of achieving international peace and security. Clearly, solidarity is weakest at this international level, and it will likely always remain so. Still, a degree of solidarity is necessary at this level to encourage basic international cooperation in the interest of collective security and international justice.

Closely coupled with the principle of solidarity is that of subsidiarity, which acknowledges the proper independence of each level of human activity, from individuals and families, to local associations and civic bodies, to provincial and national political life, and to international associations. Subsidiarity asserts that each sphere of human activity should be left to its proper pursuit of human goods. Each person should be respected as endowed with fundamental rights and freedoms. Families have a right to beget and raise children into human maturity and to serve as the first educators and primary teachers of ethics and of solidarity to their children. However, individuals and families cannot provide for all things. Thus local governments come into being to promote the safety, security, and good public order in which individuals and families can thrive.

National governments arise to promote the general welfare, to provide for common defense, and to

support, not to displace, the efforts of local governments and of families in their primary duties. Similarly, history shows that nations must cooperate to maintain international peace and security and prevent humanitarian disasters. Global tasks require a concomitantly global organization to promote cooperation. The aim should be support rather than to dictate to governments how they must order their domestic life. Every level of human organization has an appropriate role to play in advancing the human good and in supporting those institutions that are best suited to achieve those goods.

### **SUBSIDIARITY IN PEACEMAKING**

The U.N. Charter acknowledges the principle of subsidiarity in two ways: first, in honoring the principle of sovereignty and the inherent right of each member state to act in self-defense when facing imminent threats to security, and second, in providing for regional collective security organizations. The seventh chapter of the U.N. Charter provides that member states may join together in regional organizations to promote regional peace and security.

Member states have an obligation to keep the U.N. Security Council informed of acts of self-defense and regional collective security actions, but they are free to act in situations in which delay or even the impossibility of the Security Council to reach consensus on a decision to act would compromise their national safety and security. Thus, the U.S. action in Afghanistan to remove terrorist threats after the September 11, 2001, attacks, though controversial, won the general endorsement of the United Nations. The United States, Great Britain, Spain, and several other U.N. members, though failing to win explicit U.N. endorsement, justified the use of force against Iraq in 2003 on grounds of preemptive self-defense.

### **SUBSIDIARITY IN SOCIAL AND HUMANITARIAN POLICY**

The promotion of human rights, the achievement of social and economic advancement, and the application of humanitarian assistance are primarily the right and duty of national governments, not of the United Nations itself, whose role is supportive. Similarly no government of a country can promote such causes without vigorous local action and implementation. When there is a disastrous breakdown in the capacity of local or national efforts to achieve such

goals, countries often turn to the United Nations for assistance. This happens during famines, natural disasters, or widespread civil disturbances. Normally, local nongovernmental organizations (NGOs), religious groups, private enterprises, and businesses in cooperation with governments of countries are the institutions in healthy civic settings where this work is more directly and effectively accomplished. If U.N. bodies or international nongovernmental organizations lose respect for these local capacities and cultural values and resources, or when they attempt to monopolize or co-opt them, even during an emergency, the principle of subsidiarity is compromised.

The spectacular growth in the numbers of NGOs and international advocacy groups, coupled with the growing number of U.N.-sponsored conferences to which such groups are now routinely invited along with governments, has created situations where the principle of subsidiarity can be violated. Some NGOs advance ideas and principles in such settings that could not gain legislative support within their own nations. Examples include various attempts at international conferences to redefine the traditional family values, to advance abortion as a human right, and to advance population control in ways that violate local cultural and religious norms. Such issues are politically controversial, culturally explosive, and deeply personal ones that beg for local and personal resolution in keeping with the principle of subsidiarity.

## CONCLUSION

Questions concerning the cardinal virtues of justice, prudence, temperance, and fortitude populate the U.N. agenda. Just as individuals and governments must reflect these virtues, so must the United Nations wrestle in its often highly controversial debates with matters of public policy and ethics. It does so imperfectly. It is often unable to achieve consensus on appropriate action, leaving member states to accommodate as best they can.

When, how, and whether to intervene where human rights abuses of a member state shock civilized consciences remains a question of both politics and prudence. The failure of the United Nations and its members to effectively intervene in the Rwandan genocide of 1994 left hundreds of thousands dead, when minimal action might have saved countless lives. Ineffective though well-intentioned U.N. inter-

vention in Bosnia in the early 1990's contributed to human suffering in that strife-torn country. U.N. economic sanctions in Iraq and Haiti did little to force intransigent regimes to change invidious policies but imposed considerable hardship on innocent populations. On the other hand, U.N. economic sanctions were instrumental in paving the way to the demise of the racist apartheid system and the attainment of majority rule in South Africa, and U.N. charitable aid for starving peoples and displaced refugees has saved tens of millions of lives over the decades. The U.N. record is one of mixed failure and success that nonetheless illustrates the need for international institutions aware of both their limits and their potential in advancing the human good.

*Robert F. Gorman*

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SEE ALSO: Conflict resolution; Human rights; International Covenant on Civil and Political Rights; League of Nations; North Atlantic Treaty Organization; Peacekeeping missions; United Nations Convention on the Prevention and Punishment of the Crime of Genocide; United Nations Declaration of the Rights of the Child; United Nations Declaration on the Rights of Disabled Persons; Universal Declaration of Human Rights; World Trade Organization.

## United Nations Convention on the Prevention and Punishment of the Crime of Genocide

IDENTIFICATION: International treaty

DATE: Adopted on December 9, 1948; became law on January 12, 1951

TYPE OF ETHICS: Human rights

SIGNIFICANCE: The United Nations (U.N.) convention allows all the nations that sign it to take appropriate actions against countries and individuals implementing genocide.

At the end of World War II, the horrifying visible evidence of the Holocaust illustrated to the world the effects of genocide on a massive scale. In 1948, when the General Assembly of the United Nations unanimously adopted the Convention on the Prevention and Punishment of the Crime of Genocide, it provided a way to inhibit this crime in the future. The intent of the framers of the convention was to establish a system of collective security for designated groups. Under the terms of the convention, any attempt to destroy a national, ethnic, racial, or religious group should result in the United Nations taking appropriate steps to stop the genocide. Moreover, charges should be filed against those attempting to develop or implement such a policy.

Ethically, it seems like a simple and straightforward

process to eliminate genocide. However, the U.N. attempt to achieve what seemed to be a simple ethical goal has raised many other issues. For example, should political groups or others that are not specifically national ethnic, racial, or religious groups also be afforded protection? Is it possible to practice genocide against members of one's own group—which is what some people have said that the Khmer Rouge did in Cambodia during the 1970's?

Within the context of the convention, only the physical destruction of a group—by killing, inflicting bodily or mental harm, imposing intolerably harsh living conditions, or preventing births or taking away children—is considered genocide. Should other acts, such as cultural assimilation, be considered genocide? The convention states that for policies to be genocidal, they must intend to “destroy, in whole or in part” a protected group. How many members of a group must be killed or harmed to consider a policy one of genocide?

Two other, somewhat opposite, ethical considerations also relate to the convention. The agreement gives only the contracting parties that have signed the convention the right to invoke its provisions. That limitation leaves many groups at risk with no recourse against genocide. Do signatories of the convention have any responsibility for protecting them? How extreme must the circumstance get before other countries are willing to intervene? What does this do to the traditional ideal of national sovereignty?

At the other extreme, some countries are worried about false charges being brought against their citizens. This concern is the principal reason that the United States did not ratify the convention until 1988, even though it was one of the original signatories. What protection can be afforded innocent countries or individuals in these cases?

*Donald A. Watt*

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SEE ALSO: Geneva conventions; Genocide and democide; Genocide, cultural; Genocide, frustration-aggression theory of; International law; Lemkin, Raphael; Peacekeeping missions; Rwanda genocide; United Nations; Universal Declaration of Human Rights.

SIGNIFICANCE: The U.N. Declaration of the Rights of the Child formally recognized the ethical obligations of governments toward children. It paved the way for the Convention on the Rights of the Child, in which the nations of the world agreed to honor those theoretical obligations in practice.

## United Nations Declaration of the Rights of the Child

IDENTIFICATION: Official edict laying out ten principles under which individuals, organizations, and governments should aid and protect children

DATE: Promulgated in 1959

TYPE OF ETHICS: Children's rights

The Declaration of the Rights of the Child grew out of earlier international accords: the 1924 League of Nations Declaration of the Rights of the Child and the 1948 Universal Declaration of Human Rights. The 1959 declaration reiterates that all people—regardless of race, color, religion, sex, and so on—have rights and freedoms simply because they are human. Children are often neglected or abused, however, because they cannot stand up and claim their basic human rights. Therefore, it is the duty of every

### Ten Principles of the U.N. Declaration of the Rights of the Child

1. All children shall enjoy all the rights set forth in the declaration, without regard to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
2. All children shall enjoy special protection and be given opportunities and facilities, by law and by other means, to enable them to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity.
3. Every child shall be entitled from birth to a name and a nationality.
4. Every child shall enjoy the benefits of social security and be entitled to grow and develop in health and have the right to adequate nutrition, housing, recreation and medical services.
5. Children who have physical, mental or social disabilities shall be given the special treatment, education and care required by their conditions.
6. All children shall, wherever possible, grow up in the care and under the responsibility of their parents, and always in an atmosphere of affection and of moral and material security.
7. All children are entitled to education, which shall be free and compulsory, at least in the elementary stages.
8. Children shall in all circumstances be among the first to receive protection and relief.
9. Children shall be protected against all forms of neglect, cruelty and exploitation and shall not be admitted to employment before an appropriate minimum age or be placed in any occupation or employment that might prejudice their health, education, or physical, mental or moral development.
10. Children shall be protected from practices that may foster racial, religious or any other forms of discrimination. They shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, and in full consciousness that their energy and talents should be devoted to the service of fellow human beings.

Source: Markkula Center for Applied Ethics.

person and every government to take extra steps to guarantee the rights of children. The declaration spells out principles to guide this effort. All children are entitled to a name, a nationality, medical care, nutrition, housing, education, and recreation. Handicapped children have rights to special care. Governments should assist families in caring for children, and children without families are entitled to care. Children should not be subject to discrimination or taught to discriminate.

The declaration remained the primary United Nations statement on the rights of children until 1989, when a formal convention was adopted and opened for ratification by member nations. The Convention on the Rights of the Child was ratified by the requisite twenty states and entered into force on September 2, 1990. This convention listed thirty-eight rights of children that ratifying nations must respect, and it established an international oversight committee to which all such nations must periodically report. By the end of 1995, 185 nations had ratified the convention, making it both the most universally adopted and the most quickly ratified human rights treaty in history. Additionally, the U.N. adopted two Optional Protocols to the Convention on May 25, 2000. These protocols, which signatories to the convention could join at their discretion, banned child slavery, prostitution, and pornography, and also raised from fifteen to eighteen the minimum age for military service.

*Cynthia A. Bily*

SEE ALSO: Child labor legislation; Child soldiers; Children; Children's Bureau; Children's rights; Head Start; International Covenant on Civil and Political Rights; United Nations; Universal Declaration of Human Rights.

## United Nations Declaration on the Rights of Disabled Persons

**IDENTIFICATION:** Official proclamation stating that people with physical disabilities have the same rights that other human beings have

**DATE:** Promulgated in 1975

**TYPE OF ETHICS:** Civil rights

**SIGNIFICANCE:** The declaration was the first of several attempts by the United Nations to address the

specific rights and needs of people with physical disabilities.

Adopted in 1975, the U.N. Declaration on the Rights of Disabled Persons confirmed and expanded the 1971 Declaration on the Rights of Mentally Retarded Persons. Although the preferred terminology has changed since these declarations were made, their intention was to recognize the humanity of mentally and physically challenged people. The 1975 declaration defines "disabled person" as anyone who is prevented, because of a physical or mental deficiency, from pursuing a normal life.

The declaration promises the same rights to persons with disabilities that other human beings share and recognizes that delivering on these promises may mean providing special programs. People with disabilities are entitled to proper medical care, physical therapy, education, and training. They have a right to economic security. They have a right to guardians and advisers, when needed, and the right to be protected from abuse and exploitation. The adoption of the declaration led to further study and action by the United Nations, which sponsored an International Year of the Disabled (1981) and a U.N. Decade of Disabled Persons (1983-1992).

*Cynthia A. Bily*

SEE ALSO: Americans with Disabilities Act; Disability rights; International Covenant on Civil and Political Rights; United Nations.

## Universal Declaration of Human Rights

**IDENTIFICATION:** Formal proclamation of fundamental principles of human rights to which all nations should adhere

**DATE:** Promulgated on December 10, 1948

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** The Universal Declaration of Human Rights, as an unbinding statement of basic principles, provided common standards of basic rights for all persons. This theoretical statement of standards later became the basis of binding agreements meant to enforce the principles laid out in the declaration.

The charter of the United Nations affirms the world organization's faith "in fundamental human rights" and its commitment to promote and encourage "respect for human rights." To fulfill that responsibility, the U.N. formed a Commission on Human Rights in 1946 to begin drafting an international bill of rights. On December 10, 1948, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights. This declaration was not legally binding on member nations, but it established the fundamental principles upon which legally binding treaties would be based.

The declaration proclaimed several principles of civil and political rights that were already found in many declarations and constitutions: that all human beings are free and equally valuable; that everyone is entitled to freedom regardless of race, color, nationality, political opinion, and so on; that humans have rights to life, liberty, and security; and that all people are entitled to freedom from torture, freedom to travel, and freedom to own property. The declaration was unusual in also proclaiming several principles of economic, social, and cultural rights. These two sets of principles were regulated in 1966 by U.N. Covenants, which are legal treaties.

*Cynthia A. Bily*

SEE ALSO: Human rights; Human Rights Watch; International Covenant on Civil and Political Rights; International justice; International law; United Nations; United Nations Convention on the Prevention and Punishment of the Crime of Genocide; United Nations Declaration of the Rights of the Child.

## Universalizability

**DEFINITION:** Logical possibility of making the motive behind a moral decision into a general moral law

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** A key concept for German philosopher Immanuel Kant, universalizability is founded upon Kant's notion that the only valid moral law is one that has the formal structure of law as such, regardless of content. If it is possible to turn an individual's motive into a universal maxim without contradicting the laws of reason,

Kant argued, then that motive has a logical structure which validates it ethically.

Immanuel Kant's ethical theory is called a deontological or nonconsequential or duty-based ethical theory. According to Kant, an action is right if it follows from duty; that is, an action should be done not because of its consequences but because it is the right thing to do. The principle that one follows must be universalizable; in other words, it should be possible to argue that everyone ought to act the same way in a similar situation. For example, the rules that promises should not be broken by anyone, that no one should kill others, and that no one should cheat should be followed by everyone always. There are certain moral rights that everyone possesses.

Kant uses the example of making a false promise to make his point. In a particular situation, making a false promise might suit one's purpose, yet one cannot make the principle of making a false promise into a universal law, because then the concept of promising would have no meaning.

*Krishna Mallick*

SEE ALSO: Consistency; Deontological ethics; Golden rule; Kant, Immanuel; Moral principles, rules, and imperatives; Promises; Utilitarianism.

## Upaniṣads

**IDENTIFICATION:** Ancient Hindu scriptures

**DATE:** Written between 1000 and 400 B.C.E.

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** The Upaniṣads stress the importance of physical, mental, ethical, and spiritual disciplines as the prerequisites for the realization of the knowledge of *Brāhmin*, or ultimate reality.

The Upaniṣads, literally meaning "to sit near someone," constitute the concluding portion of the Vedas, the first original Hindu scripture, which has four sections: Samhitās or collections—hymns, prayers, and formulas of sacrifice; Brāhmaṇas—prose treatises discussing the significance of sacrificial rites and ceremonies; Āraṇyakas, or forest texts; and the Upaniṣads, or later Vedas. The Upaniṣads are the main basis for the Vedānta school of philosophy. The

doctrines of the Upaniṣads were imparted orally. Groups of students sat near the teacher to learn from him the truths by which ignorance could be destroyed. The authors of the Upaniṣads, of which there are more than two hundred, are not known.

The principal Upaniṣads are the *Īsa*, *Kena*, *Katha*, *Praśna*, *Muṇḍaka*, *Māṅkya*, *Taittirīya*, *Aitareya*, *Chāndogya*, and *Bṛhadāraṇyaka* Upaniṣads. Śaṅkara, a Vedānta philosopher, wrote commentaries on the above ten and on the *Śvetāśvatara Upaniṣad*. In addition, the *Kauṣītaki*, *Mahānārāyana*, and *Maitri* are also considered principal Upaniṣads. These Upaniṣads were written partly in prose and partly in verse.

The Upaniṣads are concerned with the meaning of the sacrificial rites, and in the process of discussing them, they introduce some profound metaphysical and religious ideas. With the Upaniṣads began the period of speculative research into human nature and the individual's position in the universe. The practical result of the Upaniṣads was to depersonalize the universe and to minimize the importance of earlier Vedic gods. The Upaniṣads were not philosophical treatises, but they contained certain fundamental ideas that form the basis of a philosophical system out of which the orthodox schools of Indian philosophy—Sāṃkhya, Yoga, Nyāya, Vaiśeṣika, Mīmāṃsā, and Vedānta—developed their systems.

The Upaniṣads have for their ideal the realization of *Brāhmin*, becoming one with God. The world is not an end in itself. It comes from God, through his mysterious power, and it ends in God. Everything in the phenomenal world, including the individual, must realize the infinite, must strive to reclaim the highest. The Absolute is the highest and most desirable ideal. The performance of duty is necessary if one is to achieve the highest perfection. Morality is valuable because it leads one toward this highest perfection. Inner purity is more important than outer conformity. The ethics of the Upaniṣads insist on the transformation of the whole person. In the process of this transformation, one knows that one's liberation from the phenomenal appearance depends on oneself and not upon the grace of transcendent deity. The idea of rebirth, the idea that the individual who has not gained the ultimate reality will be subject to the cycle of birth and death, is also presented for the first time in the Upaniṣads.

*Krishna Mallick*

SEE ALSO: Ahimsā; Asceticism; Aurobindo, Sri; Ḥallāj, al-; Hindu ethics; Mysticism; Śaṅkara; Tagore, Rabindranath; Vedānta.

## Utilitarianism

**DEFINITION:** School of philosophy that defines the good as that which is useful

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Utilitarianism marks an early attempt to devise a secular, rational, scientific moral system; its influence can be attributed to its simplicity, its adaptability, and the talent of its defenders. Its most important ethical ideas are that individuals should strive for maximum pleasure and minimum pain and that society should strive to achieve the greatest amount of happiness for the greatest number of people.

Utilitarianism is a decision procedure for normative ethics that holds that the rightness (or wrongness) of human actions, policies, or rules is determined by their effects on the general welfare. Since the late eighteenth century, it has been one of the most prominent moral theories. In addition, utilitarian principles have become major factors in shaping social policy and have given rise to numerous applications, ranging from behaviorist psychology to cost-benefit analysis. Utilitarianism has undergone many changes, and it exists in many forms. Consequently, there are many versions of utilitarianism, which makes it difficult to discuss in general terms.

### JEREMY BENTHAM

The dominant version was developed and articulated by Jeremy Bentham, who applied it to the reformation of the legal, political, social, educational, penal, and economic institutions of Britain and other countries. His principle of utility formed the standard by which actions are judged: "It is the greatest happiness of the greatest number that is the measure of right and wrong." Classical utilitarianism is based on a hedonistic theory of value. Happiness (that is, pleasure and the absence of pain) is the only thing that is intrinsically good. Other things are valuable only to the extent that they bring happiness. Thus, moral actions result in producing the greatest balance of plea-



sure over pain. Bentham held that pleasure and pain (in the basic, feeling sense) are quantifiable, and he devised a “felicific calculus” to measure the utility of acts numerically and to make comparisons among them.

Utilitarianism is consequentialist, not deontological: Actions are evaluated by their outcomes and not by the agent’s intentions or motives. This is consistent with Bentham’s desire to devise a system that would be objective and scientific. Although one can empirically ascertain the results of people’s actions, one can only guess regarding their intentions. Utilitarianism is universalist rather than egoistic. One should seek to maximize the pleasure of all, not act selfishly to maximize one’s own pleasure at the expense of others. Hence, utilitarianism is egalitarian, since each person’s happiness is of equal value. Even the feelings of animals can be taken into account. Bentham claims that the principle of utility is not susceptible to direct proof, because it is the principle that is used to prove everything else.

Bentham’s moral system drew storms of protest. Many critics complained that an ethics based on hedonism legitimized crass self-indulgence and base animal pleasures. Christians were troubled by utilitarianism’s secularism. Critics also complained that utilitarianism reduced ethics to cold, impersonal calculations; that it was too difficult and demanding; that it was too simplistic and easy; and that it could easily lead to rights violations and injustices. The history of utilitarianism since Bentham consists of the ways in which its advocates have reacted to critics by reshaping and improving the theory.

### JOHN STUART MILL

Bentham’s chosen successor was his godson John Stuart Mill. In his major ethical work, *Utilitarianism* (1861), Mill responded to the aforementioned charges. He defended utilitarianism (to varying degrees of success), but he also changed Bentham’s hedonism in significant ways. Responding to Thomas Carlyle, whose distaste for ethical hedonism led him to denounce utilitarianism as a “sordid pig-philosophy,” Mill argued that pleasures differed qualitatively and that some pleasures are superior to others. Another significant change came forty years later, when G. E. Moore articulated his “ideal utilitarianism,” which allows for the intrinsic goodness and desirability of other values besides happiness.

Charges that utilitarianism could lead to injustice have persisted despite the explanations of Bentham, Mill, and a host of others. The strong claim that one should always do whatever results in the greatest utility has prompted critics to imagine scenarios in which utilitarianism is construed to endorse such detestable actions as gladiator fights (if the aggregate pleasure of the multitudinous spectators outweighs the pain of the participants), the punishing of innocents (if convicting someone of committing a sensational crime appeases the masses, staves off riots, and restores faith in the system), torture (if torture could force a captured terrorist to confess where a bomb has been planted), and even murder (if surgeons harvest an individual’s organs for transplant in other patients, thus improving and saving several lives).

Such problems have led to the distinction between act- and rule-utilitarianism and the view that utilitarianism is more effective as a formula for developing basic rules than as a method for rationalizing the best action in a particular case. John Rawls has argued that utilitarianism neglects basic principles of justice and fairness by ignoring the distinction between persons and the distribution of goods. He believes that emphasizing the sum total of happiness or average utility not only leads to inequalities but also legitimizes them. Utilitarians maintain that there is a natural dynamic that favors egalitarianism, in that a given sum of money will likely have greater utility value for a poor person than for a wealthy person. Moreover, utilitarians claim that it is unlikely that an extremely unequal distribution of resources or benefits would bring about the greatest possible amount of happiness.

The success of utilitarianism is remarkable. Few persons regard themselves as utilitarians, yet utilitarianism remains among the dominant schools of ethical theory. Its influence extends beyond ethics into social sciences and formal decision theory. Thanks to its able advocates, its appeal to basic rational principles, and its flexibility, utilitarianism has adjusted to the challenges of critics and maintained its prominence.

*Don A. Habibi*

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## Utopia

IDENTIFICATION: Book by Sir Thomas More (1478-1535)

DATE: Published in 1516

TYPE OF ETHICS: Medieval history

SIGNIFICANCE: A description of a supposedly ideal society, *Utopia* revitalized ethical thinking on social planning, prompting a flood of utopian literature over the ensuing centuries.

Thomas More coined the word “utopia” for this book and simultaneously provided a noun to describe an ideal society and an adjective—utopian—to signify a hopelessly impractical approach to living. The word “utopia” derives from the Greek for “no place,” but it is also a pun on “good place.” With this play on words, More sowed the seeds of argument regarding his book: Was he serious? Was he a communist, a liberal, an autocrat? Was he an advocate of euthanasia and divorce?

*Utopia* shows many influences. More was a classical scholar of high standing—a product of the Renaissance. He also pursued a career in law with great success. Amerigo Vespucci’s writings on America inspired him with references to paradisiacal lands



Sir Thomas More. (Library of Congress)

and the communal ownership of property. The Roman Catholic Church was the dominant influence of his boyhood, and perhaps of his whole life. Interestingly, More wrote *Utopia* in a lull before the Reformation; one year after its publication, Martin Luther defied the Church by nailing his ninety-five theses to the door of All Saints Church in Wittenberg.

### UTOPIAN PRACTICES AND ETHICS

Book 1 of *Utopia* describes meeting a man called Hythloday, who first castigates European society and then proceeds in book 2 to describe Utopia with heartfelt admiration. Hythloday condemns the idle of Europe, including noblemen and their servants. He asserts that rulers wage war, not peace, and that ministers at court do not listen to arguments, but indulge in politics for their own gain. His remedies for economic ills include stopping the enclosure and monopoly of land by the rich. With strong words, he condemns the execution of thieves as unfair and ineffective, stating that it incites men to kill, since murder carries the same penalty.

Book 2 describes More’s fictional state in detail. The Utopians live a regulated, standardized life. All the cities are beautiful and identical. All citizens wear the same simple clothes, with some modifications for gender. They live together in families of specific size and work six hours a day, spending their leisure time reading and attending lectures. Women

may marry at the age of eighteen, men at twenty-two. Adultery is strongly condemned and can result in slavery or even execution. In extreme circumstances of recurrent adultery or perversion, however, divorce is permitted.

Utopia is a state founded on compassion and altruism. No one wants for material goods. Health care is universal, though few get sick. Society gently encourages euthanasia when a mortally ill person suffers from great pain. All property is owned communally. Every ten years, a family exchanges its house, which is supposed to encourage people to take proper care for the next tenant. Even their eating takes place in a large hall that holds as many as thirty households.

Ultimately, authoritarianism is a strong feature of this model state. No one has the freedom to remain idle. Everyone needs permission to travel. Any discussion of government matters outside official meeting-places is punishable by death. Utopia also has rigid hierarchies: children defer to adults, women to men, younger to older, and families to their elected representatives. Paradoxically, however, Utopia has strong democratic elements, including voting for all key political posts, though people are barred from canvassing votes, to minimize corruption. Slavery replaces hanging as the deterrent for deviant behavior. Serious criminal behavior leads to slavery, which entails working constantly in chains, performing the meanest labor.

Citizens may practice any religion, but strong proselytizing is barred for fear that it may lead to argument. Certain tenets must be held by all: belief in a wise Providence and an afterlife. Utopians pursue pleasure as natural and logical, but they abhor vanity and pomp and place no value on gold and silver, even while storing it for economic advantage and for trade. They avoid war whenever possible but conduct military training for both sexes. When threatened by another nation, they offer rewards to kill the ruler of the opposing nation. Failing that, they sow contention in that nation and, as a last resort, hire mercenaries to fight alongside their own soldiers.

## DISCUSSION

More uses this book to debate opposing viewpoints for intellectual stimulation. For example, when Hythloday says that as long as there is property there will be no justice, More counters that in a communist society people would not work or have any in-

centive to better themselves. Hythloday contrasts the greed and selfishness of Europe with Utopia's communism based on a harmony of purpose, with the family unit at its core. Utopia also, however, has internal contradictions. The residents' humanistic values—respecting individual inquiry and religious freedom—contrast with the total conformity of their lives and the fact that certain basic beliefs must be held by all.

*Utopia* is a commentary on More's own society, a combination of monasticism and feudalism, but Utopia is founded on reason, not Christianity. More is pleading: If they can do so well without divine revelation, why can Europe not do better with it? It is impossible to believe that More meant *Utopia* as a blueprint for an ideal society. Elements that support this conclusion include the deadpan humor (Anider, a river, means "no water"; Utopians use gold in making chamber pots) and the contrast with More's own religious convictions (he persecuted heretics and chose execution rather than compromise his opposition to divorce). Ultimately, *Utopia* is not so much interesting or original in itself as it is noteworthy because it stimulated discussion regarding "social engineering" as a remedy for society's ills.

Philip Magnier

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SEE ALSO: Common good; Communism; Communitarianism; Criminal punishment; Democracy; Euthanasia; Family values; Humanism; Luther, Martin; Platonic ethics; *Republic*; Socialism.

# V

## Value

**DEFINITION:** Relative level of worth, goodness, significance, or utility possessed by an entity, attribute, or event; or, an intangible quality or attribute that has intrinsic worth in itself

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** For an objectivist, value is the basis of judgment. For a subjectivist, value is the thing produced by judgment. Thus, all moral judgment involves either assigning value to an action, person, or thing, or accurately perceiving the value that exists within an action, person, or thing.

Values are of signal importance; without them, human life would be drained of significance, a bland and textureless existence without differentiation. Academic disciplines focus on value in a variety of ways: The arts explore expressions of value; sociology, anthropology, and history all examine the ways in which values are embedded in society's structures; and psychology, including the work of philosophical psychologists such as Friedrich Nietzsche, looks at the ways in which individuals acquire their beliefs about values and the roles these beliefs play in their psyches. The philosophical study of value, axiology, tries to step back from these particular inquiries and look instead at the question "What is value?" Axiology has been a central focus of philosophical inquiry throughout the history of the discipline. For all that, however, little consensus has emerged, although certain positions tend to run as threads throughout the discussion.

Answers to the question "What is value?" take two possible forms. The first and simplest provides a list of values, such as courage, honesty, beauty, and compassion. The second attempts to answer the question "What is value in general?" It may seem relatively simple to compile a list of values, but history and anthropology reveal that such lists vary considerably at different times and in different cultures. Homeric heroes were applauded for their ability to lie

and dissimulate, and classical Japanese samurai were expected to test a new sword by slicing through an unlucky wayfarer from the shoulder to the opposite flank. The honor of both the samurai and the sword-maker depended on a clean bisection.

Assuming that a list of values can be compiled, the inevitable next question is "What exactly is meant by 'courage' or 'beauty' or 'friendship'?" The ancient Greek philosopher Plato focused on questions of this "What is X?" form in his early dialogues. The *Laches* seeks the definition of courage, the *Euthyphro* that of piety, and the *Lysis* that of friendship. Although these dialogues are notorious for providing few answers and for clearly showing how quickly simplistic answers become tangled in their own contradictions, one important implication becomes clear: One cannot know what particular values are unless one knows the nature of value in general.

### SUBJECTIVISM/OBJECTIVISM

Plato begins to address the question "What is value in general?" in the *Meno*, and it is a central theme in many of his other dialogues. One view to which he is clearly attracted is that personal excellence is knowledge; that view, however, is replaced in later dialogues, notably his *Republic*, by the view that there is a source of excellence, for both people and objects, that can be known. He argues that, since all instances of a certain value—for example, beauty or courage—share some property, there must be something, the "form" of that excellence, that they make manifest. Forms for Plato are separable essences, with an independent existence, that infuse the objects or people who display them. Objects or people are excellent or have value insofar as they make manifest the form of a particular value. There are, therefore, forms of all excellences, and the highest of these is the form of the good. One's own particular excellence or excellences are produced by one's knowledge of the good, and it is this knowledge that is the ultimate goal of all philosophical inquiry. This emphasis on an external source of value is one

of the threads that runs through all discussions of value.

The second thread arises from the indubitable fact that people have emotional responses to instances of value. Humans are moved by compassion and repulsed by wanton cruelty; they admire bravery and appreciate beauty. This raises the following question. Do people have these responses to these actions and objects because they have the value they do or do they have the value they do because people have these responses to them? In this article, “subjectivism” is taken to be the position that human emotional responses to actions, character traits, or objects are what endow them with value.

“Objectivism” is taken to be the position that there is some source or standard of value that is separate from the emotions; emotional responses to actions, character traits, or objects are prompted by, but in no way contribute to, their having value. Both negative and positive values are included in these analyses. Plato clearly took the objectivist path, and in this he was followed by many other great thinkers: Saint Thomas Aquinas, echoing Aristotle, said in his *In Divinus Nominibus* (1265), “It is not that a thing is beautiful because we love it, but we love it because it is beautiful and good.” Other philosophers, however, have argued powerfully that what makes something valuable is the act of valuing it; perhaps the greatest of these thinkers is David Hume.

#### DAVID HUME

Hume drew an important distinction between matters of fact and matters of value. In a famous passage from his *Treatise of Human Nature* (1739-1740), he said,

In every system of morality . . . I have always remark'd, that the author proceeds for some time in the ordinary way of reasoning . . . when of a sudden I am surpriz'd to find, that instead of the usual copulations of propositions, *is*, and *is not*, I meet with no proposition that is not connected with an *ought*, or an *ought not*. This change is imperceptible; but is, however, of the last consequence. For as this *ought*, or *ought not*, expresses some new relation or affirmation, 'tis necessary . . . a reason should be given, for what seems altogether inconceivable, how this new relation can be a deduction from others which are entirely different from it.

The illegitimacy of deriving value (ought) statements from factual (is) propositions alone was later labeled the “naturalistic fallacy” by G. E. Moore.

Hume's views on human psychology are an integral part of his answer to how one moves from matters of fact to matters of value. He identifies two distinct psychological processes: reason and sentiment. Reason establishes matters of fact, while sentiment, or the passions, provide a motive for action. For example, one's reason may tell one that one is standing on a railway line, that a train is coming, and that if one does not move one will be crushed, but it is only one's desire not to be crushed that provides the motive force to move. Given that moral judgments provide motives for action, Hume reasoned that they must be the result of sentiment “gilding and staining all natural objects with [its] colours.”

Distinguishing between matters of fact and matters of value and locating the source of value in human sentiment—usually some form of happiness or pleasure—are integral parts of the subjectivist position. People value, and ascribe value to, those things that make them happy or sad, or that cause them pleasure or pain. Although the notion of what constitutes happiness or pleasure can be somewhat crude (Aristippus opted for immediate physical pleasures, whereas Epicurus advocated philosophical reflection and a diet of bread, cheese, and milk), in the hands of someone like David Hume, it is a subtle and many-layered aspect of the psyche.

Although subjectivism holds that all positive value has its source in positive human sentiment, the corollary does not hold; not everything in which people find happiness or pleasure is good. Pulling the wings off flies is not good simply because generations of small children have relished it; there are better and worse pleasures. John Stuart Mill recognized this distinction in the quality of pleasures, and in *Utilitarianism* (1863) he wrote that

Few human creatures would consent to be changed into any of the lower animals, for a promise of the fullest allowance of that beast's pleasures; no intelligent human being would consent to be a fool, no instructed person would be an ignoramus, no person of feeling and conscience would be base, even though they should be persuaded that the fool, the dunce or the rascal is better satisfied with his lot than they are with theirs.



For Mill, the good life was founded on the refined pleasures of the higher faculties. The pleasures of a life of intelligent understanding, fine feeling, and elevated conscience are better than the pleasures of a life of ignorance, selfishness, and lack of restraint. His evidence for this is the fact that those who have had a chance to experience both types of life overwhelmingly prefer the more refined variety.

### OBJECTIONS AND REPLIES

Locating the source of value in refined human sentiments brings with it three serious problems. The first is that, as G. E. Moore pointed out in an application of the naturalistic fallacy, simply because people *do* seek and value what provides them with pleasure does not mean that they *ought* to seek it. Subjectivists, including Mill and Hume, have tried to get around this objection by asserting that happiness is the only good in itself and that all else is sought as a means of obtaining it, but this fails to answer the thrust of Moore's objection. Even if everything else is sought as a means to happiness, it still does not mean that happiness is that which people ought to seek. The second problem is the parochialism of the idea of refined sentiment. While everyone can recognize what is wrong with the sadist who relishes inflicting pain, it is harder to say with any credibility that someone whose life is dedicated to a sybaritic wallow in the pleasures of the flesh is doing something *wrong*. (There is, of course, the issue of harm to others caused by this indulgence, but that is a separate question.) With this parochialism comes a potentially disturbing paternalism; if the refined pleasures are somehow better, then I may have some moral grounds for forcing unenlightened others to enjoy them. There are undertones of this view in Mill's *On Liberty* (1859).

Finally, there is the problem that if the source of value lies within the sentiments, then the value of an individual to others depends on their, the others', sentiments. X's value to Y depends on Y's feelings about X, not on some source of value possessed by X, and this does not seem to capture what philosophers mean when they talk about the moral value of persons. People, as Immanuel Kant pointed out, are valuable as ends in themselves, not simply as means to another's ends (in this case, the enjoyment of certain individual or social passions). These considerations have led many thinkers to reject the subjectiv-

ist source for value and to seek instead a source external to the human psyche. Plato identified the form of the good as this source, and generations of theistic writers including Thomas Aquinas and Saint Augustine of Hippo have taken a similar line by identifying God as the source of all value. Immanuel Kant saw the dictates of pure practical reason as the test for what was good and bad, and Moore argued that the good was an unanalyzable nonnatural property that one came to know by means of ethical intuition.

Although there is a problem of relativism with this position similar to that of subjectivism (Which religion or religious person has heard God's word correctly? Whose intuition has apprehended the good?), objectivism at least has a ready reply: Although humans may have an imperfect understanding of the good, there is nevertheless one right answer that they must find. A second difficulty is what J. L. Mackie in *Ethics* (1977) called the problem of "queerness." If there is an external, objective value, what would it look like; what kind of existence would it have? Clearly, it would have to be unlike anything else anyone has ever come across. The third and more serious problem comes by way, once again, of the naturalistic fallacy. Even supposing that there is a standard of right and wrong, a source of objective value, why should it necessarily be the case that we should accede to it? Assuming that God decrees compassion to be a valuable character trait, one still must decide, presumably by some separate standard, whether one ought to follow God's word. As Hume would say, the fact that God approves of compassion has no power over one's action unless one already wants to, or feels one ought to, obey God. Kant tries to argue that duty, one's motive force for obeying the dictates of pure practical reason, is not a sentiment, because it is produced by internal reason and not by fear or desire of external conditions, but this answer is extremely thin.

### OTHER ALTERNATIVES

Faced with the seeming failure of both objectivism and subjectivism to provide an unequivocal and palatable answer to the question "What is value?" philosophers have tried other approaches. Existentialists such as Søren Kierkegaard, Jean-Paul Sartre, and Albert Camus focused on the fundamental choices and commitments by which people create value in the face of an absurd world. In the analytic school during the

mid-twentieth century, axiology waned as the focus switched to analyzing the meaningfulness of value language. A. J. Ayer and Charles L. Stevenson both argued that value language had no literal meaning, that it described no real property or object, and that it was rather an expression of emotion. Saying “Justice is good” was semantically equivalent to saying “Justice—hooray,” and the theory quickly became known as the “boo hooray” theory.

The problem at the heart of this issue is that both the factual aspects of actions or character traits and human emotional responses to them are important elements in valuation. The sharp division in Western philosophy between reason and emotion means that the issue has usually been framed as a dichotomy: The source of value is either in the emotions or in some objective standard. One way around this disjunction is to deny the dichotomy and to see value as an emergent property arising from the interaction between factual characteristics and beliefs about, and emotional responses to, those characteristics. Emergent properties are those properties that exist as part of a dynamic system and are not reducible to any part or additive combination of parts of that system. Therefore, people appreciate a beautiful object or a noble deed because it exhibits certain characteristics, and it is those characteristics that make it beautiful or noble. What isolates those characteristics from the total description of the action or object, groups them together, and endows them with significance, however, are one’s beliefs about and emotional responses to them. These responses, in turn, are shaped and guided by the characteristics that one perceives as significant.

In observing a bullfight, for example, one can isolate and describe many of the natural features of the event: the size and color of the bull, the number of people in the crowd, the blood of the bull on the sand, the color of the matador’s trousers, the pleasure experienced by the crowd, the day of the week, the pain experienced by the bull, the color of the sky, and so on. Only some of these features will be relevant to an ethical assessment of the value of a bullfight, and the network of beliefs and emotions through which we perceive them will group some of those features together and endow them with significance. For most observers, the pain of the bull will be relevant, while the color of the sky will not. The way in which that pain is interpreted, however, will vary depending on

the beliefs of the observer; it may be seen as evidence of the nobility of the bull and the bullfight or as evidence of the cruelty of both the event and the matador. It is not that the source of the value lies solely in the beliefs and emotions of the observers or solely in the natural features of the bullfight that one groups together, but rather in the interaction between the two. Such a process will, as Hume says, “raise, in a manner, a new creation.” Out of the vast array of features, beliefs, and emotions will rise a morally significant event, an odious or noble bullfight.

*Robert Halliday*

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SEE ALSO: Absolutism; Epicurus; Good, the; Kierkegaard, Søren; Morality; Naturalistic fallacy; Objectivism; Relativism; Right and wrong; Subjectivism; Values clarification.

## Values clarification

**DEFINITION:** Series of strategies designed to help individuals who have mutually exclusive values

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Values clarification seeks to develop an umbrella set of ethical values that will be able to reconcile conflicts between more specific values. This overall ethical framework, once developed, guides one's individual decisions and helps one to lead the kind of life one desires.

Traditionally, educators have taught values development through such strategies as didactic moralizing, prescriptive modeling, inspiring, and appealing to conscience. Yet these traditional strategies have not noticeably produced the desired results—at least, so believe the proponents of values clarification, who advocate a different set of strategies to develop effective values consciousness.

### BACKGROUND

Values clarification evolved during the mid-1960's, when American activists challenged the war in Vietnam, along with the political system, and promoted civil rights for minorities. Concurrently, critics attacked the schools for ignoring the teaching of values in a time of crises. Noting that parents and religious institutions had little impact, critics believed that the media, particularly television, adversely affected the values of the young. Hence, they argued

that education should teach the young how to develop appropriate values.

The first major book on values clarification, Louis Rath's *Values and Teaching* (1966), argued that Western pluralistic society made it impossible to inculcate a uniform set of values. Instead, Rath wanted to teach individuals the processes through which values emerge and may be acted upon. Rath and his associates proceeded to devise the theoretical construct of values clarification and create appropriate strategies.

The clarifying stage is most crucial because clarification cannot occur unless values collide with competing values. Suppose that one strongly believes in the importance of sustaining life. Place that value in a particular situation, such as that of an elder suffering unbearable pain caused by an incurable disease. Two values thus conflict: the importance of sustaining life and the importance of lessening or eliminating pain. To clarify and then resolve the conflict of what to do, one must proceed through the seven-question framework established by Rath.

### Louis Rath's Seven-Question Framework

1. What are the alternatives, given the choices?
2. What are the consequences of each alternative?
3. Can one's choices be made independently?
4. What are one's value preferences?
5. Can one declare one's preferences publicly?
6. Once decisions are made, can one act upon one's choices?
7. Can one develop a values stance that is consistent with a long-term framework of personal conduct?

The goals of values clarification are to help individuals select and reflect on the values chosen that best suit a particular situation. Borrowing from John Dewey the basic tenet that values are not fixed but change as life situations change, advocates of values clarification perceive all values as relative.

To engage in values clarification, its advocates recommend the workshop, with small informal groups providing an interchange of ideas. The leader-teacher stimulates the moral reasoning within the group, often providing some subject for the values discussion; for example, a story, poem, cartoon, game, or news event. After recapping the subject's content, the leader-teacher and the group probe both the intrinsic values of the material itself and the values of the group.

### Three Stages of Values Clarification

1. identifying and analyzing values
2. clarifying the values
3. internalizing or acting upon the reconstituted values

### VALUES CLARIFICATION AND ETHICS

Values clarification was initially regarded as an exciting area in education, filled with potential. Later, values clarification became an explosive educational issue.

Protest activists of the mid-1960's brought values-clarification techniques to the attention of the public through media events. Suddenly values clarification was "in." Teachers, too, reported that it stimulated students because of its wide applications to everyday experiences. Students not only learned to deal with their feelings but also practiced communication and decision-making skills and articulated their value judgments.

Values clarification advocates such as Sidney Simon, Howard Kirschenbaum, and Jack Fraenkel created innovative strategies. Both teachers and students delighted in using value ladders, role playing, value grids, rank-order and forced-choice dilemmas, time diaries, and so forth.

### LATER REACTIONS

Once the novelty of values clarification lessened, some educators raised warning flags. For example, hard research data on its effectiveness was nonexistent. Because values clarification deals with feelings and emotions, some critics equated it with "touchy-

feely" activities found in sensitivity training. Others questioned the idea that values-clarification strategies are value free, noting that the valuing process itself, the seven-step criteria, held hidden values.

Likewise, inexperienced teachers allowed values discussions to drift and, on occasion, because of cultural differences, provoked unsettling confrontations among participants. Peer pressures among youngsters often discouraged the open, free exchange of ideas, while teachers were uncertain as to how far they should go in accepting all values. Were all values equal?

Parents, once aware that their children were engaging in values clarification, complained the children were not mature enough to participate in such complex processes. Moreover, if all values were viewed as equal, children were not learning right from wrong.

Pressure groups increasingly charged that values-clarification practices confused children because schools and teachers lacked standards of conduct. They also claimed that the schools brainwashed the children, insisting that teachers cannot remain ethically neutral and that they manipulate student values—inadvertently or by design.

When pressure groups offered values-clarification activities as evidence that schools were practicing "secular humanism," many school boards banned books and workshops on values clarification. The real conflict was over whose values should be taught and how.

Since the late 1970's, educators have sought compromise, attempting to balance the clarification of personal values with the transmission of lawful societal values. In sum, the major contribution of values clarification to the field of ethics has been the development of innovative exercises and strategies designed to allow individuals to clarify their values.

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## Vardhamāna

- IDENTIFICATION: Ancient Indian religious reformer
- BORN: c. 599 B.C.E., Kundagrama, Bihar, Magadha (now in India)
- DIED: 527 B.C.E., Pavapuri, Bihar, Magadha (now in India)
- TYPE OF ETHICS: Religious ethics
- SIGNIFICANCE: Vardhamānū was the founder of the Jain religion and an important teacher of the ethical values of nonviolence and spirituality.

Once, when he was attacked by a powerful man, Vardhamāna, also known as Mahāvīra, responded not with violence, anger, or fear but with love. This approach conquered his assailant, and thus Mahāvīra discovered the power of nonviolence. A new religion in India, Jainism, arose from the flames of Mahāvīra's love. In a world of destructive force, Mahāvīra bequeathed a great weapon to those seeking peace and justice: moral force. This moral force influenced the peace, civil rights, and animal rights movements.

In the sixth century B.C.E., India was dominated by Hinduism and the caste system. Mahāvīra rebelled against this system, and at age thirty he re-

nounced wealth, position, and his own family to seek spiritual fulfillment. Practicing an extreme asceticism, in twelve years he became a perfected soul, a *jina*, or "conqueror," of passions. The focus of his teaching was love of *all* life. To Mahāvīra, true justice meant to cause no suffering for any life, and thus required the practice of vegetarianism.

Salvation required the three jewels of the soul: right knowledge, right conviction, and right conduct. Mahāvīra regarded right conduct as the most precious jewel of the three. It consists of five vows: no killing of any living creature, no lying, no stealing, no sexual pleasure or alcohol, and no desire or attachments.

Mahāvīra believed that no harm could ever befall a good man. Ritual, prayer, sacrifice, and social power could not make one worthy. The only value is the good life, which must be realized by right conduct.

Mahāvīra and the Jains so loved life that they would not even harm insects. At a time when life has become cheap, perhaps nothing is more ethically relevant than the reverence for all life that Mahāvīra so fervently practiced.

T. E. Katen

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SEE ALSO: Ahimsā; Animal rights; Environmental ethics; Hindu ethics; Jain ethics; Vegetarianism.

## Vedānta

- DEFINITION: Major school of Indian philosophy associated with monism, transcendentalism, and mysticism
- TYPE OF ETHICS: Religious ethics
- SIGNIFICANCE: The goal of Vedānta is to achieve the ultimate reality, or *Brāhmin*, by breaking the cy-



cle of birth and rebirth in three different ways: the way of knowledge, or *jñāna*; the way of devotion, or *bhakti*; and the way of action, or karma.

Vedānta, literally meaning the “end of the Vedas,” is a school of Indian philosophy. The Upaniṣads, *Bhagavadgītā*, and Brahma Sūtra, together with their commentaries, form the essence of the Vedānta philosophy.

#### ADVAITA, OR NONDUALISTIC, VEDĀNTA

Śaṅkara (788-850) is considered the most powerful advocate of pure monism, or Advaita. Śaṅkara advocates the way of knowledge, or *jñāna*, as the only way to attain liberation, or *mokṣa*. The basic question of Advaita is the nature of *Brāhmin*, or ultimate reality. *Brāhmin* is pure consciousness, devoid of attributes. *Brāhmin* is nondual (*advaita*) and transcends the distinction between the knower, knowledge, and the known. The world is not real; it is an illusion, or *māyā*. It appears to be real because of ignorance, or *avidyā*, but when one comes to the realization of *Brāhmin*, one realizes the illusoriness of the world. In understanding Indian philosophy, one must realize that it believes in different levels of being. Therefore, one who comes to the realization of *Brāhmin* becomes identical with *Brāhmin* and is, therefore, at the highest level of being and has the highest reality. Every individual has a phenomenal self, which is empirically real, since it is a part of his or her experience, and a real self, or *ātman*, which is transcendently real and is one with *Brāhmin*.

#### VIŚIṢṬADVAITA, OR QUALIFIED MONISM

The early twelfth century philosopher Ramanuja refutes the absolute monism of Śaṅkara and denies that the world is illusory, or *māyā*, and emphasizes *bhakti*, or worship, as a means of liberation. He advocated the way of devotion as opposed to the way of knowledge advocated by Advaita Vedāntins. For Ramanuja, *Brāhmin*, or ultimate reality, is spirit but has attributes. *Brāhmin* has self-consciousness and has a conscious will to create the world and bestow salvation. For Ramanuja, *Brāhmin* is a whole consisting of interrelated elements. There is no pure, undifferentiated consciousness. *Brāhmin*, for Ramanuja, is not a formless entity but a supreme person qualified by matter and souls. Matter (*achit*), soul (*chit*), and God (Īśvara) are real, but matter and soul are de-

pendent on God. God (Īśvara) is *Brāhmin*, and he manifests himself in various forms for his devotees. Souls are in bondage because of ignorance. Liberation can be achieved, according to Ramanuja, by the intuitive realization that the soul is a mode of God. The soul that is liberated is not identical with *Brāhmin* because soul is always finite and God is infinite. That is why Ramanuja believes that liberation can be achieved only after death, when the soul is separated from the body. Ramanuja’s view opened the way for theism, especially Vaiṣṇavism, within Vedānta.

#### DVAITA, OR DUALISTIC, VEDĀNTA

During the thirteenth century, Mādhava developed the philosophical view called Dvaita, or dualistic, Vedānta, and he was outspoken against Advaita Vedānta philosophy. Mādhava was considered an incarnation of the god Viṣṇu. He stressed duality and, like Ramanuja, advocated the way of devotion, or *bhakti*. For Mādhava, God is distinct from individual souls and matter, an individual soul is distinct from another individual soul, the individual soul is distinct from matter, and when matter is divided, each part of that matter is distinct from each other. According to Mādhava, souls can be classified into three groups: those who are devoted to God alone and are bound to achieve liberation, those who will never attain liberation and are destined to perpetual rebirth, and those who revile Viṣṇu and are subject to damnation. Mādhava believed that there are different degrees of knowledge and enjoyment of bliss in liberated souls. The worship of Viṣṇu in thought, word, and deed was for him the way to liberation.

#### MODERN VEDĀNTA

During the early twentieth century, Sri Aurobindo made a unique contribution to Vedānta philosophy. His view is popularly called the Philosophy of Integralism, or Integral Nondualism. His teaching is that the Absolute, God, world, and souls are One. His philosophy is a reinterpretation of traditional Vedānta that applies it to the social context. According to Aurobindo, human life can be transformed into the highest form of spiritual reality by practicing yoga. If one searches for the divine force that is within one and accordingly transforms all dimensions of life, one will be able to live in the highest possible divine way. Society should also be reshaped

in such a way that is helpful to this transformation of life.

Vivekānanda, a late nineteenth century disciple of Ramakrishna, organized the Ramakrishna Mission (it is also called the Vedānta Society in the United States). Vivekānanda considered himself an *advaitin*, but his Advaita viewpoint did not lead to inactive meditation; it was instead a call to action. He viewed knowledge, devotion, and action as three paths leading in different directions but reinforcing each other. He stressed practical work to achieve liberation. Since a person is identical with God, one should seek to abolish the indignities of the world.

The Indian philosopher Sarvepalli Radhakrishnan, who served as the second president of India (1962-1967), contributed to Advaita Vedānta philosophy by providing a positive approach to *Brāhmin* in which human values were preserved. He argued that the phenomenal world is temporal, which does not mean that it is unreal and does not have any meaning and significance. Karma should not be interpreted pessimistically. It is true that the past cannot be changed, but the past does not determine the future. An individual is still free to act within the limits of the past. He emphasized that one can lead a meaningful life here and now. His view constitutes a spiritual democracy that allows everyone to work side by side. He stressed unity rather than diversity. He conveyed his teaching to the West by stating that each religion is valid to the extent that it helps one to achieve spiritual realization.

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SEE ALSO: Aurobindo, Sri; Hindu ethics; Karma; Mysticism; Śaṅkara; Tagore, Rabindranath; Upaniṣads.

## Vegetarianism

**DEFINITION:** Dietary practice of subsisting primarily or entirely without eating meat, especially red meat or poultry

**TYPE OF ETHICS:** Animal rights

**SIGNIFICANCE:** Vegetarian diets have been advocated on ethical grounds, because they are believed to prevent famine, animal suffering, and environmental degradation.

Although vegetarian diets have been advocated for ethical reasons since ancient times, the English term “vegetarian” came into general use upon the founding of the Vegetarian Society at Ramsgate, England, in 1847.

#### TYPES OF VEGETARIANS

Modern nutritionists recognize several categories of vegetarians. Vegans are strict vegetarians who consume neither meat nor meat “by-products” (animal-based foods, such as dairy products and eggs, that can be obtained without slaughtering the animal). Among less strict vegetarians, *lacto-vegetarians* eat no meat or eggs but do eat dairy products, *ovovegetarians* eat no meat but do eat eggs, and *lacto-ovovegetarians* eat no meat, but do eat both dairy products and eggs. *Pescovegetarians* eat fish but neither poultry nor red meat (from mammals), and *semi-vegetarians* eat dairy products and eggs, and some poultry and fish, but no red meat.

#### ETHICAL ARGUMENTS FOR VEGETARIANISM

Several kinds of ethical arguments have been given for adopting vegetarian diets. These arguments differ in terms of the entities for which they express concern (human beings versus nonhuman animals and/or ecosystems) and which kinds of vegetarianism they support (semi-vegetarianism or lacto-

ovovegetarianism versus veganism, for example).

Arguments from human health are based on scientific studies of the effects of vegetarian diets on human health. During the 1970's and 1980's, evidence accumulated that diets high in saturated fats contribute to cardiovascular disease and that diets emphasizing vegetables might help to prevent certain cancers. Jeremy Rifkin and John Robbins emphasized these concerns in popular books which combined this human health argument with concerns about famine, ecology, and animal welfare related to diets heavy in meat and animal by-products.

Although a broad consensus emerged that Americans were eating too much red meat for their own good, arguments from human health do not decisively support veganism so much as semi-vegetarian, pescovegetarian, or lacto-ovovegetarian diets, for two reasons.

First, even lacto-ovovegetarian diets can be high in saturated fats (if one eats a lot of cheese and eggs, for example), and saturated fat can be reduced significantly without eliminating meat. As beef consumption dropped during the 1980's, consumption of poultry and fish (which are lower in fat) increased, butchers began removing more fat from cuts of meat, and farmers experimented with leaner breeds of pigs and cattle.

Second, some nutritionists believe that vegan diets are inordinately risky, especially for women and young children. Vegans commonly are cautioned to plan their diets carefully in order to avoid deficiencies of nutrients such as iron and calcium, which are either less prevalent in or less efficiently absorbed from nonanimal sources, and vitamin B<sub>12</sub>, which is present only in animal products. Nutrition researchers have tended, however, to identify vegans with members of religions and cults who eat extremely simplified diets and eschew medical supervision and nutritionally fortified foods, and research on these individuals may not accurately portray the risks and benefits of a vegan diet.

Two other arguments support limited vegetarianism. The argument from famine, popularized by Frances Moore Lappé, stresses that vegetarian diets are a particularly efficient way to feed the hungry. More people could live by virtue of grains and vegetables that could be produced on the good farm land that is now used to raise feed grains supporting only feedlot cattle. Related ecological arguments oppose

the consumption of meat, especially beef, produced by razing Third World rain forests or in other ecologically unsustainable ways. Both arguments, however, support only semi-vegetarian or pescovegetarian diets. Two alternative ways to help alleviate hunger would be to harvest fish from the oceans and to raise livestock on rangelands unsuitable for row crop production, and neither of these practices is necessarily ecologically unsustainable.

Ethical support for stricter vegetarian diets comes from animal rights and animal welfare arguments, such as those popularized by Peter Singer and Tom Regan, whose arguments were criticized in detail by Raymond Frey. Many in the animal rights movement became vegetarians because they believed either that intensive, "factory" farming is inhumane (an animal welfare perspective) or that it is inherently wrong to slaughter animals for food, no matter how humanely they may have been treated (a true animal rights perspective).

Although primarily concerned with slaughter, the animal rights movement also targeted egg production as a particularly inhumane form of animal agriculture. Following World War II, economies of scale were achieved by confining laying hens in crowded "battery" cages in highly mechanized operations, in which the entire flock is slaughtered and replaced when average egg production drops below a certain level (approximately every twelve to fifteen months). Consequently, more than 90 percent of American laying hens were caged by 1990.

Dairy products also came under fire from some in the animal rights movement, because of intensification (epitomized by the development of bovine growth hormone during the 1980's and 1990's) and because of ties between the dairy industry and the veal and beef industries. Male offspring of dairy cattle are sold as veal calves, and dairy cows themselves spend only three to four years (on average) in production, after which they are slaughtered as low-grade beef. On these grounds, animal rights and animal welfare arguments are used to support not only lacto-ovovegetarianism but also veganism.

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SEE ALSO: Ahimsā; Animal rights; Cruelty to animals; Environmental ethics; Famine; Hunger; Singer, Peter; Vivisection.

## Veterans' rights

**DEFINITION:** Special rights due to former members of the military services

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The citizens of most nations recognize the principle that those who serve to protect their countries—and especially those who risk their lives in combat—deserve special privileges and should be accorded special respect.

Before 1636, wounded soldiers were not considered to be the responsibility of either the military branches in which they served or the governments that oversaw the military branches. During that year, the government of Plymouth Colony passed a law providing for the government to provide financial support to soldiers who were disabled in the recent war with the Pequot Indians. That colonial legislation was the first recognition of the ethical principle that a government has an obligation to care for soldiers after they have honorably served it in armed combat.

In 1776, the Continental Congress provided pensions for soldiers who were disabled. The thirteen

colonies that became states of the United States also gave direct medical and hospital care to their veterans. In 1811, the U.S. Congress set up the first home and medical facility for military veterans. After the mid-century Civil War, Congress authorized benefits and pensions not only for veterans, but also for their widows and dependents. At the same time, many state governments established veterans' homes to provide medical treatment for all injuries and diseases incurred by veterans, even ailments not related to the veterans' military service.

After the Civil War, the idea arose that veterans should not be penalized for the time taken away from their civilian jobs while they are serving their country, so they were accorded veterans preferences in employment. These meant that the veterans were to be the first applicants hired and the last to be laid off among other qualified job applicants and holders. By the beginning of the twenty-first century, veterans of the United States military were entitled to get back their former civilian jobs, with the same pay increases and seniority they would have received if they had never left their jobs.

In 1917, the U.S. Congress established veterans programs for disability compensation, insurance, and vocational rehabilitation for veterans with disabilities. In 1944, Congress passed the G.I. Bill, which provided veterans with funds to complete their educations, including college education. By the end of the century, the educational benefits of the bill applied to veterans of military service even if they were never involved in armed combat.

The modern United States has the world's most comprehensive veterans assistance. Some programs are considered entitlements that the government is required to provide; others are incentives offered to encourage new enlistments. Distinctions between rights, or entitlements, and incentives is not always clear, however.

One of the principles of veterans' rights is that they are granted only to those who receive honorable discharges when they leave military service. Since the opinions of superior officers about what constitutes good and bad conduct can be arbitrary, veterans who receive dishonorable discharges have the right to have their discharges reviewed before impartial adjudicative bodies.

What are considered veterans' rights in one country may not be so perceived in another. Within some

countries, local jurisdictions may provide more generous programs for veterans than those of their national governments. Thus, the determination of veterans' rights ultimately depends more on what political leaders believe that veterans are entitled to receive than on abstract ethical principles.

*Michael Haas*

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SEE ALSO: Americans with Disabilities Act; Biochemical weapons; Chemical warfare; Child soldiers; Disability rights; Mercenary soldiers; Military ethics.

## Vice

**DEFINITION:** Indulgence in immoral or depraved sources of pleasure, or a specific moral flaw or inherent depravity of character

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** The term "a vice" usually refers to a minor foible or weakness, such as smoking or buying lottery tickets. This type of vice, while possibly a subject of negative moral judgment, is rarely a criminal offense. Vice as a collective noun, however, can refer to much more serious moral and legal transgressions.

Deriving from the Latin word for "flaw," "vice" originally meant any defect of the will predisposing an individual toward socially unacceptable behavior. The opposite term, "virtue," also refers to habitual behavior. The so-called "seven deadly sins" of medieval moralists—pride, envy, anger, sloth, avarice, gluttony, and lust—are more properly termed cardinal vices, because they are habitual character defects that affect large numbers of people

The general concept of vice can be derived from observation and is not culture-specific, but the list of vices and the gravity ascribed to each vary markedly from culture to culture and historically within a culture. For example, masturbation, which was regarded as an exceedingly grave vice in early twentieth century European and American society, is ignored by many traditional cultures and has become acceptable in Western culture in recent years; attitudes toward homosexuality similarly range from acceptance to extreme condemnation.

Vice can involve any habitual act or attitude, but the vices that plague society are the common ones—those that tempt the average person and that the perpetrator may recognize as unwise, illegal, and potentially damaging, but not as heinous or depraved.

#### **VICE AND CRIMINAL JUSTICE**

In modern U.S. law enforcement, vice has come to be roughly synonymous with victimless crimes, including alcohol and drug abuse, prostitution, gambling, pornography, and sexually deviant behavior between consenting adults. This catalog of modern vices includes behavior that is damaging to the perpetrator, to society as a whole, and to indirect targets (notably, the family of the perpetrator), rather than to a specific intended victim. Such vices are typically psychologically if not physically addictive. Indeed, the medieval concept of vice and the modern concept of psychological addiction are surprisingly close.

Efforts to combat vice through the criminal justice system have a poor record of success and a tendency to co-opt the machinery of justice. Strong psychological, physiological, and financial motivations to persist in exercising proscribed vices have created a powerful underground subculture capable of corrupting and intimidating police and government officials. The collapse of communism in the Soviet Union demonstrated that even a regimented totalitarian regime is more effective at hiding than at suppressing vice, which blossomed with amazing rapidity once controls were loosened.

#### **VICE AND BIOLOGY**

The question of the origin of vice has long been a subject of debate and speculation, and, like most complex questions of human nature, probably has no single answer. The concept is not simply an artifact



created by human prejudice; it is a product of long experience identifying what is harmful in a particular social context. Prejudice and changing conditions, however, can and often do cause harmless actions to be labeled as vices.

The prevalent medieval view of vice (exemplified by Thomas Aquinas) stated that human beings, having free will, are free to choose evil, and they acquire vices by repeatedly performing evil acts. Since people are also free to choose virtue, vices can be overcome through grace, the exercise of virtue, knowledge, and prayer. Restated in modern terms, vice is learned, self-reinforcing behavior that can be overcome by education and behavior modification.

The alternative view, that vice is an innate, congenital quality, possibly suppressible but ultimately incurable, is in its earliest formulation a corollary of predestination: The qualities that damn the sinner are preordained by God, and neither petition nor the exercise of virtuous acts can change the underlying reality.

During the early part of the twentieth century, the popularization of Charles Darwin's theory of evolution and especially of Social Darwinism, the application of Darwinian biological models to society and psychology, led to a revival of the idea of vice as an innate quality. The Italian criminologist Cesare Lombroso proposed the theory of atavism, which gained wide currency. According to this theory, vices are relics of a lower state of evolution, are inherited, and are correlated with apelike physiognomy. Such a model readily lends itself to the labeling of non-European physical characteristics as atavistic, citing them as proof of the moral inferiority of other ethnic groups, and atavism was accepted as scientific dogma in Nazi Germany. Sociobiology also hypothesizes that certain types of habitual antisocial behavior (such as lust and aggression) may be a legacy from primitive hominid ancestors, but it does not postulate that atavism is more pronounced in any race or social group.

There is also some recent evidence that specific genetic factors may predispose individuals to vice. A large Danish study of children of criminal parents adopted at birth showed a high incidence of crime in this population, and a study of men with a doubled Y chromosome suggested that this group was prone to violence. The precise physiologic mechanisms for this behavior are unknown, however. Human person-

ality is complex and malleable, and a genetic predisposition toward particular behavior is not equivalent to a mandate.

*Martha Sherwood-Pike*

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SEE ALSO: Agreement for the Suppression of White Slave Traffic; Betting on sports; Drug abuse; Private vs. public morality; Prostitution; Sexuality and sexual ethics; Social Darwinism; Virtue.

## **Victims' rights**

**DEFINITION:** Special legal and moral rights of victims of crimes

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** The recognition or failure of recognition of victims' rights shapes in part what and when legal proceedings are affected by victim testimony. For supporters of victims' rights, their recognition helps balance the legal and moral concerns of victims with those of offenders. For critics of victims' rights, their recognition contaminates the presumption of innocence and due legal process.

By early 2003, two-thirds of the states in the United States had constitutional amendments recognizing and identifying specific rights of crime victims. In

addition, a bill had been proposed in the U.S. Senate to amend the U.S. Constitution with a Victims' Rights Amendment. That bill addressed a concern felt by many people that the legal criminal system had long emphasized the rights of the accused over the rights of victims. For example, while persons accused of crimes have the legal right to speedy trials by juries of their peers and a legal right to be present throughout their trials, the victims of the accused have no legal right to either. The issue of victims' rights, then, falls under the larger issues of retributive justice, which is concerned with punishing criminals, and restorative justice, which is concerned with restoring or compensating victims.

### WHO IS THE VICTIM?

A central issue within the scope of victims' rights is who actually should be considered the victim of a crime. Although it is obvious that the persons most directly harmed are victims, other people can be and are often indirectly harmed, such as the families of murder victims. This issue becomes especially important when victim impact statements (VIS) are allowed into legal proceedings.

A VIS is a written or verbal statement of a victim's views concerning the impact the crime has had. In cases in which the direct victim cannot give a VIS, other relevant persons—notably family members—can submit them. These statements, usually offered during sentencing or release hearings, provide not only the victims' opinions on the impacts of the crimes on their lives but also their recommendations of appropriate sentences, and even what they believe may be the risks to their own persons if the accused or convicted defendants are released or are given short sentences.

### RIGHTS TO WHAT?

To exactly what do, or should, victims have rights? Answers to this question vary from state to state, but they generally fall under several types of categories.

In some states, victims have the right to information about numerous concerns, such as assistance programs for victims, compensation programs, protection and safety programs, and the status and location of the offenders. Victims may also have the right to participate in the different stages of the legal proceedings involving the offenders. These may include

the right to attend relevant hearings, to provide statements (including a VIS) within the context of the proceedings, to designate and confer with lawful representatives, and to contest the post-conviction releases of the offenders.

Victims may also have a right to restitution or compensation, that is, to have prosecutors ask judges to order the offenders to reimburse them for expenses incurred as a result of the offenders' crimes. Victims may also have access to special educational or employment services designed for people who, because of the crimes inflicted on them, cannot continue in their previous careers.

### OBJECTIONS TO VICTIMS' RIGHTS

In spite of the apparently clear reasons for recognizing and supporting victims' rights, many people, groups, and organizations have expressed skepticism and concern over such rights and how they are to be understood. One concern is the question of who the victims are. Indirect victims, such as family members, are usually included as victims of crimes. Extending the definition of "victim" to indirect victims is usually explicit in victim impact statements.

A second concern is that allowing the views and interests of victims to be heard in a trial before a judge or jury returns a verdict contaminates the legal deliberation process and runs counter to the idea that the accused is innocent until proven guilty. Such victim testimony violates due process at two levels, say critics: first, prior to the decision about conviction,

### Victims or Not?

A central difficulty in defining "victims" of crimes lies in drawing nonarbitrary lines between indirect victims and others. For example, if a person's home is burgled, and the next-door neighbor then purchases a home security system in order to avoid being similarly burgled, should that neighbor be considered an indirect victim? Or, suppose that a person driving into a convenience store parking lot sees an armed robbery taking place within the store and then suffers a serious injury in a collision while rushing to exit the lot to seek police help. Is that person a victim of the armed robbery crime?

and second, in sentencing after a conviction. For the determination of guilt or innocence, the burden of proof must lie with the state, but victim impact statements are not criminal evidence and so should not be allowed at this stage of legal proceedings. Once guilt is determined, victim statements can only inject emotion, perhaps simply revenge, into the process.

Critics also claim that victim impacts run counter to equal justice under the law, since the offenders are not being sentenced on objective common standards of punishment, but at least in part on how well victims can make their cases of suffering. That is, two similar or legally identical crimes might result in very dissimilar sentences because of the different eloquence of victims. Despite these objections, there has been growing support for the recognition, enunciation, and codification of victims' rights at the national level.

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SEE ALSO: Accused, rights of; Identity theft; Incest; Psychology; Rape; Reparations for past social wrongs; Sexual abuse and harassment.

## **Vietnam War**

**THE EVENT:** Civil war between North Vietnam and South Vietnam, in which the United States participated on the South Vietnamese side

**DATE:** August 5, 1964-April 30, 1975

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** The morality of U.S. participation in the Vietnam War was questioned by many at the time it occurred and has been questioned ever since. The war's greatest legacy has arguably come in the form of its effects upon U.S. foreign policy, U.S. self-perception, and the world's perception of the United States. It was as a direct result of the Vietnam War that both the moral purity of the United States' interests and the invincibility of the U.S. military came to be questioned on a significant scale, both at home and abroad.

The question of when a powerful nation should intervene militarily in the affairs of a small country is not susceptible to a simple answer. Failure to intervene can mean that a small country will be subjected to tyranny, anarchy, or even genocide. Yet a military intervention that is bloody and inconclusive can also wreak havoc on a small country; furthermore, sending troops into a combat situation abroad means that some people will be killed or wounded. The unsuccessful end of the costly and controversial American intervention in Vietnam by no means ensured that policymakers would be spared similar dilemmas in the future.

The United States had been involved in the affairs of Vietnam ever since that country was divided, in 1954, into a communist North and an anticommunist South. As long as the American military mission in South Vietnam was small-scale, it aroused little opposition in the United States. Between 1965 and 1968, however, the number of American combat troops in Vietnam rose from 50,000 to 500,000; the casualties suffered by the troops and the monthly draft calls soared; and the loud debate at home reached an unprecedented level.

#### **RELIGIOUS OPPOSITION TO THE WAR**

Although at least one theologian (R. Paul Ramsey) did support the American military intervention in Vietnam, members of the clergy and theologians were conspicuous in the movement against



(1) France falls, 1954. (2) Tet Offensive, January, 1968. (3) Cambodian invasion, April-May, 1970. (4) Sihanouk falls, April, 1970. (5) Laotian incursion, February, 1971. (6) Areas of U.S. bombing, 1972. (7) Mining of Haiphong Harbor, May, 1972. (8) Lon Nol falls, April, 1975. (9) North Vietnamese offensive, spring, 1975. (10) South Vietnam surrenders, April 20, 1975.

such intervention. In 1966, the organization Clergy and Laymen Concerned About Vietnam was formed. Vocal opponents of the American war effort included the Protestant theologian Robert McAfee Brown; Yale University's Protestant chaplain, William Sloane Coffin; and two Roman Catholic priests, Daniel Berrigan and Philip Berrigan.

### THE JUST WAR TRADITION

The just war tradition was first elaborated by the theologians of Christian Europe during the late Mid-

dle Ages. After centuries of indifference by peoples and governments, this tradition was revived by the Nuremberg War Crimes Trials of 1946, which followed the defeat of Nazi Germany in World War II (1939-1945).

The just war tradition sets forth six criteria for determining whether a particular war is just. The war must be waged for a just cause; it must be waged as a last resort; the intent behind the war must be right; there must be a reasonable hope of success; the war must be waged by a legitimate, duly constituted

authority; and the harm inflicted by the war must not be disproportionate to the good that one hopes to achieve. During the Vietnam War, America's clergy, theologians, and laypersons questioned whether American military intervention in Vietnam met all or even most of these criteria for a just war.

### OPPOSITION TO THE WAR

The U.S. Constitution, while making the president commander in chief of the armed forces, gives Congress the right to declare war. Yet the massive war effort in Vietnam, dissenters pointed out, had come about through presidential orders alone. The first substantial increase in troop levels in Vietnam had been announced on July 28, 1965, at a little-publicized presidential news conference. The dis-

senters did not have an airtight case, however: The Korean War (1950-1953) had also started without a congressional declaration.

The official justification for the war, given by presidents Lyndon Baines Johnson (1963-1969) and Richard M. Nixon (1969-1974), was that the American military was in South Vietnam to repel aggression launched from communist North Vietnam. Defenders of the war viewed the conflict through an ideological lens, as an assault by international communism against those who loved freedom. The moral and material support that the world's major communist states, China and the Soviet Union, gave to North Vietnam was cited as evidence for this interpretation.

The opponents of the war, by contrast, stressed the facts that both sides of the conflict were ethnic



*U.S. soldiers take cover behind a wall near the Army's bachelor officer quarters in Saigon during a Viet Cong attack in 1968. (National Archives)*



Vietnamese and that Vietnam had been a single country until 1954. Dissenters viewed the United States as meddling in another country's civil war and thus committing aggression itself, rather than nobly defending a victim of unprovoked aggression; hence, the war did not meet the "just cause" criterion.

The dissenters' localized view of the Vietnam conflict led them to scorn the notion that defeating the communists in South Vietnam was necessary to protect the United States itself. The dissenters saw the Vietnamese communists as nationalist defenders of Vietnamese independence, not as the Southeast Asian arm of a worldwide conspiracy against American democracy. Hence, the war, dissenters believed, did not meet the "last resort" criterion.

### WAR CRIMES

Until the early 1970's, the spearhead of the communist assault on the South Vietnamese government was not the North Vietnamese Army, but the so-called National Liberation Front, or Viet Cong. The Viet Cong, drawn from communist sympathizers in the South, were not regular troops in uniform; instead, they were guerrillas who wore peasant clothing and blended in with the villagers after conducting hit-and-run raids against American or South Vietnamese troops.

It was nearly impossible for American troops to fight such an enemy without hurting some innocent civilians. The American military attacked villages whence sniper fire had come (one officer declared that he had had to destroy a village in order to save it) and decreed whole areas to be free-fire zones, where anybody who moved was assumed to be the enemy. The chemical Agent Orange was used to defoliate certain areas, in order to deprive the Viet Cong of food. Napalm, a burning jelly, was dropped on centers of enemy fire; inevitably, some children were hurt. In the My Lai massacre of March, 1968 (made public in 1969), all the people in a village were killed by American troops under the command of Lieutenant William Calley.

Such suffering led all dissenters to question whether the war met the "proportionality" criterion; some dissenters even condemned the war as genocidal. Defenders of the war effort pointed out that the Viet Cong also committed atrocities and that the perpetrators of My Lai were finally subjected to American military justice.

### THE DEBATE AFTER THE WAR'S END

In April, 1975, the North Vietnamese, having signed a peace agreement with the United States in January, 1973, overran and conquered South Vietnam. As a result, the United States admitted, by airlift, a wave of refugees. Contrary to the fears of earlier American administrations, the loss of South Vietnam did not lead to a communist advance to Hawaii or even to the fall of all of eastern Asia; the only other Asian countries to become communist were Vietnam's neighbors, Laos and Cambodia. By 1979, however, the repressiveness of the communist regime led to another massive flight of refugees, this time by boat; ironically, at least a few of the new refugees were former Viet Cong. The results of defeat started a new debate in America.

In 1978, historian Guenter Lewy published a history of the Vietnam War, defending American intervention in that conflict; in 1982, magazine editor Norman Podhoretz did the same thing. Both looked back on the Vietnam War as a noble effort to defend a free people against communism; so also did the president of the United States during the 1980's, Ronald Reagan. Political philosopher Michael Walzer, in *Just and Unjust Wars* (1977), condemned the means used in the Vietnam War without thoroughly discussing the issue of the war's rationale. In 1985, former president Richard M. Nixon published *No More Vietnams* defending his administration's Vietnam policy. Podhoretz's view, that post-1975 communist repression provided a retrospective justification for the American war effort of 1965 to 1973, never won a great following among academics or the general public. By the end of the 1980's, as the Cold War ended, the question of the morality of the war was still controversial among historians and journalists.

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SEE ALSO: Civil disobedience; Cold War; Communism; Conscientious objection; International law; Military ethics; Pacifism; Sovereignty; War.

## Violence

DEFINITION: Intentional infliction of physical or emotional harm or injury

TYPE OF ETHICS: Personal and social ethics

SIGNIFICANCE: It is a matter of debate whether violence is ever justified in, for example, a just war or the revolutionary overthrow of a tyrannical regime.

When people think about violence, they tend to think most often of a person being physically assaulted, raped, or murdered. As Robert McAfee Brown has noted in his book *Religion and Violence*, however, violence may be either personal or institutional, either overt or covert. Thus, personal overt violence may be physical assault. Personal covert violence could be psychological or emotional abuse of another person. Institutional overt violence may take the form of war

or revolution. Covert institutional violence may take the forms of repression, racism, or the denial of human rights. This article will be primarily concerned with issues of institutional violence—just war theory, violence and the Civil Rights movement, violence and revolution in liberation theology, and Marxism.

It is not clear whether violence or aggression is a natural part of the human species or a learned behavior. Thomas Hobbes, the author of *Leviathan* (1651), advocated a strong authoritarian government, partly using arguments based on a naturalistic concept of aggression. Chapter 13 of *Leviathan*, the famous passage on the “Natural Condition of Mankind,” claims that because of a kind of natural equality, human beings are, in their natural condition, always in a state of war, a *Bellum omnium contra omnes*, a “war of all against all.” He characterized the life of man as “solitary, poore, nasty, brutish and short.” He held to a dim view of human nature. Behavior arises because of “aversions” from fear and want and the desires for security and gain. A commonwealth becomes a necessary antidote to the horrors of human nature.

From a psychoanalytic point of view, Sigmund Freud argued that aggression was a natural human instinct. In his early writings, he developed the idea of instinctual conflict within the human psyche between two principles: the pleasure principle and the reality principle. The pleasure principle is the most impulsive instinct in driving the organism toward immediate gratification. The reality principle, however, operates as a rational mechanism that allows the organism to defer gratification and to sublimate potentially destructive wishes by means of a redirection of energy toward work. Both principles operate to reduce stress. Freud also discovered a compulsion on the part of neurotics to repeat past negative experiences as a defensive measure that often turned self-destructive. This led Freud to postulate the death instinct, or Thanatos. The death instinct preserves the organism from threats of death. When it confronts such threats, aggression results. Directed at the self, aggression becomes self-destructive.

Konrad Lorenz worked out a theory of aggression based on Charles Darwin’s theory that struggle is pervasive in nature and in evolution. It appears in the struggle for survival, the defense of offspring, and the improvement of the species. The question therefore arises, “Does aggression play a positive and necessary role in furthering the organization of the human

species?" That aggression can be destructive and harmful is indisputable, but can aggression be directed rightfully for the just pursuit of good and beneficial consequences? Can violence be a force for good?

### JUST WAR THEORY

Saint Augustine, in *The City of God* (413-427), argues that not all homicide is murder. Even God, the supreme authority, makes exceptions to the law against killing. The law against killing, says Augustine, is not broken by those who wage war by the authority of God or impose the death penalty by the authority of the state. Thus, Augustine sets up the state and God as authoritative and just sources of power. Here, then, is one of the criteria for waging a just war—it must be declared by a legitimate authority.

Aggression may also be justified on account of the wickedness of a neighboring nation. In Augustine's opinion, honest people do not go to war against peaceful neighbors. Thus, the cause must be just. It is not enough to wage war to increase one's borders. The increase of the empire may be justified, however, by the wickedness of those against whom war is waged.

The increase of empire was assisted by the wickedness of those against whom just wars were waged. In Augustine's words, "For it is the injustice of the opposing side that lays on the wise man the duty of waging wars; and this injustice is assuredly to be deplored by a human being."

In the thirteenth century, Thomas Aquinas gave fuller exposition to the just war theory. In answer to the question "Is it always sinful to wage war?" Aquinas set forth criteria for a just war. First, there must be a declaration on the part of a legitimate authority—the ruler of the state, for example. War may not be declared by a private individual. It is not the business of the private individual. Second, a just cause is required. Those who are attacked should be attacked because they deserve it, on account of some fault. Third, war should be waged with the right intention so that either good is advanced or evil is avoided. Fourth, the outcome of war must be peace. Fifth, a just war must avoid inordinate and perilous arms.

Martin Luther, in his political tract "Temporal Authority: to What Extent It Should be Obeyed" (1523), formulates the two-kingdoms theory, a theory obviously acquired from Augustine's *The City of*

*God—civitas Dei* (spiritual authority) and *civitas mundi* (earthly authority). Luther attempts to answer questions concerning the division of powers between Church and state. Is the Church an earthly power? Can secular rulers claim spiritual authority? Luther recognized the secular authority of the state and the spiritual authority of the Church. Each has its own realm. Each realm is a tool of the *Regnum Dei* (Kingdom of God) to fight the *Regnum diaboli* (Kingdom of the Devil). The state's weapons are law, power, force, and authority. The Church's weapons are faith and the Gospel. In effect, the individual becomes bifurcated into a public person and a private person. As a private person the individual abides by the gospel of love, but as a public person the individual may serve the state with the sword to inflict punishment on wrongdoers. The two-kingdoms theory was used by the Lutheran State churches in Germany to remain neutral in the face of Nazism (Ansbach Decree, 1935).

### VIOLENCE AND THE CIVIL RIGHTS MOVEMENT

The American civil rights leader Martin Luther King, Jr., embodied a nonviolent philosophy of social change. He was catapulted to public attention by the bus boycott in Montgomery, Alabama, in 1955. He led voter registration drives and a desegregation campaign. His famous March on Washington eventually led to the signing of the Civil Rights Act in 1963, and, in 1964, he won the Nobel Peace Prize. His influence waned after the Watts riots in 1965. He came to his philosophy of nonviolent resistance through reading Henry David Thoreau's "Civil Disobedience" (1849). He also studied Walter Rauschenbusch's *Christianity and the Social Crisis* (1907), which laid the theological foundations for Christian social action and connected socioeconomic conditions to spiritual welfare.

Karl Marx sharpened King's consciousness of the gap between superfluous wealth and abject poverty. King was also influenced by Mohandas K. Gandhi's concept of *satyagraha*—"truth force" or "love force"—which advanced a love ethic as a powerful instrument of social and collective transformation. Gandhi presented the method of nonviolent resistance as the only moral way out for oppressed people. Reinhold Niebuhr refuted the false optimism of liberalism, and his work helped King to see the destructive power of sin not only at the level of personal life but also at the social, national, and international

levels. E. S. Brightman and L. Harold Dewolf, King's Boston University professors, insisted, in their philosophy of personal idealism, that personality is ultimately and cosmically real. This idea laid the ground for conceiving a personal God and the concept of cosmic backing for justice and the dignity of human beings.

King was convinced that love is an instrument of social transformation and that suffering is to be accepted without retaliation because unearned suffering is redemptive. Hate destroys, but love builds up. King set forth his method of nonviolence in the following principles: ascertain the situation of justice, attempt revolution by dialogue, undergo personal purification and accept violence, and use direct nonviolent action. In his famous "Letter from a Birmingham Jail," King also delineated several principles of nonviolent direct action: do not be cowardly; do not seek to defeat the opponent, but seek friendship and understanding; defeat the forces of evil, not people; accept suffering without retaliation; reject inward violence; and have faith that justice has a cosmic backing.

Malcolm X, King's contemporary in the leadership of the African American Civil Rights movement, rejected King's nonviolent philosophy and advocated his own brand of social revolution, which made room for violence. Malcolm X believed that when the law failed to protect African Americans, African Americans were justified in using arms to protect themselves from harm at the hands of whites. He believed that it was criminal to remain passive in the face of being attacked. He not only encouraged self-defense but also mandated it. In his own words, "I am for violence if nonviolence means we continue postponing a solution to the American black man's problem—just to avoid violence. I don't go for nonviolence if it also means a delayed solution."

### VIOLENCE AND LIBERATION THEOLOGY

As has been shown, Christian thinkers have concerned themselves with the ethics of violence. Attitudes toward institutional forms of violence have included just war, holy crusades, pacifism, and civil disobedience. With liberation theology, Christian thinkers took seriously the question of a just revolution. Dom Helder Camara, a bishop in Recife, Brazil, believed that a repressive state starts a spiral of violence through institutional injustice that leads the op-

pressed to revolt. In his eyes, people had a right to revolt against an unjust government. Yet he cautioned that revolt would only lead to more repressive measures on the part of the government. Because of the fear of brutal retaliatory measures on the part of the state, Camara advocated a nonviolent approach.

A Colombian cleric, Camilio Torres, was exasperated by the brutality of the repressive state and believed in the people's right to revolt. Unlike Camara, however, Torres did not turn to passivism out of fear of the military and police apparatuses of the state. Instead, Torres left the church and joined guerrilla forces in the mountains to overthrow the unjust government. He believed that the essence of Christianity consisted in the love of one's neighbor. He also concluded that the welfare of the majority could be attained only through a revolution. Taking state power was necessary to complete the teaching of Jesus Christ to love one's neighbor. According to Torres, love must be embodied in social structures and the concern for well-being must be translated into a program for change. If those in power will not willingly share power, then the only other effective means of change is revolt. Revolution becomes obligatory for Christians in order to realize their love of humanity. In the viewpoint of Torres, there can be a just revolution.

Hugo Assmann, a Brazilian philosopher and theologian, argues for a Third World anti-imperialistic revolution for a universal and equitable share of the world's goods and for antioligarchic revolutions for political freedom. Assmann defines the world as a world in conflict. He argues for a language of liberation denouncing domination, articulating the mechanics of dependence, opposing capitalist economic systems, and breaking with unjust political governments.

Gustavo Gutierrez, a Peruvian priest, points out that the unjust violence of the oppressor is not to be equated with the just violence of the oppressed. Thus, he makes a distinction between just violence and unjust violence. Repression is unjust, but revolt against tyranny is just. For Gutierrez, the goal of the struggle against institutional injustice is the creation of a new kind of human being. The Exodus of the Hebrew slaves from Egypt serves as the model for active participation in the building of a new society. Christian brotherhood, according to Gutierrez, must be understood within the context of class struggle. Class

struggle, in his opinion, is a fact; therefore, neutrality is impossible. Universal love cannot be achieved except by resolutely opting for the oppressed, that is, by opposing the oppressive class.

In the view of José Miguez Bonino, of Argentina, history is a dialectic that implies a certain violence for the emergence of the new. Hence, violence will be accepted in the struggle for justice or rejected in the state's attempt to create law and order at all costs. Miguez Bonino agrees with Gutierrez and Assmann that class struggle is a fact. On one side, the dominant class tries to maintain the status quo; on the other, the oppressed classes struggle for a new society.

### VIOLENCE AND MARXISM

The question of violence, in liberation theology, had to do with making Christian love effective in a situation of oppression. The issue of violence for Marxism has to do with the relationship between means and ends in the struggle for social transformation. That Karl Marx was a passionate and ardent revolutionary goes without saying. His advocacy of violence must be carefully regarded in the context of his writings. In his "Introduction" to *Towards a Critique of Hegel's Philosophy of Right* (1844), Marx claims that the weapon of criticism cannot supplant the criticism of weapons and that material force must be overthrown by material force.

In the famous *Communist Manifesto*, written on the eve of the 1848 revolutions, Marx clearly regarded the takeover of state power as the aim of the Communist Party: "The immediate aim of the communists is the same as that of all the other proletarian parties: formation of the proletariat into a class, overthrow of the bourgeois supremacy, conquest of political power by the proletariat."

Speaking in Amsterdam in 1872, Marx made it clear that the use of violence varies from circumstance to circumstance. In his own words, "there are countries like America, England . . . and Holland where the workers can achieve their aims by peaceful means. . . . [I]n most of the countries . . . it is force that must be the lever of our revolutions."

Marx believed that violence may be necessary to effect a socialist revolution, but he was not dogmatic and absolute about the use of violence. He also was not adamant about the velocity of the transformation to socialism. For Marx, violence was a means, not an end.

What Marx was unbending about was the fact that class struggle involves violence, coercion, and repression. Workers are exploited and alienated. Because of propertylessness, workers are coerced into selling their labor power for means of subsistence. If they try to organize themselves, mobilize, and politicize their interests, they are met with repression. Violence breeds violence. The workers' revolution may require violence.

Mikhail Bakunin, an erstwhile companion of Marx, believed that destruction was a necessary tool of social change. Georges Sorel, who lived from 1847 to 1922, was a syndicalist Marxist who denied the then-popular theory that capitalism would collapse because of its own contradictions. He espoused a radical brand of revolutionary syndicalism. In 1906, in *Reflections on Violence*, he set up class war as the very essence of socialism. Acts of violence, he believed, would create a workers' morality, destroy the bourgeoisie, and lay the foundations for socialism.

Vladimir Ilich Lenin believed that the Marxist doctrine of the dictatorship of the proletariat meant the seizing and holding of state power by the use of violence. Karl Kautsky argued in *Terrorism and Communism* (1919) that Lenin's concept of the dictatorship of the proletariat was leading away from the essence of socialism. Leon Trotsky replied, in his own book *Terrorism and Communism* (1920), that a violent revolution was necessary because parliamentary means were ineffective. The revolutionary class should attain its end by any means at its disposal—even terrorism. György Lukács decried Kautsky's peaceful transition to socialism and denied the validity of the question of the legality or illegality of means. For him, what counted was what would be most successful in achieving social transformation. A sense of world history and the sense of the world mission of the proletariat would determine the question of tactics and ethics.

*Michael R. Candelaria*

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SEE ALSO: Abuse; Aggression; Augustine, Saint; Civil disobedience; Coercion; Cruelty; Just war theory; Nonviolence; Police brutality; Rape; Religion and violence; Revolution.

## Virtual reality

**DEFINITION:** Computer-generated experiences meant to resemble in form or content the perceptual experience of reality

**TYPE OF ETHICS:** Scientific ethics

**SIGNIFICANCE:** Virtual reality is designed to be the most visceral possible form of representation. It therefore raises all the issues raised by representation generally, involving responsible and irresponsible portrayals of people, social groups, and issues; the function of ideology within representation; and the ability or desirability of art to instruct people morally. In addition, virtual reality intensifies debates over whether "mere" representation is ultimately innocuous, or whether its

effects on the world are significant enough to merit moral concern or even legal regulation.

Virtual reality (VR) is a computerized system of data presentation that allows the user to project himself or herself into a simulated three-dimensional space and move about in that space, introduce other objects into it, change the positions and shapes of objects already there, and interact with animate objects in the space. VR was made possible by the enormous increase in computer memory and data-processing capacity, even in personal computers (PCs), and by the development of miniaturized video and audio devices and motion sensors that give the illusion of motion and of touching and manipulating material objects. Other descriptive names for this technology are artificial reality, virtual environment, telepresence, and immersive simulation, but VR is the preferred term.

### SOFTWARE AND PRESENTATION DEVICES

The memory software of VR consists of many, many points of a three-dimensional grid, built from either an actual scene or a computer-generated space. The array of coordinates must be complete enough to allow the space to be rotated on three axes and the viewpoint to be moved similarly. In addition, other objects, animate and inanimate, must be held in memory with complete manipulability (including the tactile sensing of shape, inertia, texture, and so forth); and provision must be made for the creation of new objects with equal flexibility. Clearly, this technology calls for enormous memory capacity and complex programs to accomplish the apparent motion.

VR presentations can be very simple, such as viewing a scene on a PC monitor, or very complex, such as donning a helmet containing a miniature television screen for each eye, to give stereoscopic vision; headphones for directional sound; motion sensors to slew the scene left or right, up or down as the viewer's head moves; and a so-called Dataglove both to accept motion commands from the hand and to give back pressure information to define objects, motion, and so forth. Presentations between the simple and the complex seem to be missing; at the upper end, a whole-body sensing suit is expected to be available in the future. This very brief description of equipment may suggest why VR had to wait until microchip technology made the necessary memory available within reasonably sized computers.

### POSITIVE APPLICATIONS OF VIRTUAL REALITY

Many uses of VR raise few if any ethical questions. It is used, for example, to train surgical students on a "virtual" patient before they actually perform an operation. Experienced surgeons can practice a complex new procedure before using it in the operating room. Operators of heavy construction equipment can train on VR devices, and in some cases controls have been redesigned for greater simplicity and efficiency on the basis of such experience. Physiological chemists can manipulate molecules in VR to see—or feel—how they fit together in three dimensions. Attractions and repulsions of functional groups in the molecules are programmed into memory, and the user can actually feel, through the Data-glove, when a drug molecule fits or fails to fit in a cellular structure, or when a virus clicks into place on a cell receptor. Pilots can be trained in VR simulations so lifelike that an hour of training is considered as effective as an hour of actual flying time. In fact, the Air Force was an early major developer of VR presentations. Architects and their clients can stroll through a building that has yet to be built, to get the feel of it and to identify where the design needs to be changed for greater comfort. These are all fairly unexceptionable applications.

### POSSIBLE ETHICALLY NEGATIVE ASPECTS

One of the most frequently voiced criticisms of VR is that it makes possible what might be called participatory pornography—not simply reading, video viewing, or telephone talk, but all these combined but together with the tactile feedback of a whole body suit that will allow virtual sexual experience of all varieties. Some designers and marketers of VR equipment speak enthusiastically of such pornography as an exciting prospect for the future. Critics view it as a real moral menace in a society that is already awash in casual sexuality. Others believe that it is merely an extension of the pornography that has always existed.

One commentator spoke sourly of "the myth that sex and pornography are the keys to understanding the growth of all new technologies." Perhaps the real menace here is that VR can be a powerful new device for furthering the alienation of individuals by making artificial experience easier and more exciting than actual human contact. This is true not only of VR sex but also potentially of all VR experience except training applications. Another aspect of this ethical con-

cern lies in the enormous amount of time and attention that could be wasted because of VR. In a society that already spends a tenth of its time in front of television, imagine what the effect would be if every household had its own VR.

Other questions raised by VR that are perhaps medical rather than ethical but are worth mentioning: Can the tactile feedback become vigorous enough to cause physical damage? VR causes physical reactions for some users (such as nausea and actual vomiting in flight simulations); can it cause mental damage as well? Is this a technology that should be kept away from the undeveloped psyches of children and restricted to adults? All these ethical questions have yet to be addressed.

In sum, VR appears to be simply another new technology that can be used well or badly. Its capacities for good and evil seem not much greater than those of electric power, the automobile, or the telephone. The decisions lie, as always, in human hands.

*Robert M. Hawthorne, Jr.*

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SEE ALSO: Art; Artificial intelligence; Computer technology; Narrative ethics; Pornography; Robotics; Science; Technology.

## Virtue

**DEFINITION:** Moral excellence, or a specific morally admirable quality, value, or characteristic

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** In most classical ethical systems, virtue both constitutes morality and stands as its ultimate goal or aim—an idea encapsulated in the phrase “virtue is its own reward.”

Each thought and act a person takes sets in motion two tendencies: a greater likelihood to engage in similar thoughts and acts, and a change in the character of the person. Thinking and action that lead a person away from life, goodness, and perfection of inner nature create *vice*—evil or wicked behavior and character. Conversely, those thoughts and acts that are life-promoting, aim for goodness, and work to perfect the inner nature lead to *virtue*—moral excellence of behavior and character. When people choose vice, their inner natures change and it becomes easier for them to choose the bad and more difficult for them to choose the good. In contrast, choosing virtue changes the inner nature so that it becomes easier, and more natural, to choose good rather than evil. Furthermore, this same principle appears to be operative with groups of individuals. For example, it seems quite logical that if a society wishes to prosper and to promote the well-being of its members, it should teach and encourage those people to pursue that which is virtuous. After all, is it possible to have a good society without good people? It is, therefore, in the best interests of both the individual and society to identify, promote, and practice those principles that work toward the ultimate good.

Numerous lists of virtuous principles have been

put forth by diverse cultures over thousands of years to serve as moral guidelines for those particular cultures. One such list, the Seven Virtues, which includes the cardinal and the theological virtues, has been particularly influential in Western thought. Although the Seven Virtues deserve special attention, it is important to consider conceptions arising from other cultures. Only by doing so can the attempt be made to identify virtues that are both universal and, perhaps, eternal.

### CONFUCIAN VIRTUE

Confucius, who lived in the sixth century B.C.E., was the most influential person in the shaping of Chinese ethics. In *The Confucian Analects*, he describes himself as a transmitter of ancient wisdom, particularly in regard to distinctions between right and wrong and the characteristics of a virtuous character. In *The Doctrine of the Mean*, Confucius considers virtue to be a mean between the extremes of excess and deficiency. In the short treatise known as *The Great Learning*, steps for promoting personal and governmental virtue are described.

Confucianists believe that there are five primary virtues: charity, righteousness, propriety, wisdom, and sincerity. All these virtues are described in detail in *The Confucian Analects*. Charity is the virtue of human relations, the practice of benevolence and respect to others. Confucius believed that this virtue was summed up in the most important principle guiding a person’s life: the golden rule (Do unto others as you would have them do unto you). Righteousness is the virtue of public affairs: duty, responsibility, and the following of just principles. Propriety is concerned with fitting and proper behavior in human affairs. Confucius taught that propriety must always be accompanied by charity to keep a person from pride. Wisdom about humans, divine commands, and language is extolled by Confucius as the virtue of personal growth that comes only from study and practice. The final virtue, sincerity, is concerned with truthfulness and faithfulness in interactions with others.

### BUDDHISTIC VIRTUE

Siddhārtha Gautama, who lived in India in the sixth century B.C.E., taught that right thinking and self-denial would enable a person to reach true wisdom and, ultimately, nirvana—a state free of all suf-

fering and sorrow. Gautama was given the title of Buddha—one who embodies the divine characteristics of virtue and wisdom. The Eightfold Path, consisting of rightness of views, speech, thoughts, actions, living, recall, exertion, and meditation, was taught by the Buddha as the way to nirvana. In the *Dhammapada*, a collection of proverbs and moral principles, it is said that a person can rightly be called a *brāhmin*—a Hindu of the priestly class—if that individual leads a life that expresses such virtues as patience, self-restraint, contentment, sympathy, and mildness. As precepts for all Buddhists, the Buddha set forth five commandments: Abstain from killing, stealing, adultery, lying, and strong drink. An interesting feature of Buddha's teaching was that these moral principles were interpreted particularly stringently for those aspiring to be monks or nuns. Thus, while the ordinary person was enjoined to simply refrain from adultery, absolute abstinence from all sexual activity was required of monks and nuns.

The closest Buddhist teaching to a list of virtues is contained in the six *pāramitās*—perfections of character. The *pāramitās* are virtues of love, morality, patience, courage, meditation, and knowledge. Followers of the Buddha are enjoined to exercise these virtues perfectly.

### MUḤAMMAD AND ISLAM

The Arabian prophet Muḥammad, who lived from 570 to 632, wrote in the Qur'ān (the sacred book of Muslims) that it is the duty of all people to believe in Allah (the Muslim name for God) and to live a life of high moral standards. Although the Qur'ān presents numerous moral principles such as kindness to parents, kin, and strangers, the sum of Muḥammad's teaching consists of believing in Allah and living a virtuous life according to the Five Pillars of Islamic law: the creed, the prayer ritual, beneficence (loving acts to others), fasting, and the pilgrimage, or *hajj*, to Mecca. The golden rule was also taught by Muḥammad and could plausibly be considered a sixth primary moral duty.

### TEUTONIC VIRTUES

Tacitus, the Roman historian of the first and second centuries C.E., describes in his book *Germania* the social and moral lives of the Teutonic peoples—inhabitants of northern Europe. The Teutonic virtues identified by Tacitus in the first century have been

greatly influential in the shaping of Western ideals in the succeeding centuries. Eight of these virtues have particular relevance to nobility of character: endurance (of purpose), loyalty, generosity, hospitality, truthfulness, modesty, marital purity (abstinence from adultery), and courage—considered the most important virtue by the Teutons.

### VIRTUE IN CLASSICAL GREEK PHILOSOPHY

The great Greek philosophers of the fifth and fourth centuries B.C.E., Socrates, Plato, and Aristotle, devoted much attention to the subject of virtue. Their teachings on virtue have a timeless quality, shaping and stimulating modern thinking on moral matters. The ideas of Aristotle will be discussed first; Socrates and Plato will be dealt with in the discourse on the Seven Virtues.

In the *Nicomachean Ethics*, Aristotle distinguished between theoretical and practical virtues. The three theoretical virtues included wisdom (the ability to order knowledge into an ultimate system of truth), science (the ability to draw knowledge from demonstrations), and understanding (the ability to apprehend the truths that lie at the roots of knowledge). The two practical virtues were art (the ability to know how to produce or create things) and prudence (the ability to know how to act well in life's affairs). Prudence is considered to be the virtue most applicable to living a good moral life.

Like Confucius, Aristotle also proposed a doctrine of the mean, arguing that the essence of virtue is a middle ground between the vices of excess and deficiency. Thus, the virtue of courage can be considered the middle ground between cowardice on one hand and impulsiveness on the other. Aristotle did not intend to convey the notion that people should therefore look for the middle ground between leading a moral versus an immoral life. On the contrary, he said that people should find virtue and live it to the fullest. For example, the soldier should not settle for a middle ground between rashness and cowardice, but instead should serve as courageously as possible.

### THE SEVEN VIRTUES IN WESTERN THINKING

Socrates, according to Plato in the *Republic* (book 4), contends that the ideal state would exemplify and promote four main qualities: wisdom, courage, temperance, and justice. Although the implication in the *Republic* is that these virtues were known and taught

by the predecessors of Socrates, it is Plato who first identifies these as the core components of the noble moral character. The four qualities are called the cardinal virtues (from the Latin word *cardo*, meaning “hinge”), because all other virtues are seen to hinge, or be dependent, on them. These four virtues, according to Plato, promote health and harmony of the soul—Plato’s definition of virtue. These virtues also correspond to Plato’s conception of the soul: Wisdom is the virtue of the intellect, courage that of the will, temperance that of feelings, and justice that of the soul’s relation to others—that is, society.

The acceptance of the four cardinal virtues as primary qualities of the moral life can be seen in the writings of subsequent Greek and Christian philosophers. Aristotle centered his *Nicomachean Ethics* on them, although he opposed the Platonic idea of innate virtue, arguing instead that they are acquired through experience. The Stoic school, opposing the Epicureans, who were promoting pleasure as the ultimate good, contended that virtue is the only good. The fourth century B.C.E. Stoic philosopher Zeno of Citium taught that people should live their lives in accordance with the divine plan of nature and that virtue alone was important in living the good life.

Among the early Christian writers, Origen, born in 185, taught that science and philosophy could be in accord with Christian teachings, and was among the first Christian writers to argue that the four cardinal virtues were essential to the Christian moral character. The crucial step in Christianizing the cardinal virtues was taken by Saint Augustine, who interpreted the cardinal virtues in light of the love of God: prudence is love’s discernment; courage, love’s endurance; temperance, love’s purity; and justice is the service of God’s love. It is in the teachings of Saint Augustine that the cardinal virtues are placed alongside the theological virtues of the New Testament (I Corinthians 13): faith, hope, and love. Among later Christian philosophers, Saint Thomas Aquinas in the thirteenth century, preeminent as a champion of the virtuous life, presents in works such as *Summa Theologica* the seven virtues as the chief signs of the Christian moral character. More recently, the great Christian author of the twentieth century, C. S. Lewis, in his classic defense of the Christian faith, *Mere Christianity* (1943), wrote that proper Christian behavior manifests the qualities of the seven virtues.

### THE SEVEN VIRTUES DESCRIBED

Prudence means exercising common sense and sound judgment in practical matters, carefully considering the consequences of one’s actions. It involves forethought, caution, discretion, discernment, and circumspection. It is not the same thing as intelligence; great geniuses may act imprudently. The prudent person can speak the “fitting” word at the proper time, knows when and how to promote the interests of both self and others, and knows how to arrange his or her affairs for the greatest benefit.

Temperance refers to moderation and self-restraint in the pursuit and expression of all pleasures. The essence of temperance is self-control, not, generally speaking, complete abstinence. It involves moderation with food, chastity with sexuality, and humility with great success. A person lacking in temperance would be given to gluttony, promiscuity, and arrogance. Conversely, too much restraint would leave a person with austere eating habits, excessive prudishness in sexual behavior, and a self-deprecating personality.

Justice demands that affairs among people be guided by fairness, impartiality, and equality. Aristotle divided justice into general and particular categories. General justice can be construed as a social justice in which societies are organized in such a way that all members contribute to and benefit from the common good. Particular justice is subdivided into corrective justice—the fulfilling of contracts between people—and distributive justice—fairness and impartiality in the distribution of goods and burdens. The just person is honest, is truthful, stands for what is right, and keeps his or her word.

Courage is the ability to face danger and distress with endurance and purpose of heart. Courage involves not only withstanding evil but also attacking it and working to overcome it. The courageous person will stand for the moral right and persevere in it no matter how unpopular that may be. Bravery, determination, sturdiness, and tenacity are the characteristics of those who are courageous. Courageous people are not those who lack fear. Courageous people act in spite of fear, work to overcome their fears, and triumph in the face of fear.

Faith, according to the New Testament writer Paul (Heb. 11:1), is “the substance of things hoped for, the evidence of things not seen.” Faith, in the theological sense, involves apprehending, trusting, and hold-



ing on to spiritual truth. Although the context of faith in the writings of the apostle Paul certainly emphasizes the divine dimension, the importance of faith in the human condition cannot be ignored. The faithful person demonstrates the traits of loyalty, steadfastness, dependability, and trustworthiness. Faith works to bring and keep people together in marriage, politics, and religion (with God). It is the glue that binds one human heart to another. Infidelities of all sorts serve to separate even the closest of human relationships.

Hope is the expectation that one's desires will be realized. Hope is forward-looking, giving direction, purpose, and energy to life. The apostle Paul (Heb. 6:19) describes hope as the "anchor of the soul, both sure and steadfast." The person who hopes is stimulated to greater personal growth, works toward a better society, and believes in something better to come. Lack of hope—apathy, helplessness, and pessimism—saps life from individuals, brings stagnation to civilizations, and empties religion of its meaning.

Love is a transcending devotion to another. In his great discourse on love in I Corinthians 13:4-8, the apostle Paul describes love as "always patient and kind; it is never jealous; love is never boastful or conceited; it is never rude or selfish; it does not take offense, and is not resentful. Love takes no pleasure in other people's sins but delights in the truth; it is always ready to excuse, to trust, to hope, and to endure whatever comes. Love does not come to an end." Love is affective; it involves feelings of closeness, tenderness, and passion. Love is behavioral; it has to do with how one person acts and intends to act toward another. Love is cognitive; it involves knowing another, wishing for and thinking of another's best. The loving person cares for others, is benevolent, and stands against hatred and malice wherever it appears. In I Corinthians 13:13, love is considered to be preeminent over faith and hope. Indeed, many have called love the greatest of the seven virtues.

It is notable that in religiously inspired lists of virtues, love is almost always included and occupies a prominent position. In many secular lists, such as the cardinal virtues, love is often absent or is only indirectly mentioned. Perhaps to consider the greatest good, God, necessitates the consideration of the greatest virtue, love.

*Paul J. Chara, Jr.*

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1984. English translations of five of Plato's greatest works are presented: *Apology*, *Crito*, *Phaedo*, *Symposium*, and *Republic*. Book 4 of the *Republic* deals specifically with the cardinal virtues. It is here that these virtues are first accepted as the standard virtues of the ancient world.

SEE ALSO: Aristotelian ethics; Augustine, Saint; Buddhist ethics; Christian ethics; Confucian ethics; Plato; Platonic ethics; Socrates; Thomas Aquinas; Vice; Virtue ethics.

## Virtue ethics

**DEFINITION:** Practical approach to both understanding and living the good life that is based on conceptions of moral excellence

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Virtue ethics eschews or minimizes talk of rules, principles, obligation, duty, or consequences. Instead, it focuses primarily on the notion of the good or virtuous person: It seeks to develop a concrete and nuanced understanding of what such a person is like, and then to use that theoretical exemplar to guide actual behavior.

Everyday life and the actions that constitute it involve patterns of interaction. People do good and perform right actions not so much as a consequence of individual acts of moral reasoning but as a consequence of inherited patterns of right and wrong, good and bad. It is in taking responsibility for these inherited patterns that meaningful ethical life takes place, not in esoteric discussions and tentative moral actions related to new technologies, fads, and lifestyles that seek ethical justification. Certainly, discussions of new ethical challenges must take place, but support for and recognition of the importance of character, values, and virtues in everyday life must be recognized as imperative.

One's point of view is expressed in one's thoughts and actions. Actions manifest one's values, commitment, and character. Good character is not an accident. It requires discipline, reflection, and responsibility. A virtue is a reflection of good character because it is a pattern of action. It should not be suggested, however, that one's ethical life is isolated and

is developed apart from other people. One's virtues depend on others for their origin and sustenance—for their origin, because one usually inherits the virtues of parents, peers, and significant others; for their sustenance, because to sustain a pattern of action over a prolonged period of time, one needs encouragement and positive reinforcement.

### FOCUSING ON HUMAN LIFE RATHER THAN HUMAN RULES

Much of modern ethics focuses on specific acts that are justified by rules or consequences. Virtue ethics focuses on good judgment as a consequence of good character. Beliefs, sensitivity, and experience are of more importance than are rules and consequences for determining one's ethical life. Because its focus is on human life rather than on human rules, virtue ethics becomes involved with various psychologies of ethics as well as with the ways in which gender, race, ethnicity, economics, and power shape character and thus the experience of virtue.

How is one fulfilled as a human being? Does fulfillment vary on the basis of gender, race, ethnicity, and economic position? The answer to these questions is of vital importance to virtue ethics.

### DIFFICULTIES

Since virtue ethics gives a significant role to feelings in the ethical life, many wonder where the consistency necessary for ethical living, independent of the subjectivity of daily life and transitory human feelings, exists. If feeling is central to virtue, then the ethical life is built on the shifting sands of human emotion. Those who practice virtue ethics recognize this difficulty and agree with the thrust of the critique. Yet it must be recognized that one reason for the growth of virtue ethics is that "rules and consequences ethics" leaves out an essential part of human life—feelings. All ethical theories and practice must deal with the whole person: mind and feelings, rules and consequences.

Virtue ethics presupposes that one will be drawn to the personally perceived good. Christians suggest, however, based on the doctrine of Original Sin, that humans are more attracted to the bad than to the good. The increase in the prison population as well as daily experience may cause many non-Christians to fear an ethic based on human perfectibility. One cannot say, "I will be good someday, but not today," they

claim. One must see one's duty and do it. These individual acts are important and cannot wait to become part of some overall pattern of living.

Virtue ethics, while reaffirming that people readily deceive themselves when searching for the good, prefers to speak about development. Human perfectibility is the base principle. Vice will always be part of that journey of perfectibility. Virtue is gained only in dealing with vices, but it is gained, say virtue ethicists, only because virtue is seen as better than vice.

Some virtues are part of any listing of virtues: justice, prudence, generosity, courage, temperance, magnanimity, gentleness, magnificence, wisdom. Yet there is no agreed-upon list of virtues. Some authors point out that there may be conflicts between some virtues—gentleness and justice, for example—that cannot be resolved. These authors suggest that the only way to resolve such conflicts is to give primacy to “rule and consequences ethics” rather than virtue ethics. Yet the challenge of human living is to deal with conflict in a constructive way, and virtue ethics holds that dealing with such conflicts will lead to growth in a person's ethical character.

Nathan R. Kollar

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SEE ALSO: Benevolence; Good, the; Morality; Role models; Sin; Vice; Virtue.

## Vivisection

DEFINITION: Invasive surgical experimentation upon living animals

TYPE OF ETHICS: Animal rights

SIGNIFICANCE: In current usage, “vivisection” carries a strong negative connotation. It is used by people opposed to the practice of animal experimentation in general, or by people condemning a specific experiment as cruel or unnecessary.

Formed from the Latin words *vīvi* (living) and *sectio* (cutting), the word “vivisection” was used as early as 1707 to refer to an operation performed on a living animal. In both the nineteenth and twentieth centuries, people opposed to research on animals organized under the heading of “antivivisection” (for example, the National Anti-Vivisection Society). Since animal rights activists do not necessarily oppose all animal experimentation, however, “vivisection” usually is taken to refer specifically to operations performed without anesthesia or for trivial reasons.

Many or most scientists (and some animal rights advocates) assume that if the animals involved feel no pain or distress (for example, they are anesthetized), then no moral issues are raised by their use. The development of paralytic drugs in modern medicine created a problem. These strong muscle relaxants thoroughly immobilize the subject, allowing very delicate operations (like open heart surgery) to be performed, but when used alone (a practice called “chemical restraint”), they do not deaden sensations of pain. Chemical restraint is sometimes practiced on animals and human infants.

Gary E. Varner

SEE ALSO: Animal consciousness; Animal research; Animal rights; Cruelty to animals; National Anti-Vivisection Society; Sentience; Society for the Prevention of Cruelty to Animals.

## Voltaire

IDENTIFICATION: French writer and philosopher

BORN: François-Marie Arouet; November 21, 1694, Paris, France

DIED: May 30, 1778, Paris, France

TYPE OF ETHICS: Enlightenment history

SIGNIFICANCE: The author of *Candide: Or, All for the Best (Candide: Ou, L'Optimisme, 1759)*, Voltaire viewed morality as a commitment to justice and humanity that was based on the universal ethical precepts of natural law.

One of France's greatest writers, Voltaire distinguished himself as a historian, novelist, dramatist, poet, philosopher, and crusader against religious intolerance. As a rationalist and Deist, he rejected the traditional Christian view of God and belief in the immortality of the soul.

He adhered to a natural religion, believing in an impersonal, remote deity whose attributes were beyond human understanding but who inspired a great sense of awe. Voltaire shared the belief of fellow Deists who considered the essence of religion to be morality, a commitment to justice and humanity.

Voltaire strongly believed that universal ethical principles were inherent in natural law and that the merit of human laws was determined by the extent to which they reflected such just and humane standards. Even though all religions derived from a universal rational source, the teachings of theologians and priests distorted the common truth, divided humanity, and perpetuated intolerance. Only under the guidance of enlightened thinkers who rose above superstition and prejudice could a rational morality be cultivated that would bring about human brotherhood.

In practice, Voltaire promoted a social ethic that was conducive to the harmonious interests of the entire society. In pursuing this goal, he was quite will-



Voltaire. (Library of Congress)

ing to accept socially useful beliefs that he personally rejected. Thus, he held that, even though the deity probably did not concern himself with human affairs, it was good for the people to believe that there are rewards and punishments for human actions. Among his deepest concerns was the happiness of the individual in society. In *Candide*, he satirized the view that this is the best of all possible worlds, but he nevertheless imagined that in time reason and enlightenment would lessen superstition and fanaticism and bring about a more harmonious social order. To this end, Voltaire remained a passionate advocate of individuals who had been denied justice, especially by the power of the Church, and of judicial reform.

*George P. Blum*

SEE ALSO: Deism; Enlightenment ethics; God; Humanism; Hume, David; Leibniz, Gottfried Wilhelm; Locke, John; Montesquieu; Natural law; Rousseau, Jean-Jacques; Social justice and responsibility.



## Voting fraud

**DEFINITION:** Violations of laws governing the privilege of voting

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** Voting fraud can not only unfairly affect the outcomes of elections but also contribute to corrosion of the basic legitimacy of democratic society. American courts have responded by passing down decisions that expand definitions of fraud and stress the importance of legitimacy.

To have the privilege of casting a ballot in the United States, a person must be an American citizen over the age of eighteen years and comply with relevant federal, state, and local statutes. The individual states set the conditions for voting under a basic framework laid down by the U.S. Constitution and its amendments. For example, a state may insist on voters registering before they vote but may not deny the right to vote to a person on any grounds prohibited by the Fourteenth, Fifteenth, Nineteenth, Twenty-fourth, and Twenty-sixth Amendments to the U.S. Constitution. The prohibitions include denying persons the vote because of their race or sex.

Moreover, while the individual states grant voting privileges, or the franchise, they must also comply with the Fourteenth Amendment's equal protection clause by setting and applying equal conditions to every person eligible to vote. In the United States, the franchise is thus considered a legal right, though it is not considered a basic human right.

### THE ETHICS OF EQUAL PROTECTION

While the concept of equal protection has served as a potential legal standard for determining vote fraud for years, the Supreme Court first made that standard explicit in its 2000 *Bush v. Gore* decision. The Court made its ruling at a moment when charges and counter-charges of voting fraud were swirling around Florida's tightly contested presidential election. The Court's ruling applied the equal protection clause to stop a recount of votes in Florida, effec-

tively giving the national election to George W. Bush. The Court asserted that Bush and his supporters would be denied equal protection if Florida counted some, but not all, Florida ballots. At the same time, the Court did not consider other equal protection issues, such as whether Florida's African American voters might be denied equal protection because of discriminatory voting-list purges, absentee ballot irregularities, and possible misuse of certain kinds of voting machines and ballots.

While the U.S. Supreme Court majority attempted to limit the scope of their judgment to the specific facts of the case, it is unlikely that the logic of equal protection can be so easily contained. Equal protection has become a complicated, demanding standard posing serious ethical issues relating to all aspects of voting and elections throughout the nation's fifty states, with their diverse voting laws. The new standard has expanded the scope of fraud, making many laws open to legal challenge. What were once limited questions to be resolved by state courts are now national constitutional fraud issues. In the years immediately following the 2000 presidential election, the final outcome of this ethical debate remained far from clear.

*Richard L. Wilson*

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SEE ALSO: Campaign finance reform; Fraud; Nader, Ralph; Poll taxes; Suffrage.



# W

## Wage discrimination

**DEFINITION:** Payment of different wages to members of different social groups for reasons unconnected with job performance

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Taken in the aggregate, wage discrimination violates such values as fairness, equity, and social justice. It is difficult to combat, however, because any single instance of the practice may seem justifiable to an employer, who may point to factors other than social identity that influenced the wages of a particular individual.

During the 1960's, various disadvantaged groups asserted their rights in the job market. The Equal Employment Opportunity Commission and various laws provided for equal access to jobs in the United States, but little was said about the compensation for those jobs. Studies quickly established that white men in the United States earned more than people of any other race-and-sex combination.

Business advocates quickly postulated reasons for the discrepancies, including differences in experience, intelligence, education, on-the-job training, occupational choice, and attachment to the labor force. Many studies focused on women, who, it was argued, are more prone to periodic absences resulting from child care responsibilities and also are more likely to leave their jobs for long periods, or permanently, to have children. These propensities make them less valuable in the long run, even if their daily performance while on the job is identical to that of men. Employers defended their right to invest less in workers who were less likely to stay around and pay back the investment. One argument thus became circular: Women were paid less because they had less training, and they were given less training because they were women. Defenses of lower wages for minority workers rested primarily on lack of experience and lower levels of education and training.

Various studies explored these reasons for wage

differences. They typically found about half of the differences between men's and women's wages to be explained by objective factors, leaving the other half of the difference unexplained, possibly a result of discrimination.

*A. J. Sobczak*

**SEE ALSO:** Affirmative action; Equal pay for equal work; Equal Rights Amendment; Hiring practices; Inequality; Minimum-wage laws; Social justice and responsibility.

## Walden

**IDENTIFICATION:** Book by Henry David Thoreau (1817-1862)

**DATE:** Published in 1854

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** *Walden* provides a model of the proper ethical treatment of nature and serves almost as a handbook for an environmental ethics.

Henry David Thoreau's two-year experiment of living at Massachusetts's Walden Pond was on one level an effort to determine whether a person really needed the material possessions that were considered essential in mid-nineteenth century America. His book demonstrated that one could attain the good life by living in harmony with nature supplied only with the bare necessities. The first chapter, entitled "Economy," demonstrates that human needs are few; thus, there is no need to exploit nature to attain them. Much of the rest of the book attacks the acquisitive spirit. At bottom, Thoreau argues, materialistic values indicate not enterprise but a basic lack of spiritual self-reliance. In Thoreau's ethic, ownership of the land is invalid. Humans should act as stewards rather than squires.

Thoreau's own love of nature is illustrated in the intricate detail with which he describes the seasons, flora and fauna, natural processes, and Walden Pond

itself. If he measures and documents, plumbs the depths of the lake, scrupulously counts every penny spent in the building of his house, and ponders his profit after selling produce from his garden, it is to show that empirical science does have a use, but that it should be subordinate to a guiding spirit that respects and loves the natural environment rather than exploits it. *Walden* continually demonstrates “correspondences”; that is, clear relationships between the ethical life of humankind and nature, an interconnectedness that Thoreau believed deserved more acknowledgment and respect.

*William L. Howard*

SEE ALSO: Earth and humanity; Nature, rights of; Thoreau, Henry David; Transcendentalism.

## Wang Yangming

IDENTIFICATION: Chinese philosopher

BORN: November 30, 1472, Youyao, Zhejiang, China

DIED: January 9, 1529, Nanen, Jiangxi, China

TYPE OF ETHICS: Medieval history

SIGNIFICANCE: In *Instructions for Practical Living* (*Zhuan xi lu*, 1527), Wang rejected the Confucian dualism of principle and material force, insisting instead on the unity of knowledge and action in human affairs.

At the time that Wang developed his ideas, Confucianism had been a major religion in China for more than 1,700 years, from the time when the ideas of Confucius were gathered, along with commentaries, during the Han Dynasty (256 B.C.E.-220 C.E.). Confucianism was a secular religion emphasizing proper conduct and relationships learned by observation of exemplary individuals.

The eclectic writings of Confucianism were codified in the twelfth century C.E. by Zhu Xi, who clarified the notion of principle (*li*, somewhat like the Platonic “idea”), which acted through the mind and material things to create the world, physical and moral, that people perceive. Wang regarded this as an unacceptable dualism, insisting that principle and mind are one, that knowledge and action are inseparable and are related to principle and mind, and that

the way to understand these things is not through study of canonic writings, as Zhu Xi taught, but by direct investigation of one’s own mind to find the knowledge of the good that resides there. These ideas led to the practice of a Zen-like form of meditation. Wang’s ideas were influential in Chinese Confucianism well into the eighteenth century, and even later in Japan.

*Robert M. Hawthorne, Jr.*

SEE ALSO: Confucian ethics; Confucius; Secular ethics; Theory and practice; Zhu Xi.

## War

DEFINITION: State of armed combat between enemy states

TYPE OF ETHICS: Military ethics

SIGNIFICANCE: War raises many ethical questions, including attempts to determine when—and if ever—waging war is morally permissible and what means combatants may use to gain their objectives.

The starting point of all discussions of the philosophy of war is the just war theory first articulated by the fourth-fifth century North African philosopher Saint Augustine and developed by later medieval philosophers, including Saint Thomas Aquinas. According to that theory, waging war is morally permissible if and only if seven conditions pertain.

The first condition is that the war must be declared legally by rightful authority. Second, the war must be pursued for a morally just cause. Next, the war must be undertaken with a morally permissible intention. This condition rules out waging war for reasons of greed, cruelty, mere vengeance, or hatred. The fourth requirement is that the just cause behind the war must be reasonably probable. This condition aspires to limit the unnecessary, purposeless slaughter of human lives. The fifth requirement is that war must be waged only as a last resort. While this condition cannot be taken literally—for nations almost always have one more available maneuver prior to declaring war—the principle requires that all reasonable efforts be made to resolve disputes peacefully before resorting to violence.

The sixth and seventh requirements concern the actual conduct of war. Any war must achieve a good that is greater than the amount of harm produced by military action. Finally, a war must be fought by means that are not inherently immoral. This condition precludes directly killing innocent people, inflicting more injuries than necessary, torturing people unjustifiably, and otherwise not undertaking actions that go beyond the immediate necessities of successful combat.

### Ethical Questions Posed by Just War Theory

- Is it possible to measure the benefits and devastation of war even though numerous elements of each are not comparable? For example, how can lives lost in present combat be weighed against future possible gains in liberty?
- Do the “rightful” authorities that are permitted to declare war include *all* legally established governments? Or, must such governments themselves be morally rightful authorities?
- Must the intentions animating declarations of war be entirely pure? Or, can they be mixed, so long as the primary intentions are morally permissible?
- Is it inherently wrong for a nation or a group of soldiers to fight for a just cause that is likely to be crushed by a more powerful and evil enemy?

### DOCTRINE OF DOUBLE EFFECT

Just war theory addresses two aspects of the justification of war: the reasons and causes for fighting (*jus ad bellum*) and the means used to secure military objectives (*jus in bello*). Even if a nation is morally justified in waging war it may be morally unjustified in the way it conducts the war. The doctrine, or principle, of double effect is sometimes invoked to justify means that may be morally troubling that are used to secure military objectives. According to this doctrine, acts that bring about foreseen evil effects, such as the deaths of innocent people, are morally permis-

sible if and only if those same acts also produce good effects that outweigh the bad ones. Such acts are not inherently immoral because the evil effects are not the means to the good effects, and only the good effects are intended.

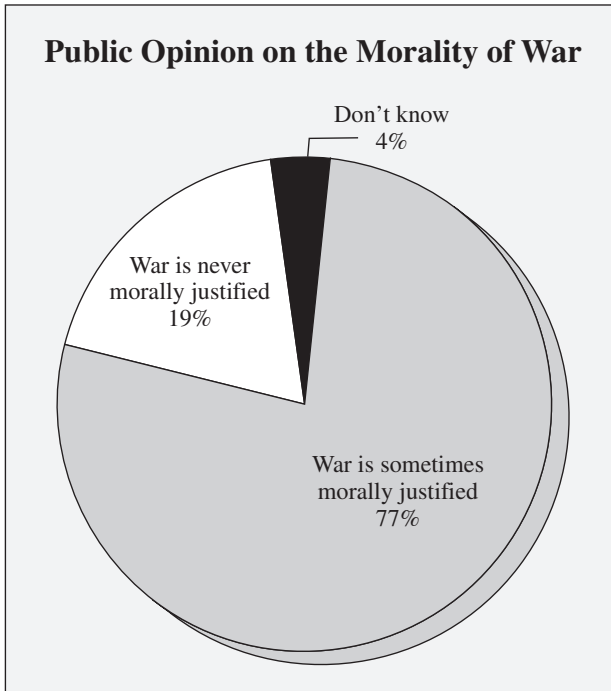
To understand this doctrine, suppose that a nation passes the conditions of just war theory pertaining to *jus ad bellum*. The nation decides to bomb its evil enemy even though its leaders foresee that their attack will kill people who are clearly innocent, such as children, people with mental disabilities, and civilians who oppose the wrongful objectives of their own leaders. At first view, the foreseen killing of innocent human beings contaminates the attacking nation in terms of *jus in bello*, even though the nation may be morally justified in waging war. The doctrine of double effect, however, justifies the bombing when all its conditions are fulfilled.

The doctrine of double effect, however, invites serious questions. Is it possibly truly to distinguish a combatant’s intentions when they are mixed? Is it not intuitively obvious that the more closely the two effects of the act—one focused on securing legitimate military objectives, the other centered on the foreseen killing of innocent human beings—are connected, the less plausible is the moral agent’s claim to intend one but not the other effect? Also, is it clear when the evil effects—for example, the killing of innocent human beings—are not the means to the good effects of attaining justified military goals?

### THE REALIST ARGUMENT

The seemingly insurmountable moral puzzles surrounding the waging and conduct of war lead some thinkers to conclude that moral theorizing is irrelevant in the context of military action. The realist argument claims that nations at war operate within a Hobbesian state of nature, a condition in which moral notions are unenforceable because no force is powerful enough to guarantee compliance. Moral notions bear currency only within civilized settings in which contractual promises are enforceable. Talk of neither fairness nor unfairness is coherent in a state of nature.

The realist argument tends to exaggerate the global conditions surrounding war. Numerous international treaties pertaining to the conduct of war affirm that talk of a state of nature is extravagant. Even during times of war, nations are not fully independent



Source: Roper Center for Public Opinion Research. Figures reflect responses of 1,032 adults surveyed by Pew Research Center in March, 2003.

of all other nations. World opinion still bears moral currency as some warring nations are praised and others are disparaged for their reasons for waging war and their use of means to attain military objectives. The realist argument would be persuasive only in a global moral vacuum in which all nations renounce all efforts to make moral distinctions. However, such a moral vacuum did not occur even during the waging of the two great world wars of the twentieth century.

#### THE ARGUMENT FROM INNOCENCE

Beginning from a Kantian premise that it is never morally permissible to kill innocent human beings directly, the argument from innocence holds that the use of certain modern weapons, such as nuclear arms, is morally impermissible. Noncombatants are nonthreatening bystanders to war and thus innocent people. The notion that it is morally impermissible to treat human beings as a mere means to one's ends is a generally accepted Kantian maxim. People may not treat others as less than they themselves are, regard them as mere instruments for their own purposes, or

disregard their moral status to achieve their own goals. If a state harms nonthreatening bystanders to achieve its legitimate military goals, it wrongfully uses those innocent people as mere means to its (rightful) ends. Accordingly, the use of modern weapons that have a high probability of killing numerous noncombatants is morally impermissible because such use foreseeably and directly exploits innocent people.

The argument from innocence places a limit on *jus in bello*. Those who advocate the use of modern weapons despite the fact that noncombatants will thereby be foreseeably harmed sometimes appeal to the doctrine of double effect. The loss of innocent lives is not directly intended, but only a foreseen, unavoidable side effect of attaining a justified military objective. Only the good effect is intended, and the death of innocent people is not the means to secure the good effect. All other conditions of the doctrine of double effect are also satisfied. Advocates of modern weapons point out the differences between intentionally and wrongfully using innocent persons as, for example, human shields against an enemy, and foreseeably and indirectly killing noncombatants as an unintended consequence of an otherwise legitimate military attack.

The argument from innocence bears considerable moral currency. However, it must refine its notion of innocence. The combatant/noncombatant distinction is too crude. Not all combatants are soldiers by choice, while numerous noncombatants directly support the war efforts of their national leaders through the work they do, their advocacy of war, and money they give to their governments. Moreover, the argument from innocence resists all appeals to consequences. What if foreseeably and indirectly, or even directly, killing a few noncombatants might result in a faster ending of a war than otherwise available, in favor of a just cause that would lessen the number of overall war casualties?

#### PACIFISM

Some thinkers, such as the philosopher Robert Holmes, use the argument from innocence to conclude that all modern wars are presumptively immoral because they invariably and foreseeably result in the direct killing of numerous innocent people.

Holmes denies a sharp distinction between *jus ad bellum* and *jus in bello*. He argues that it is not possible morally to assess the justice of waging war in isolation from the inevitable means used to conduct modern wars.

Holmes understands the fragility of identifying the wrongfulness of war with the killing of noncombatants. Instead of stressing combatant/noncombatant distinctions, he advances innocent/noninnocent distinctions. People are innocent to the degree that they lack responsibility for wrongful aggression. Most initiators of wrongdoing, such as governmental leaders, and some agents of wrongdoing, such as military commanders and combat soldiers, are noninnocents because they are morally responsible for wrongful aggression. Some contributors to war efforts, such as munitions workers, military researchers, and taxpayers, and some who otherwise approve of the war are less morally responsible for wrongful aggression,

but are not clearly innocents. Clearly innocent are noncontributors to, and nonsupporters of, the wrongdoing such as young children, the insane, and active opponents of the war who refuse to pay taxes or are jailed for refusing induction into the armed forces.

In assessing these categories, one should pay special attention to the enormous social pressures upon citizens deciding whether to consent to their nations' military actions. Citizens are inclined to support their governments because of their habits of obedience to their governments, the psychological forces of patriotism, the moral investments they typically make in their nations, the misinformation and limitations on information typically provided to them by their governments, and, very often, fears that opposition to official policies will bring governmental and social retaliation.

Holmes argues that even a wrongfully aggressive nation—one that is deficient from the vantage point

Image not available

*Children take shelter under a makeshift bomb shelter in a Karen refugee camp, into which guerilla allies of Myanmar's military government began firing mortar rounds in early 1998. As in other civil wars around the world, children endured a disproportionate amount of the suffering. (AP/Wide World Photos)*



of *jus ad bellum*—includes numerous innocent people. At least some of those people will necessarily be killed in modern warfare, regardless of the intentions and motivations of the opposing sides. A morally righteous nation, for example, cannot be expected adequately to distinguish innocent from noninnocent members of its enemy. Moreover, the killing done by the wrongfully aggressive nation is the killing of innocents because it involves killing those who have done no wrong relative to the war. The morally righteous nation, presumably, contains only innocent people focused on morally permissible self-defense.

Virtually all members of a morally righteous side and many members of the wrongfully aggressive side can be considered innocent people. Given the inability of opposing sides clearly to distinguish innocent from noninnocent enemies, and given the nature of modern weapons, it is clear that waging modern war will inevitably kill innocent people. The impossibility of *jus in bello* destroys the possibility of *jus ad bellum*. Accordingly, modern war is presumptively wrong because it inevitably destroys innocent lives. As an antidote, Holmes champions nonviolent resistance as a way of life.

One might ask whether Holmes mistakenly reduces complex moral questions about the nature of war to only one of their components, the killing of innocent people. Does he take an unreasonably absolutist position on the notion that killing innocent people is always wrong? Is there a practical, less violent alternative to war when confronting wrongfully aggressive enemies? Moreover, is it possible that even innocent people might sometimes pose threats to the well-being of others that permit a right to self-defense? Finally, what would be the transition costs of moving to national pacifism?

#### WALZER'S ALTERNATIVE.

Michael Walzer, influenced by just war theory, offers an alternative to Holmes. He argues that the knowing, foreseeable, but merely incidental killing of noncombatant innocents of the aggressive nation is justified only when killing such people prevents the loss of a greater number of innocent lives; when such killing is done as a last resort; when the killers minimize the evil involved, including the manner and

number of killings; and when the killers accept reasonable risks and costs to themselves in minimizing the evil. If successful, Walzer's alternative permits at least the theoretical possibility that a morally righteous nation could fulfill the standards of both *jus ad bellum* and *jus in bello*.

Raymond Angelo Belliotti

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SEE ALSO: *Art of War, The*; Chemical warfare; Geneva conventions; Holy war; Just war theory; Limited war; Military ethics; *On War*; Peacekeeping missions; Scorched-earth policies; Unconditional surrender; Vietnam War.

## War crimes trials

**DEFINITION:** International tribunals convened to try persons responsible for genocide and other gross violations of human rights during military conflicts

**DATE:** First trial began in 1945

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Trying war criminals for their acts has developed into an important way to confront and perhaps deter some of the worst atrocities of war, but the ethics of war crime trials themselves have been challenged.

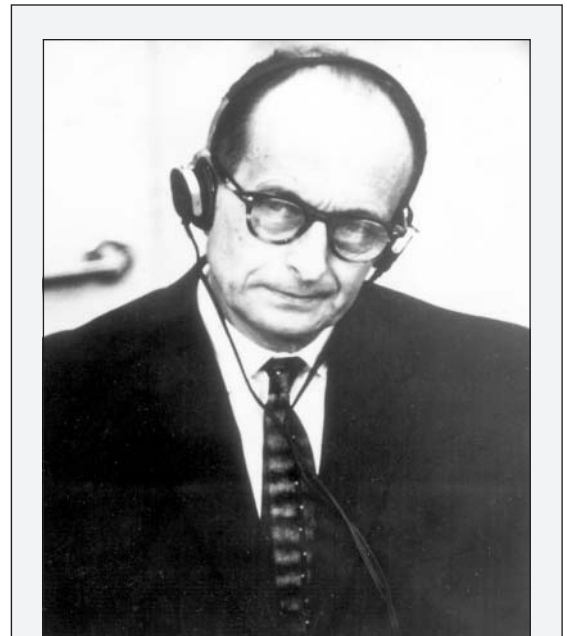
The idea of crimes of war and the legal prosecution of war criminals have had a brief and troubled history. Traditionally, moral and legal sanctions have been considered out of place in times of war, in which the rape and murder of innocents has been considered standard practice—and, in some eras, regarded as spoils of war—and thus beyond the boundaries of law. While it is true that since antiquity ethical objections have occasionally been raised about the conduct of war, only during the twentieth century did individuals begin to face criminal trials and punishment for their deeds.

The first major war crimes trials were in Nuremberg, Germany, and Tokyo, Japan, to try Axis leaders after World War II. After a five-decade silence during the ensuing Cold War, war crime trials returned in the wake of mass atrocities in Yugoslavia and Rwanda. Further, the International Criminal Court, which was established in The Hague in 2002, has the authority to prosecute war criminals who fall under its jurisdiction.

The laws of war crimes originate primarily through two series of treaties: The Hague Conventions of 1899 and 1907 and the Geneva Conventions of 1949. These collected treaties, along with other treaties, United Nations conventions, and precedents set by the post-World War II trials, established a framework for defining which acts are permissible in wartime and which merit prosecution. Among the war crimes that merit consideration for prosecution are waging aggressive warfare, genocide, deliberately targeting civilians, mistreating prisoners of war, and using such banned weapons as chemical and biological agents.

Numerous ethical and moral issues arise from war crime trials. Many observers have questioned the ap-

propriateness of trials for acts carried out under the stresses of war. They argue that the concept of the trials represents a civilian bias against the horrible military necessities of war. Others have wondered whether criminal trials for war crimes can ever be fair, as the trials usually lack objective courts, and their verdicts resemble punishments inflicted by victors on the vanquished. This criticism has led to charges of “victor’s justice” and a lingering bitter-



(Library of Congress)

### Adolf Eichmann

One of Nazi Germany’s bloodiest war criminals, Adolf Eichmann was responsible for sending millions of people to extermination camps during World War II. After escaping from Allied troops when the war ended, he fled to Italy and eventually settled in Argentina, where he assumed the name “Ricardo Klement” and lived quietly as a Buenos Aires factory worker. In 1960, agents of the Israeli Security Service found him and brought him to Israel, where he was tried for his war crimes in a sensational tribunal that was televised around the world. He was found guilty and hanged in Israel on May 31, 1962.

ness over some of the trials. Some would argue that it would be better to have a postwar amnesty, or even summary executions of enemy leaders, than apply peacetime civilian notions of right and wrong to the horrors of war.

Traditionally, theories of criminal justice have implied that punishments are somehow equal to the crimes for which they are inflicted, that punishments somehow restore the moral balance that the criminals have disrupted, and that punishment puts things “right.” However, in cases in which criminals have taken hundreds or thousands or even millions of lives, it is difficult to imagine how punishing a few individual criminals—no matter how harshly—can provide satisfaction for the victims.

*Aaron Fichtelberg*

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SEE ALSO: Concentration camps; Geneva conventions; Hitler, Adolf; Holocaust; International Criminal Court; International law; Kosovo; Nuremberg Trials; Rwanda genocide.

## **Warranties and guarantees**

**DEFINITION:** Assurances made by manufacturers or dealers to consumers that if the products or services they sell fail to meet certain standards, they will repair or replace the goods or otherwise compensate buyers

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** In modern society, warranties and guarantees represent legally binding contracts between manufacturers and consumers. Ethical issues relating to warranties include consumer fraud (a consumer may pretend that a product had a defect when it was really damaged through care-

lessness), evasion of duty (a company may pretend that damage resulted from consumer carelessness rather than defect), and the proper calculation of a fair and reasonable warranty period.

The terms “guarantee” and “warranty” are virtually synonymous in their marketplace meanings. Laws in the United States generally use the term “warranty,” while “guarantee” is perhaps more common in everyday speech. Both terms imply some sort of assurance of quality or standards to the buyer of a product or service. Sellers of products have probably always offered some form of guarantee, if nothing more than their reputation. During the Middle Ages, guilds for various professions set standards for the training and qualifications of their members. This could be considered to be the first formal type of guarantee.

#### **FORMS OF WARRANTIES**

Product warranties can take the form of written or oral statements. Some warranties are implied and are in force even though they are not directly communicated from seller to buyer. Sellers have some protection, in that they can specify that products are warranted only for “reasonable use” or can attach warnings that products are not suited for particular uses. Many product liability lawsuits hinge on the meaning of “reasonable use” and whether a product is as safe as could reasonably have been expected.

In the United States, written warranties are covered by the Magnuson-Moss Warranty Act of 1975. According to the provisions of that act, a warranty must describe the specific coverage offered and what the purchaser of a product has to do to obtain it, as well as what the warrantor must do to remedy a problem. Prior to passage of the act, a warranty could be used to limit the seller’s responsibility to what was stated on the warranty, thus breaking some reasonable expectations on the part of the buyer. The act states that warranties must be available in writing and must be available for purchasers to read before a purchase is made.

The Magnuson-Moss Warranty Act specifies two types of implied warranties that almost always are in force even though they are not stated in a seller’s written warranty. In most cases, sellers are not able to release themselves from these implied warranties. The implied warranty of merchantability states that the product or service is suited for ordinary use. The

implied warranty of fitness for a particular purpose states that sellers are responsible for providing correct information regarding particular uses to which a buyer might put a product. Sellers in this case represent themselves as experts whom consumers can trust for advice. For example, a consumer might tell a vacuum-cleaner salesperson what types of carpets the vacuum cleaner is being purchased to clean. The salesperson then would make a recommendation based on this information. The consumer has a right to expect that the vacuum cleaner will perform, even if the use to which it is put is not ordinary.

Warranties can be either full or limited. The Magnuson-Moss Warranty Act states conditions that must be met for a warranty to be labeled as "full." Limited warranties restrict the promises made by sellers. They can include clauses calling for payment of labor charges by the purchaser, reinstallation charges, or pro-rata refunds based on how long the product had been in use.

Many warranties apply only to new products. Consumers have less protection when they buy used goods, particularly if the goods are specifically sold "as is." Implied warranties most often do not apply to such sales.

### ETHICAL IMPLICATIONS

Warranties and guarantees protect consumers both from unscrupulous behavior and from unanticipated consequences. An honest seller may unintentionally sell a defective product. His or her guarantee to the purchaser may be a simple oral statement that the product can be returned if it is defective. It may also take a formal contractual form. In either case, buyers face little risk when dealing with honest sellers.

Written warranties protect consumers from sellers who misrepresent their products, perhaps lying about the characteristics or expected performance of the product or about what the sellers will do to remedy defects or other consumer dissatisfaction. In the absence of enforceable warranties, sellers would be able to make any claims about their products, and consumers would have no way of making judgments other than basing them on the reputation of the seller. Unscrupulous sellers could then make sales based on exaggerated claims, then refuse to back those claims. The marketplace might even offer an incentive for such behavior, since consumers would be drawn to products for which exaggerated claims had been

made, at least until the sellers' dishonesty had been established.

Warranties thus provide protection against dishonest marketplace behavior. They serve to make marketplaces more efficient, because consumers can be more certain of the information provided to them rather than having to rely on reputation. Warranties also increase the rewards to honest sellers, who are not faced with dishonest competitors who can make sales through false claims about their products. Warranties thus serve to enforce and reward ethical behavior.

A. J. Sobczak

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SEE ALSO: Business ethics; Consumerism; Product safety and liability; Sales ethics.

## Washington, Booker T.

IDENTIFICATION: American educator  
 BORN: April 5, 1856, Hale's Ford, Virginia  
 DIED: November 14, 1915, Tuskegee, Alabama  
 TYPE OF ETHICS: Race and ethnicity  
 SIGNIFICANCE: Washington was the founder and principal of Tuskegee Normal and Industrial Institute and author of *Up from Slavery* (1901). He



interpreted human actions by utilitarian and pragmatic principles, focusing on their results rather than their motives.

Booker T. Washington's ethical position is set against the cultural, political, and societal forces of the late nineteenth and early twentieth centuries. His life corresponded with the Reconstruction years and their aftermath, when the South was adjusting to the post-Civil War trauma. The United States was emerging as a powerful industrial nation, and few restraints had been placed on economic competition. The era was dominated by industrialists who amassed great wealth through hard work and shrewd business practices. Some of the wealth, however, was diverted to select philanthropic causes.

By 1881, when Washington became principal of the Tuskegee Normal and Industrial Institute, the status of African Americans, particularly in the South, had eroded. Jim Crow laws, supporting racially discriminatory practices, proliferated. There was grow-

ing support in all sections of the country for disenfranchisement. The U.S. Supreme Court, in 1883, overturned that portion of the 1875 Civil Rights Act that had prohibited racial discrimination in the public sector. In 1896, the Court held in *Plessy v. Ferguson* that "separate but equal" public facilities were constitutional. In this context, Washington lived and developed his ethical and social views.

#### THE INTERNATIONAL EXPOSITION ADDRESS

Washington's speech at an exposition in Atlanta, Georgia, on September 18, 1895, established him as a spokesperson for many African Americans, those he called the "masses of my race." The speech summarized his position on race relations, and it found an enthusiastic audience, especially among white listeners. Thereafter, he was in great demand as a speaker and a national symbol for his race, being publicly recognized by presidents William McKinley, Theodore Roosevelt, and William Howard Taft as well as Queen Victoria of England.

In his Atlanta address, Washington proposed a compromise through which demands for full political and civil rights of African Americans would be exchanged for a share in the economic benefits that were expected to arise out of industrial development in the South. Instead of appealing for political power and recognition, he urged African Americans to establish respect by developing marketable vocational skills. He asserted that prosperity would come "in proportion as we learn to dignify and glorify common labor and put brains and skills into the common occupations of life." Without confrontation and with practical skills, African Americans could present themselves as law-abiding and nonoffensive citizens so that the social standards of the South would not be challenged.

In a separate-but-equal appeal, Washington found a willing audience when he said, "In all things purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress." Social equality was rejected in exchange for "material prosperity [which] will bring into our beloved South a new heaven and a new earth." Later, when he proposed greater economic cooperation between the races, he was reminded by the white



Booker T. Washington. (Library of Congress)



establishment that even business relationships were social and therefore should be treated as separate. His correspondence, however, reveals that Washington was secretly working to combat disenfranchisement and segregation.

Although Washington's Atlanta address brought him praise and fame as a nonthreatening voice for African Americans, he was never able to move significantly from the compromise position he had so convincingly established in the speech. Strong opposition to his philosophy of accommodation was vocalized by W. E. B. Du Bois, founder of the Niagara Movement, and, later, executive secretary of the National Association for the Advancement of Colored People. Du Bois was a staunch advocate of full social, civil, political, and economic opportunities and recognition for all African Americans.

#### UP FROM SLAVERY

Since there was widespread interest in Washington's life, his 1901 autobiography presented the story of his rise from slavery, his diligent effort to receive an education, particularly at Hampton Institute, and his ensuing dedication to the development of Tuskegee and his race.

His story became a sacred text for many of his readers, and he was regarded as a hero, even a messianic figure. The autobiography was widely translated and was read in Africa, Asia, and Europe. Some regarded his story as an inspirational example of success against great odds, but others saw it as a safe statement intended for a white audience. Washington saw himself, however, as a moral leader who was capable of guiding both races to a new level of racial justice. He verbalized the traditional views of American society toward nonwhites, presenting an uncomplicated and childlike image of African Americans.

#### ETHICAL IMPLICATIONS

Washington's strategy was both utilitarian and pragmatic. His prevailing view was that economic success was the key to success in other areas of life. He was convinced that manual labor brought dignity and self-esteem. He wanted to send each of his graduates into society "feeling and knowing that labor is dignified and beautiful." Success came as a result of using practical principles to meet racial goals. Although some of his critics insisted that he was perpetuating a caste system, he insisted that industrial, vo-

catational, and agricultural education were morally valuable. He strongly believed that it was the duty of an African American "to deport himself modestly in regard to political claims, depending upon the slow but sure influences that proceed from the possession of property, intelligence, and high character for the full recognition of his political rights." Washington's pragmatic approach deemphasized claims to inherent rights.

At the conclusion of his autobiography, although he was optimistic about the future, Washington recognized that there was an ongoing struggle "in the hearts of both southern white people and their former slaves to free themselves from racial prejudice." Washington left no successor to guide the Tuskegee enterprise, and because his dreams were rooted in the past, his influence on the resolution of twentieth century racial complexities was marginal.

Coleman C. Markham

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SEE ALSO: Civil rights and liberties; Discrimination; Du Bois, W. E. B.; National Association for the Advancement of Colored People; Pragmatism; Segregation; Utilitarianism.

## Watergate scandal

**THE EVENT:** Burglary of Democratic presidential campaign headquarters by agents working for Republican incumbent president Richard M. Nixon

**DATE:** June 17, 1972

**TYPE OF ETHICS:** Politico-economic ethics

**SIGNIFICANCE:** The Watergate break-in scandalized the American people and caused them to question the ethics of all politicians and the fairness of the electoral process. It provided the national vernacular with a new suffix, “-gate,” which has since adorned several major political scandals, such as “Irrigate,” “Whitewatergate,” and “Debategate.”

In early 1972, on behalf of President Richard M. Nixon’s reelection campaign, a group of so-called “plumbers” broke into the Democratic national headquarters, which was located in the Watergate complex in Washington. They photographed various documents and “bugged,” or tapped, the phone lines. Later, the plumbers broke in again to photograph more material, but the second time they were caught by an observant security guard.

Although the Watergate crisis seemed to drag on forever, eventually some of the truth finally came out in the courts and in the U.S. Senate Watergate hearings; the crusading newspapermen Bob Woodward and Carl Bernstein managed to learn some of the truth because they would not give up on the story. Eventually, investigators learned that President Nixon had approved of the Watergate break-in.

Many people who were linked to the break-in served terms in prison, including several high-ranking Nixon associates. After Nixon was pardoned by Gerald Ford, the public’s esteem for politicians (most of them lawyers) fell to an all-time low.

*James Smallwood*

SEE ALSO: Corruption; Freedom of Information Act; Pentagon Papers; Political realism; Politics; Private vs. public morality; Truth.

## Weakness of will

**DEFINITION:** Inability to act on what one knows to be the best course of action

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Weakness of will creates questions not only in ethics and generally in philosophy of mind about the notion of rational action, but also in economics and psychology about the notions of rational choice and cognition.

To act deliberately against one’s better judgment is to fall prey to weakness of will in action. This is also known as incontinence, or *akrasia*, in its Greek form. Adam and Eve of the Bible knew that they ought not to eat the forbidden fruit but ate it all the same. Their behavior is an example of what the Roman poet Ovid called seeing and approving the better course and yet following the worse course. Similar experiences are well known to those who wish to give up bad habits but yield to temptation. Since the time of the early Greek Plato, philosophers have been interested in this phenomenon as a problem in morality. They ask questions such as, What leads a rational person to perform an action he or she believes to be wrong? However, the difficulty posed by such questions goes beyond morality by focusing attention on the very idea of rational action.

Rational actions are not those that deserve praise for their intelligence or logicity, but those that are rational in the light of their agents’ beliefs, desires, and intentions—the ingredients of what are thought to be an agent’s reasons. According to the principles of rational agency, insofar as an agent regards one of two courses of action as better, then that agent wants most to do that which is better and will in fact do it. However, according to this conception of rational agency, weakness of will is impossible, since an incontinent agent does something intentionally while believing there to be another available course of action which, all things considered, the agent deems as genuinely better. Few instances are needed to show

that *akrasia*, far from being impossible, is commonplace in people's lives.

Weakness of will is, therefore, a form of inconsistency, since the agents' actions are not of the kind specified in their practical reasoning. However, inconsistency is itself a form of irrationality, and, thus, *akrasia* is a type of irrationality. It is an irrationality that at least involves an evaluative inconsistency between one's judgment about what is best to do and what one actually does.

There is no universally agreed approach to the problem of incontinence, and intuitions vary on its source and solution. However, there is a consensus that the phenomenon poses problems in general conceptions of what it is to act for reasons, thus creating a scope that straddles the frontiers between philosophy, psychology, and economics. As a kind of irrationality, incontinence has interested economists because of its impact on the rationality/irrationality of human choices and deliberations. Many issues in psychology are also germane. Those most closely allied with weakness of will include compulsiveness, self-deception, unconscious motivation, and the possibility of dividing the human mind into a multiplicity of interacting subsystems. Generally, the problem highlights the complexity of mind and its activities.

*Majid Amini*

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SEE ALSO: Consistency; Good, the; Kant, Immanuel; Morality; Nietzsche, Friedrich; Temptation; Will.

## Weapons research

**DEFINITION:** Investigation and experimentation to develop more effective means of waging war

**TYPE OF ETHICS:** Military ethics

**SIGNIFICANCE:** Perhaps more than any other branch of science, weapons research raises the question of the ethical relationship between theory and practice. In other words, when new forms of weaponry are used on the battlefield, does the re-

sponsibility for the effects of those weapons lie with their inventors, or does it lie only with their wielders?

The ethical stance used to justify research into developing more efficient weapon systems is nearly the same as that used to justify standing military forces—defense. The theory is that a society with a well-trained and well-equipped military force is the one best prepared to defend itself from outside aggression. Historically, the most efficient means to promote a military force's victory is to provide it with quality leadership and supply it with weapon systems superior to those of the adversary. Traditionally, any participation in the defense of one's nation and its people is seen as a moral, noble, and patriotic act. These reasons often motivate members of the scientific community to participate in defense projects in much the same way that they inspire other people to enter diplomatic or military service.

#### ETHICAL JUSTIFICATIONS

Ethical justification for any defense-oriented service to one's nation is readily accepted if the motivating force is to provide protection of way of life, family, sovereignty, territorial integrity, political agenda, or philosophical belief. On occasion, however, the missions of defensive weapons have been redefined or new weapons have been sought for purely offensive purposes in order to foster a society's political, territorial, or philosophical agenda. While the use of such weapons may be ethically and morally justified by those seeking to expand their political or philosophical influence, these weapons present many science professionals with an ethical dilemma involving their personal beliefs and the demands of their vocation: Do their personal or professional ethics conflict with the research that society demands of them, and if so, should they withhold their expertise and skills, or should they set aside personal beliefs and allow the ends to justify the means?

In an idealistic world, science professionals would work only on projects that conformed to their personal ethical standards. As a community, science professionals abide by a code of ethics governing scientific methodology, and adherence to this code influences their dedication, discipline, and loyalty in the pursuit of scientific goals. As individuals, however, science professionals are like all other citizens

in that they are members of society and by their choice of vocation have become providers of unique services to that society: They are educators, inventors, engineers, physicians, explorers, and theoretical and applied researchers in all fields. For this reason, science professionals have been asked throughout history to help solve problems for humanity. In most instances, society's requests of science pose little ethical difficulty: finding cures for disease, improving crop yields, designing safe products.

Another of society's requests, however, is that science professionals commit their knowledge and skills to aid in the defense of their society. As a result, many scientific discoveries are transformed into weapons systems providing more effective means for nations to defend themselves. Intellectually, science professionals participating in weapons research projects know that their work, if used, may cause the death of other living things, but this knowledge is complicated by a paradox: Technologies specifically developed for weapon systems have resulted in products that improve the quality of life, and, conversely, research done for totally benign purposes has resulted in very effective weapons.

Some examples are lasers, whose use has revolutionized both medical surgery and the delivery of explosive ordnance; computer systems that speed computations and communication yet also control weapons systems; materials research that provides energy savings, durability, and protection in commercial packaging as well as for armored vehicles; and aircraft designs that improve the performance of both civilian and military aircraft. The multiple uses of modern technologies make it nearly impossible to predict their long-term applications.

### ETHICAL CODES OF PROFESSIONALS

Science professionals understand that the specialized educations and skills that they possess do not come with an inherent moral or ethical code, and each time they consider participating in a research project, their decision to participate or not is based on their perception of the research's possible ramifications. Each individual's choice may be influenced by theological beliefs, personal values, professional agendas, political motives, emotions, patriotism, or societal demands. These personal values have influenced many science professionals to turn away from all weapons research.

After World War II, many scientists and engineers, appalled by the massive civilian casualties resulting from the uncontrollable destructive force of tactical nuclear weapons, refused to continue working on weapons research. Other science professionals, who are opposed to the use of tactical nuclear weapons but aware of their society's defensive needs, have chosen to engage in "smart bomb" research, designing nonnuclear explosive ordnance that can be directed to point-specific military targets with minimal danger to civilian noncombatants.

Science professionals understand that the discoveries, inventions, and technologies that arise from their scientific inquiries are in themselves amoral. They view their input in the development and perfecting of new weapon technologies as something quite separate from the production and use of these technologies. Science and military professionals do not operate with *carte blanche* in the field of weapons research. It is society and its representatives, based on their interpretation of perceived threats, that establish a weapons research agenda. Society utilizes the services of science and military professionals to ensure that its defense agenda is fulfilled. It is also society that instructs these professionals to use weapon systems to make war. All too often, society proves reluctant to accept the ethical burdens and responsibilities resulting from war, and science and military professionals find themselves blamed for the efficiency with which they have carried out the will of their nation.

*Randall L. Milstein*

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SEE ALSO: Atom bomb; Industrial research; Manhattan Project; Military ethics; Nuclear arms race; Nuclear energy; Science; Technology; War.

## Weber, Max

IDENTIFICATION: German sociologist

BORN: April 21, 1864, Erfurt, Prussia (now in Germany)

DIED: June 14, 1920, Munich, Germany

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Weber was one of the most prominent social scientists of the early twentieth century. His *The Protestant Ethic and the Spirit of Capitalism* (*Die protestantische Ethik und der Geist des Kapitalismus*, 1904-1905) explored the ways in which Protestant religious and ethical beliefs influenced the development of modern capitalism.

Weber is considered to be one of the founders of modern social science. His intellectual achievement reflected extraordinary breadth, including original studies of economy and law, social structure, comparative civilizations, and methods of the social sciences. He is best known for *The Protestant Ethic and the Spirit of Capitalism*, in which he analyzed human motives—that is, beliefs and values determining action—in the development of capitalism and concluded that certain religious beliefs could be linked to economic trends.

The Calvinist doctrine of predestination held that God had singled out humans before their births either to be saved by grace or to be damned. The uncertainty of not knowing whether believers were saved or damned prompted them to exhibit controlled and methodical conduct in the pursuit of their worldly calling, which Weber called “inner-worldly asceticism.” Many Calvinists came to regard economic success, including the accumulation of capital, as a possible sign of God’s grace and salvation, which often had been achieved by abstinence from “unnecessary”



Max Weber. (Library of Congress)

consumption, leading to savings and reinvestment in economic growth. Weber did not deny that other material and psychological factors were conducive to the development of capitalism, but he pointed out that never before the advent of capitalism had religious beliefs viewed economic success as a sign of God’s grace.

In studies of world religions, Weber attempted to explain how religious beliefs shaped a people’s social and political institutions and economic activities. He argued, for example, that in Confucianism and Hinduism particular doctrines inhibited economic advance under conditions that were otherwise favorable to economic pursuit. Such a finding, he hoped, would make more convincing the uniqueness of religious and ethical factors in the development of Western European capitalism.

*George P. Blum*

SEE ALSO: Calvin, John; Capitalism; Economics; Luther, Martin; Marxism.



## Welfare programs

**DEFINITION:** Publicly funded, state-run distribution of money or material resources to those in need

**TYPE OF ETHICS:** Human rights

**SIGNIFICANCE:** Welfare programs are designed to ensure that all members of a given society enjoy a minimum standard of living. They raise theoretical issues about the responsibility of the state toward its citizens and the responsibility of individuals to support themselves, as well as practical concerns about the liability of welfare systems to fraudulent claims and their tendency to motivate people to remain unemployed or otherwise dependent on the state.

One of the first compulsory national programs of social insurance was instituted in Austria in 1854, but societies have always recognized responsibilities to less fortunate members. Welfare programs simply institutionalize society's responses to the various problems that individuals face.

### PRIVATE VS. PUBLIC PROGRAMS

Many of the tasks of national or state welfare programs have been, and still are, performed by smaller groups. Many families care for their sick, old, or unemployed members. In other cases, individuals form voluntary organizations to protect their standards of living. Insurance companies and mutual aid societies are examples of individuals agreeing to provide for others in exchange for a guarantee that they will be provided for if necessary. Governments step in when families or other larger groups are unwilling to or cannot provide what is deemed to be an adequate standard of living.

Private systems of contracting sometimes break down, or the scale of programs becomes so large that government provision becomes the least costly means of delivery. In other cases, society may declare that a condition is desirable, in opposition to individuals. One example concerns child labor and education. Poor families may decide that having a child work and provide an income is preferable to having the child become educated. Society as a whole may enforce education and prohibit child labor, both for the children's immediate good and to break a cycle of poverty in which uneducated children grow up unable to earn a living.

### TYPES OF WELFARE

The most basic welfare programs provide cash grants so that recipients can buy what they need. Concerned that welfare recipients may make poor choices, welfare providers sometimes provide goods "in kind"; for example, food stamps and housing vouchers that can be used only for those specific goods or services. These restrictions on welfare are sometimes justified on the basis of the argument that the adult direct recipients of welfare may not, in the absence of restrictions, pass on benefits to indirect recipients such as children.

Welfare programs correct a variety of individual problems. People may be unable to work because of illness or injury, or simply because they cannot find jobs. They may have the responsibility of caring for someone else. Perhaps society deems that people above a certain age should not have to work. In any of these cases, welfare programs may provide income to take the place of wages or salaries.

Programs can also provide particular goods and services. Provision of food, housing, health care, and education is common. Health care and education programs have become so institutionalized that many people do not consider them to be welfare. In many cases, however, these services are provided to consumers at a price lower than would exist in a free, competitive market.

### INTERNATIONAL COMPARISONS

Typically, the countries of Western Europe have the most extensive welfare systems. Great Britain, for example, has a national health care system. Several Western European countries provide widespread housing allowances. Switzerland went so far as to provide that local governments would plant rose-bushes on graves if the friends or relatives of the deceased were unwilling or unable to do so. Clearly, different governments have differing definitions of an adequate standard of living and how far government should go to provide it. It is not uncommon for a Western European government to spend 20 percent or more of its gross national product on welfare programs. Much of this spending takes the place of private spending, as in the case of housing allowances, but the figure still illustrates a deep commitment to social welfare.

In less developed countries, an adequate standard of living may mean simply having enough food to

avoid starvation. These countries cannot afford to set higher standards, even though such standards obviously are desirable. Some of the wealthier countries therefore have extended welfare programs to encompass foreign aid.

### ETHICAL ISSUES

Ethical issues arise regarding both the acceptance and the provision of welfare. Acceptance of welfare implies a moral choice. Numerous cases exist in which people have abused welfare systems by claiming benefits for which they have no true need, perhaps choosing not to work when they are able and when jobs exist. Some programs insist that able-bodied welfare recipients either work or enroll in training programs to enhance their job skills.

Welfare providers must make choices. Money spent to achieve one standard of living cannot be spent on another goal, and money spent on one family cannot be spent on another. Some system of priorities therefore is necessary. A further trade-off is that money spent on welfare programs cannot be spent on other types of programs such as national defense or research. Finally, money given to one person must be taken from someone else. Governments must decide how much redistribution is equitable and must be concerned that taking money from those who work discourages them from working.

A different set of issues concerns the goals of welfare programs. An obvious goal is ensuring that individuals achieve a minimum standard of living. Means of achieving that goal, however, differ in their consequences. Providing aid to someone, for example, may destroy private initiative. People may become dependent on welfare. Rules of welfare programs may also instigate a "cycle of poverty" in which children raised on welfare learn the rules of that system but do not learn how to earn a living on their own. Welfare rules that provide extra payments to families may encourage women to have children, thus locking them in to child care and dependence on the welfare system. Welfare planners must consider such unintended consequences.

*A. J. Sobczak*

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SEE ALSO: Altruism; Entitlements; Generosity; Homeless care; Hunger; Social justice and responsibility; Utilitarianism; Welfare rights.

## Welfare rights

**DEFINITION:** Legitimate claim of all persons, regardless of status, to the basic economic resources needed to maintain well-being

**TYPE OF ETHICS:** Human rights; Politico-economic ethics; Religious ethics

**SIGNIFICANCE:** The principle of welfare rights is central to many modern arguments about the nature and scope of justice and human rights.

In traditional (precapitalist) societies, persons recognized a mutual obligation to meet the essential economic needs of all other members of the community. This obligation is asserted in Judaism, Christianity, Islam, Hinduism, Buddhism, Daoism, and Confucianism. In African and Native American traditions, moral development was demonstrated by giving away personal wealth during festivals. All these various traditions operated with a kinship model of ethics (in which all members of the community are to be treated as family). As these traditions developed, their morality was universalized so that all humanity

was to be regarded as family. Based on these religious foundations, peasants in feudal societies retained certain economic rights (subsistence rights) vis-à-vis the nobility. The modern concept of welfare rights draws on this earlier, highly developed concept of community obligation.

### MODERN HISTORY

The rise of industrial capitalism in the nineteenth century destroyed the earlier model. Modern individualism and laissez-faire economics separated the individual from the community and made survival dependent upon individual employment, effort, opportunity, and reward. In the process, poverty was reconceptualized as being self-caused and the poor were denigrated as being lazy and immoral. Consequently, society renounced any moral obligation to help the poor. A distinction was drawn between the deserving poor (disabled and orphans) and the undeserving, but programs to help the poor became a matter of optional private charity, not of justice and social policy.

The right to accumulate unlimited personal wealth by almost any means, regardless of social cost, was given moral priority over meeting the needs of all persons in the community. In response, protest against the widespread harsh forms of poverty generated by capitalism developed. Recognizing that the primary causes of poverty were economic cycles of depression and unemployment, exploitation of workers, low wages, and lack of educational opportunity, socialist movements reasserted the right of all to basic economic security. Karl Marx proposed an economic system based on the following principle: "From each according to ability, to each according to need." Frightened by threats of socialist revolution and labor unrest, models of capitalism were proposed that included welfare rights, a guaranteed level of subsistence for all. A rudimentary welfare state was implemented in Germany in 1871.

This model gained influence during the 1930's in response to the Great Depression. U.S. president Franklin D. Roosevelt's New Deal incorporated many of the elements of the welfare state. The actual term "welfare state" was first employed in 1941 by British archbishop William Temple. Following World War II, most European nations adopted systems based on a recognition of welfare rights, which included health care, adequate diet and housing, and

guaranteed employment or a guaranteed minimum annual income for all. Such policies were endorsed by the United Nations Declaration on Human Rights (1948). The United States was one of the few developed nations to reject such rights.

The 1960's recognized the emergence of a new period of social activism on behalf of welfare rights. Socialist revolutions erupted in numerous developing nations. In the United States, George Wiley formed the National Welfare Rights Organization (NWRO) and Lyndon Johnson initiated the War on Poverty, expanding welfare programs. In 1966, the United Nations ratified the Covenant on Economic, Social, and Cultural Rights, giving universal validation to the concept of welfare rights. Welfare rights, however, continue to conflict with the basic premises of American individualism and laissez-faire economics.

The United States did not endorse the United Nations' covenant and during the 1980's began a conservative attack on welfare programs and welfare rights. Nineteenth century arguments against helping the poor and distinctions between the deserving and the undeserving were resurrected and used to shape social policy. The number of the poor and severity of their conditions increased dramatically. This attack was resisted by liberal religious groups that instituted programs to feed and house the poor. They also reaffirmed the centrality of the moral obligation to meet the needs of the poor. Third World liberation theologians and the U.S. Catholic Bishops' pastoral *Economic Justice for All* (1986) cite a "preferential option for the poor" that should inform all social policy. A similar concept is articulated by philosopher John Rawls in his earlier work *A Theory of Justice* (1971). The central issue remains the relative rights and obligations of persons in a community to one another.

### ETHICAL ARGUMENTS EMPLOYED

(1) Basic economic needs (food, shelter, education, health care) must be met, since they are necessary for survival and development. (2) All persons have equal worth. (For religious persons, all are created equal.) (3) Greed and personal pleasure are not sufficient reasons for depriving others of resources needed for human survival. (For religious persons, God created the world to benefit all.) (4) The primary causes of poverty are a function of chance (place of

birth, social location, innate capabilities, economic cycles). Therefore, there exists a moral obligation to meet the basic needs of others. (5) For religious persons, the primary moral requirement “Love your neighbor” obligates persons to meet others’ needs. (6) As part of a community that provides myriad benefits, members of the community have a moral obligation to ensure the economic subsistence of all other members. (7) Fulfilling welfare rights improves the quality of life for all by reducing crime, reducing class antagonisms and conflicts, and providing a healthy, well-educated workforce.

*Charles L. Kammer III*

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SEE ALSO: Capitalism; Economics; Homeless care; Human rights; Social justice and responsibility; Socialism; Universal Declaration of Human Rights; Welfare programs.

## Whistleblowing

**DEFINITION:** Publicly revealing, or reporting to appropriate authorities, that one’s employer is guilty of corporate or professional wrongdoing

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** Whistleblowing may violate both ethical values, such as loyalty and confidentiality, and specific legal requirements, such as nondisclosure agreements. It is generally defended, however, on the grounds that it serves the public interest and protects third parties from harm. Whistleblowing laws have been passed in many states to protect whistleblowers from corporate reprisals such as lawsuits, dismissal, or demotion.

Blowing the whistle on a person or activity is intended to bring to a halt some activity that will cause harm to the public. Since it is generally recognized that one should prevent harm to others if one can do so without causing great harm to oneself, whistleblowing would seem to be morally required. It is also generally recognized, however, that one should be loyal to one’s employers and professional colleagues. Since whistleblowing by an employee appears to breach this loyalty by reporting the harmful activity to those outside the organization, the employee who discovers misconduct is faced with a moral dilemma.

Some writers argue that such “ratting” on one’s employer is always wrong. Others argue that those who are willing to risk their futures to expose wrongdoing are heroes. Still others assess individual acts of whistleblowing by asking various questions: Have all the internal reporting channels been exhausted without results? Is the harm to the public without a report significantly greater than the harm to the organization with a report? What is the likelihood that the report will actually prevent the harm; that is, is the report believable and substantiatable?

*Ruth B. Heizer*

SEE ALSO: Business ethics; Confidentiality; Corporate responsibility; Corporate scandal; Loyalty; Obedience; Professional ethics.

## White-collar crime

**DEFINITION:** Criminal activity in the corporate, commercial, professional, and political arenas

**TYPE OF ETHICS:** Business and labor ethics

**SIGNIFICANCE:** The treatment of white-collar crime both by law enforcement officials and by the media raises fundamental issues of social justice and equal treatment under the law, since such crime is often under-prosecuted in comparison with similar crimes committed by working-class people.

White-collar crimes are distinguished by the fact that they most commonly take place at the workplace and involve activities related to otherwise legitimate occupations. In addition, white-collar criminals rarely use violence or weapons.

The lowest level of white-collar crime, and the one easiest to identify and prosecute, is employee theft, ranging from taking office supplies for non-work use to the theft of products intended for sale. Higher levels of white-collar crime typically involve manipulations of bookkeeping accounts or legal documents. These crimes are more difficult to trace, particularly as more records are kept in electronic form, with fewer “paper trails” to identify wrongdoing. A variation of this type of crime involves violating the terms of a business contract or law with the intent of earning a profit in a way not intended by the other contracting parties or by society. An example is insider trading, in which stock, bond, or commodity traders use information they have learned earlier than other traders in order to make a profit in their trading. This example points out a difficulty in prosecuting some white-collar crime: It is difficult to say what information is illegal to use, since financial markets are designed to reward those who make effective use of information. The lines of ethical and legal behavior are also difficult to draw in cases of political corruption; “constituent service” to one person might be considered to be political favoritism or graft to another.

A. J. Sobczak

**SEE ALSO:** Business ethics; Corporate responsibility; Corporate scandal; Corruption; “Everyone does it”; Fraud; Insider trading.

## Whitehead, Alfred North

**IDENTIFICATION:** English mathematician and philosopher

**BORN:** February 15, 1861, Ramsgate, Isle of Thanet, Kent, England

**DIED:** December 30, 1947, Cambridge, Massachusetts

**TYPE OF ETHICS:** Modern history

**SIGNIFICANCE:** In such works as *Science and the Modern World* (1925), *Religion in the Making* (1926), *Process and Reality: An Essay in Cosmology* (1929), *Symbolism: Its Meaning and Effect* (1927), and *Adventures of Ideas* (1933), Whitehead applied mathematical and scientific principles to philosophical ethics.

In 1924, at the age of sixty-three and nearing compulsory retirement at the Imperial College, London, Whitehead accepted an appointment to teach philosophy at Harvard University in Cambridge, Massachusetts. For the next thirteen years, he lectured and developed his metaphysics. Influenced by the thought of Henri Bergson and, at the same time, an erstwhile Platonist, Whitehead considered the requirements for an ethical society through an analysis of religion (*Religion in the Making*) and the fundamental requirements for a dynamic society (*Adventures of Ideas*). He argued that religion—realized only through profound human reflection—contributed to an ethical understanding of the relationship of the individual in society and the universe.

After earlier affiliations with Anglicanism and Roman Catholicism, Whitehead did not identify with any organized religion; he did not consider religion as a societal institution to be very meaningful. *Adventures of Ideas* constituted Whitehead’s most comprehensive statement of his philosophy and has been his most widely acclaimed and read book. Individual freedom required an ordered society; Whitehead was not sympathetic to anarchism, which frequently advanced values similar to his. Whitehead was concerned with the nature of beauty, art, and peace, predicated upon an ethics that recognized the fundamental primacy of the individual within the context of Western civilization.

William T. Walker

**SEE ALSO:** Bergson, Henri; Hartshorne, Charles; Idealist ethics; Plato; Platonic ethics; Russell, Bertrand.



## Wickedness

**DEFINITION:** Quality of desiring to do wrong for its own sake; evil

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** Wickedness, far more than vice, is the precise opposite of virtue. It is the positive valuation of evil as its own reward.

The problem of evil is an ancient problem in philosophy and religion. In religion, the problem consists in explaining why God, who is all good, can allow for evil in the world; in philosophy, the problem entails accounting for the motives that lead people to do evil things. Socrates, for example, denies that people are motivated to do evil; he claims that people are motivated to do what is good and that it is only from ignorance of what is good that people do evil. Thus, people do not knowingly do wrong. Others have taken a similar stance with respect to God, arguing that God does not allow for evil and that it is only the inadequate and finite human knowledge of God that leads people to think that evil exists. Both these responses to the problem of evil, therefore, simply deny the existence of evil. In the philosophical discussion that has surrounded the topic of wickedness, however, there has been an acceptance of the fact that evil does indeed exist; because of this acceptance, the problem of why people are wicked (the problem of evil) reappears with all its force.

In Immanuel Kant's article "Of the Indwelling of the Bad Principle Along with the Good" (1927), he argues that evil results when people are not properly motivated. By being properly motivated, Kant means that one should be motivated to act out of respect for the moral law (that is, universal moral principles), not from self-interest. It is when one's moral principles follow from one's self-interest, and not the other way around as it should be, that one can be wicked and evil. Despite this account of why people do evil, Kant nevertheless believes that evil actions are to be understood in the light of the good that motivates them—that is, the good as perceived in terms of self-interest rather than of the universal moral law. Kant consequently does not believe that people are ever wicked or do evil for the sake of wickedness or evil, and thus he is part of the tradition that denies the existence of evil as such.

Arthur Schopenhauer, in his book *The World as*

*Will and Representation* (1818), denies the traditional rejection of evil and sets forth the notion of "pure wickedness" as an act done solely for the sake of evil. Citing the character Iago from William Shakespeare's play *Othello*, Schopenhauer claims that people can be wicked because they derive disinterested pleasure from the suffering of others or because they are motivated to act by evil.

### TYPES OF WICKEDNESS

S. I. Benn has set forth a more detailed typology and discussion of wickedness in his article "Wickedness" (1985). Benn cites two ways in which one can be wicked: either one is wicked in pursuing what one perceives to be good, or one is wicked in acting for the sake of evil. Benn further divides the first class of wickedness into "self-centered," "conscientious," and "heteronomous" wickedness. With self-centered wickedness, one acts in order to promote the interests of oneself or one's family, company, or nation, but does so with a ruthless disregard for others. With conscientious wickedness, one believes that the good that one pursues is universally valid, not only valid for oneself, and pursues this good ruthlessly while excluding others. A Nazi, for example, may act according to a good that he or she believes to be universally valid, but will exclude others to the point of genocide. Heteronomous wickedness entails choosing to act according to another's principles—principles that can be seen to be evil.

The second class of wickedness that Benn discusses, acting for the sake of evil, corresponds to Schopenhauer's idea of "pure wickedness"; Benn labels it "malignity" or "unalloyed wickedness." In discussing this class of wickedness, Benn turns to the problem of evil: Why are people wicked if they are not motivated by self-interest or by something that is thought of as good? Benn's answer to this question consists largely of showing the inadequacy of attempts to subsume all evil actions under a motivation to do good; when it comes to stating why one would be motivated to do evil because it is evil, however, Benn for the most part avoids the issue.

The problem of why people are wicked, or why evil is pursued as an evil and not as a good, is the central theme of Mary Midgley's book *Wickedness: A Philosophical Essay* (1984). Midgley argues that wickedness cannot be explained by referring it to external, social causes or by denying it exists. Wicked-

ness, she argues, is a real potential that all people have. This potential results from what Midgley takes to be a perversion of natural hostilities and conflicts with others. Midgley claims that this perversion is not the same thing as Sigmund Freud's concept of the "death-instinct" (which is an instinct that serves to bring about death and destruction). People have motives that aim toward negative, destructive ends (such as eliminating enemies and threats), and the perversion of such motives leads to the pursuit of negative ends for their own sake. In short, this perversion entails doing something evil simply because it is evil; it is, as Midgley and others have understood it, wickedness.

Jeff Bell

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SEE ALSO: Cruelty; Evil; Fascism; Good, the; Kant, Immanuel; Kantian ethics; Schopenhauer, Arthur; Temptation; Virtue.

## Wiesel, Elie

IDENTIFICATION: Romanian-born author and rights activist

BORN: September 30, 1928, Sighet, Transylvania

TYPE OF ETHICS: Modern history

SIGNIFICANCE: Wiesel, an outstanding defender of human rights and a pioneer interpreter of the Shoah (Holocaust), is the author of *Night (Un di Velt hot geshvign, 1956)*, one of the most important and widely read memoirs of a concentration camp survivor. In that and other works, he explores ways in which the faith of Holocaust survivors can be used to help heal the post-Holocaust world. Wiesel was awarded the Nobel Peace Prize in 1986.

Image not available

*Elie Wiesel.* (Copyright *Washington Post*, reprinted by permission of the Washington, D.C., Public Library)

Elie Wiesel's writings have made him the messenger of the Jewish Holocaust dead and the prophetic muse of the post-Auschwitz age. This fact may explain why he wrote his first published memoir, *Night*, in Yiddish, the *lingua franca* of the murdered Jewish people, rather than in French, the language in which he wrote all of his other works. Wiesel writes masterfully, with a Kafkaesque pen, and his themes include pogroms, the destruction of the *shtetls* (Jewish villages), songs of mourning and exile, the madness of the Messiah, divine love and silence, and the guilt and obligation of survival, all of which are interwoven with threads of Hasidic tales, Kabbalistic mysticism, talmudic wisdom, and pietistic folklore.

Theologically, Wiesel's testimony is a continuous *Din Torah* (a disputation based on the judgment of the Torah) with God, who allowed Auschwitz to occur, and with radical dehumanization, the existence of which raises the possibility that the world is either not listening to or does not care about the lessons that can be learned from the Shoah. Wiesel has done more than anyone to establish "Holocaust" (a word that invokes images of fire and burnt offerings) as the accepted term for the Judeocide that occurred during World War II. Because the term is associated with the *akedah*, or "binding," of Isaac in the biblical story in which Abraham is tested and Isaac is victimized (Gen. 22), the use of the term permits Wiesel to question the intentions of God. This act of questioning does not diminish the paradox of the Shoah, but serves to make the issue more significant and more troubling, and therefore also more full of hope. Wiesel has strongly advocated that the specific lessons of the Shoah should never be lost. His eyewitness approach to the issue, which is rooted in the redemptive quality of memory, carries the message that one can survive with morality, a message that will appeal to all those who have suffered or will suffer.

*Zev Garber*

SEE ALSO: Anti-Semitism; Concentration camps; Hasidism; Holocaust; Jewish ethics; Lemkin, Raphael; Nobel Peace Prizes.

## Wilderness Act of 1964

**IDENTIFICATION:** Federal law setting aside specific tracts of land to be preserved and managed so that the natural conditions of the wilderness ecosystem remain unaltered

**DATE:** Enacted on September 3, 1964

**TYPE OF ETHICS:** Environmental ethics

**SIGNIFICANCE:** Designed to ensure that wilderness would be available as a resource for future generations, the Wilderness Act brought into federal law for the first time the principle that nature is valuable for its own sake, not only for the uses to which humans can put it.

A wilderness bill was first introduced in the U.S. Senate in 1956, but because of conflicts between economic interests and conservationists regarding the appropriate uses of land in areas set aside for wilderness, it was not until 1964 that the Wilderness Act was finally made law. The Wilderness Act of 1964 defines wilderness as "an area where the earth and community of life are untrammelled by man, where man himself is a visitor who does not remain."

The act does allow prospecting for minerals and protects mining interests that existed as of January 1, 1964, but it does not allow any new mineral patents after that date. This was a compromise that was difficult to effect. No motorized equipment, motor vehicles, motorboats, or commercial enterprises are allowed in wilderness areas. Supporters of the act stated that these exclusions did not violate the multiple-use principle, which calls for public lands to be used for their highest and best use, but indeed applied the principle by reserving some lands for the whole of the community to enjoy. The act embodies the principle that nature should not be managed, in these wilderness areas, merely to suit people, but so as to preserve and protect the land in its natural condition in accordance with wilderness values.

*Sandra L. Christensen*

SEE ALSO: Conservation; Ecology; Environmental movement; Future generations; Leopold, Aldo; Muir, John; National Park System, U.S.; Sierra Club.

## Will

**DEFINITION:** Mental faculty used by conscious beings to initiate autonomous action

**TYPE OF ETHICS:** Theory of ethics

**SIGNIFICANCE:** In traditional philosophical models of the mind, reason is used to evaluate one's desires to determine whether or not they should be acted upon, and will is the faculty that carries out those decisions once they have been made. Thus, it is the will in conjunction with reason that makes morality possible on a practical level by preventing people from becoming automatons ruled solely by brute impulse and instinct.

One of the presuppositions of morality is the belief that a human being is a special kind of agent that is to be held morally responsible for its actions. A boulder that tumbles from a precipice and crushes the leg of a climber is an agent, because the energy that it has acquired is a source of change, the crushing of the climber's leg. Nevertheless, the boulder is not held responsible for its actions, since it is not deemed a moral agent. Although there have been periods when animals other than human beings have been treated as moral agents, it is generally true that human beings alone are held morally responsible for their actions and thus are taken to be the only moral agents within the natural order. (This remark must be confined to the natural order, since many theists believe that God and other spiritual beings—angels, demons, and so forth—are moral agents.) The conviction that a human being is an agent in this special way is often explained by claiming that a human being has a will, a capacity to initiate action through the formation of mental events (volitions) that prompt the desired action.

### NATURE OF THE WILL

Although philosophers who believe in the will are in agreement concerning its importance to moral responsibility, there is considerable disagreement over what kind of thing it is. Some philosophers (for example, Plato, Saint Augustine, and Thomas Aquinas) maintain that the will is a faculty that is literally a part of the soul. The will, according to this view, is distinct from other mental faculties such as the intellect and also distinct from its volitions.

Other philosophers (such as Baruch Spinoza and

David Hume) reject the notion that the will is literally a part of the soul. These thinkers maintain that the attribution of a will to human beings is simply a shorthand way of saying that the human soul can form volitions and that these volitions can initiate action. In this view, there is no distinct faculty or part of the soul that stands behind its volitions; rather, the will is simply the sum total of all the soul's volitions.

Regardless of the stand that one takes on the precise nature of the will, one still must deal with the two most difficult issues confronting any adequate theory of the will. The first issue is that of explaining the mechanism whereby volitions exert their influence. This issue is one aspect of the larger philosophical problem of explaining how the mind and the body interact—the so-called “problem of interaction.” The second issue is that of specifying what it is about the will's agency that distinguishes it from other agents in a morally significant way. This second issue is that of the will's freedom or autonomy.

### PROBLEM OF INTERACTION

Experience seems to indicate that bodily events can cause mental events and that mental events can cause bodily events. The unfortunate climber mentioned at the beginning of this essay experienced the bodily event of a broken leg and then experienced the pain, a mental event, caused by this physical trauma. In fact, all sensations, all cases of tasting, touching, seeing, smelling, and hearing, seem, at least uncritically, to involve bodily events (in which the physical environment acts upon one's sensory organs) that cause mental events (the actual sensory experiences). By the same token, experience indicates that mental events cause bodily events. The mental event of willing to raise one's hand does, under normal circumstances, lead to the bodily event of one's hand raising. The problem of interaction refers to the challenge of explaining this apparent causal interplay between the mind and the body. With regard to the will, the problem of interaction arises in terms of the need to explain how the mind's volitions can give rise to bodily actions.

Although the problem of interaction was explicitly formulated at least as early as the fourth century B.C.E. in Aristotle's *De anima*, attention to it intensified dramatically in the seventeenth century in response to René Descartes's promulgation of substance dualism. Substance dualism is a theory of

human nature that holds that human beings are composed of two radically different kinds of substances: mind and body. Descartes conceived of the mind as an immaterial (spatially unextended) substance and the body as a material (spatially extended) substance. In addition, he maintained that the mind and the body can exist apart from each other.

Although the Cartesian philosophy grew in popularity during the late seventeenth and early eighteenth centuries, concern over the problem of interaction grew as well. The radical heterogeneity of the mind and the body upheld by Cartesian dualism led thinkers to wonder how such radically different substances could interact. Descartes himself never fully came to grips with this issue; however, a number of solutions were developed by those who were either avowed Cartesians or were at least heavily influenced by Descartes's philosophy.

The late-seventeenth century French philosopher Nicholas Malebranche attempted to solve the problem by conceding that the mind and the body do not really interact. The reason that mental events appear to cause bodily events is that God creates these events so that they exhibit the correlation that people experience. Thus, the connections between willing to raise one's arm and the subsequent act of arm raising must be explained in terms of God's causing the arm to raise on the occasion of the volition that it be raised. Insofar as it implies that mental events and bodily events are not true causes but are only occasions upon which God acts as a cause, this view is known as occasionalism.

The late-seventeenth century German philosopher Gottfried Wilhelm Leibniz worried that the occasionalists' supposition of God's ongoing intervention in the world was an unjustifiably complex assumption that would destroy the possibility of there being laws of nature. He preferred his own view of pre-established harmony. Like occasionalism, pre-established harmony conceded that the mind and the body do not really interact. Unlike the occasionalists, however, Leibniz explained the correlation between mental and bodily events by supposing that the events occurring within a substance result from an internal principle of development that God placed in the substance from the outset and designed so that the events unfolding in the mind would be in harmony with the events unfolding in the body.

A third response to the problem of interaction was

that of rejecting the dualism that gave rise to the problem. In the seventeenth century, this solution was attempted in two very different theories. First, the seventeenth century British philosopher Thomas Hobbes maintained that the very concept of an immaterial substance was a contradiction in terms, for substance could only mean body. According to this materialism, then, mental events are nothing other than internal bodily events; thus, the interaction of the mind with the body is always nothing more than matter acting upon matter.

Also rejecting the dualism of Descartes was the seventeenth century Dutch philosopher Baruch Spinoza. Like Hobbes, Spinoza maintained that there is only one substance in the universe. Unlike Hobbes, however, he maintained that this substance should not be characterized exclusively as material, for spatial extension and thought are both attributes of the single substance constituting the universe. In keeping with this dual-aspect theory, Spinoza maintained that correlated mental and bodily events are really the same event viewed from different standpoints: the standpoints of thought and extension. Insofar as there is, at bottom, only one event behind any given mind-body correlation, the problem of explaining the interaction of distinct events dissolves in Spinoza's system.

Regardless of which of these avenues one chooses to explain the efficacy of volitions, one still must undertake the task of explaining why the agency manifested by the will is of a special type that can support the attribution of moral responsibility. Although recognition of the will's special agency is commonly made by referring to it as free and autonomous, there is considerable disagreement concerning the nature of this freedom and autonomy.

### **FREEDOM AND AUTONOMY**

Numerous theories of human freedom have been defended throughout the history of philosophy; however, it does not do excessive violence to the subtleties of these theories to classify them all in one of the two following categories: voluntarism and compatibilism.

Advocates of voluntarism note that people normally do not punish others for actions that they could not have altered, and they thus maintain that the agency underpinning moral responsibility cannot be one that is governed by causal necessity. With this in mind, voluntarists (also known as incompatibilists



and indeterminists) maintain that the will's freedom entails that its volition not be necessitated by antecedent causes or conditions. According to the voluntarist, if one could reproduce the external and internal conditions immediately preceding an individual's choice, the individual would still be free to choose otherwise than he or she actually did. Thus it is that voluntarists such as John Duns Scotus (c. 1265-1308) and William of Ockham (c. 1280-1347) explain the will's freedom in terms of its complete independence of causally determining factors.

In direct opposition to voluntarism, compatibilism maintains that it is possible for certain human actions to be both free and causally determined. Also known as soft determinism and necessitarianism, compatibilism admits that all human actions are causally determined; it maintains, however, that certain human actions are still free insofar as they are free from external constraint and compulsion. One's walking to the corner to mail a letter is, in this view, free, even though it is causally determined by one's beliefs, desires, and character traits. Were another individual to force one to post the letter and drop it in the box, however, one's action would be compelled and hence not free. Freedom thus does not consist in an absence of all causes; rather, it consists in being caused by the right kind of causes: beliefs, desires, and character traits.

### COMPATIBILIST DEFINITIONS OF "FREE"

Fully aware that their attempt to reconcile freedom with causal determinism seems to amount to nothing more than inventing a new meaning for the term "free," the compatibilists are quick to point out that it is their definition of "free," not that of the voluntarists, that makes sense of moral responsibility. According to the compatibilist, voluntarism makes free choice a random affair, since it implies that no sufficient explanation can be given for an individual's choices. This is problematic, according to the compatibilist, because people do not hold others morally accountable for actions that happen randomly or by chance. People do not think that the lottery official who randomly pulls the ticket of a destitute mother is more charitable than is the official who randomly draws the name of a tycoon. These events happen by chance and are thus to neither official's moral credit or discredit. For this reason, the compatibilist charges the voluntarist with having re-

duced human freedom to a kind of internal lottery, a lottery that undermines the very moral responsibility that freedom is supposed to explain.

In defense of their own definition of "free," compatibilists point out that people do think it appropriate to punish those whose actions flowed from wicked wants or a wicked character and to praise those whose actions flowed from virtuous wants or a virtuous character. This fact shows, they argue, that people do not hesitate to hold people responsible for actions that are caused, provided they are caused by the appropriate internal states.

The debate is not thus decided in favor of the compatibilist, however, for the voluntarist will note that the compatibilists' attempt to uphold freedom only succeeds while one focuses upon the immediate causes of free action, the agent's beliefs, desires, and character traits. When one considers the causes of these internal states, one quickly sees that compatibilism implies that they are ultimately caused by factors that are wholly external to the individual in question, factors that obtained even before the individual was born. The voluntarist therefore notes that the causal determinism that is part of compatibilism undermines its attempt to redefine freedom. Since determinism implies that all of an agent's actions are ultimately the results of wholly external causes, it turns out that no actions are free even according to the compatibilists' definition of "free."

Convinced of the inability of both voluntarism and compatibilism to offer a satisfactory account of moral responsibility, some philosophers have resisted the call to offer a theory of freedom. Such hard determinists as the late-eighteenth century English philosopher Joseph Priestley resist the call by simply denying that there is any such thing as free agency. Freedom, they insist, is merely an illusion created by one's ignorance of those causal factors that have determined the way that one will act on a given occasion. Other philosophers, such as Immanuel Kant, see freedom as a necessary condition of moral responsibility and thus are not willing to dismiss it; nevertheless, they resist the call to supply a theory of freedom by maintaining that the nature of free agency is a mystery that cannot be penetrated by human reason.

Although philosophical discussion of the will's freedom and autonomy normally focuses on the degree to which the will must be immune from deter-

mining factors, an interesting sidelight to this debate concerns the possibility that an individual can, freely and knowingly, choose evil.

### WEAKNESS OF WILL

Acting in a way that is contrary to one's moral obligation while one is fully aware of that obligation constitutes weakness of will. Sometimes called moral weakness or incontinence, weakness of will seems to be a part of most individuals' experience. What is philosophically interesting about incontinence is that some philosophers have been unconvinced by the abundance of experiential evidence for its occurrence and have insisted that it never actually happens.

Probably the best-known advocate of the impossibility of incontinence is Socrates. He rejected incontinence on the grounds that no person wants to be miserable and that the surest way to make oneself miserable is by disregarding the demands of morality. Having accepted these points, Socrates was led to explain those who do choose lives of vice by supposing that they must be ignorant of the true nature of a virtuous life.

Other philosophers (such as R. M. Hare) have rejected incontinence on the grounds that it is impossible to act contrary to the moral principles that one holds insofar as the only true indicators of one's moral principles are the actions that one performs. According to this view, it is what a person does and not what he or she says that reveals his or her actual moral principles. It is only because people delude themselves into thinking that they hold certain moral principles that the illusion of incontinence is so prevalent.

*James M. Petrik*

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SEE ALSO: Aristotle; Augustine, Saint; Autonomy; Descartes, René; Determinism and freedom; Freedom and liberty; Hare, R. M.; Nietzsche, Friedrich; Plato; Thomas Aquinas; Weakness of will.

## Wisdom

**DEFINITION:** Accumulated knowledge and the ability to exercise sound judgment, especially in difficult ethical cases

**TYPE OF ETHICS:** Personal and social ethics

**SIGNIFICANCE:** Traditionally regarded as a cardinal virtue, wisdom remains a moral ideal, although modern critics reject the concept as elitist or arbitrary.

Wisdom, or good judgment, comprises both knowledge about facts and values and the ability to apply relevant knowledge appropriately in decision making and action. Wise judges possess discernment, fairness, and openness. They discern hidden possibilities and discover among conflicting interests unsuspected options for compromise. This ability requires patience and a tolerance for ambiguity. Aristotle emphasizes that fairness or “equity” prevents sacrificing the spirit of a rule in order to adhere to its letter. Wise judgment requires a flexible approach to rules, so the wise path may appear foolish. A long tradition concerning the so-called “wisdom of the fool” testifies to the shifting boundary between wisdom and folly. If wisdom turns into clichés, slogans, and rigid dichotomies, it may take a foolish mental openness—what in Zen Buddhism is called “emptiness”—to reveal what is truly real.

Prudence or practical wisdom (Aristotle’s *phronesis*) is considered the key virtue necessary for living a morally good life. Theoretical wisdom (*sophia*) by itself is insufficient, as amply illustrated by such familiar Platonic examples as foolish theorists falling into wells or selfish sophists claiming that might makes right. In Aristotle’s analysis of moral virtue as a mean between contrary vices of too much and too little, the correct judgment (*orthos lo-*

*gos*) required to determine what is “just right” depends on the *phronesis* of the morally serious judge (*spoudaios*). However, Aristotle’s arbitrary characterization of this judge and moral mistakes like his defense of “natural slavery” create doubt about his “wisdom.”

Contests among competing “experts” in lawsuits and on opposing sides of almost every political debate give rise to suspicion that their show of knowledge is merely a power struggle. Philosophers such as Friedrich Nietzsche and Michel Foucault make suspicion about the uses of disguised power central to their interpretations of ethical discourse. Traditional appeals to knowledge, truth, or wisdom appear as rhetorical maneuvers for foisting one’s preferred definitions of reality upon those whom one wishes to control. Suspicion provides a way of changing the subject and challenging the moral status quo.

Wisdom allows those who are—or believe they are—oppressed to challenge their oppressors’ claims to deference, based on sex, race, age, or other categories. Attacks on conventional beliefs as “pseudowisdom” have figured prominently in social debates over civil rights, multiculturalism, feminism, sexual preference, and other areas. Attacks on the objectivity of science, in the work of Thomas Kuhn and others, have indirectly raised doubts about wisdom regarding human values, as have the social scientific ideas of David Hume and Max Weber.

*Edward Johnson*

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SEE ALSO: Aristotelian ethics; Avalokiteśvara; Daoist ethics; Hume, David; Platonic ethics; Prudence; Socrates; Weber, Max.

## Wittgenstein, Ludwig

IDENTIFICATION: Austrian-born British philosopher

BORN: April 26, 1889, Vienna, Austro-Hungarian Empire (now in Austria)

DIED: April 29, 1951, Cambridge, England

TYPE OF ETHICS: Modern history

SIGNIFICANCE: The author of *Tractatus Logico-Philosophicus* (“Logisch-philosophische Abhandlung,” 1921) and *Philosophical Investigations* (*Philosophische Untersuchungen/Philosophical Investigations*, 1953), and one of the most important philosophers of the first half of the twentieth century, Wittgenstein argued that value, including moral value, falls outside the purview of philosophy, which he viewed as an activity that is primarily concerned with the explanation and delimitation of meaning to facilitate purely factual descriptions of the world.

Wittgenstein’s philosophy is divided into early and later periods. The early period is marked by his interest in the formal semantics for possible languages. Wittgenstein believed that language could be meaningful only if sentences are analyzable into ultimate atomic constituents that, in a one-to-one correspondence, exactly mirror possible facts, thereby providing a picture of the world. The sentence that describes a fact about the world is a concatenation of names for simple objects that corresponds to a juxtaposition of the named objects. The implication is that language is meaningful only if it describes contingent empirical states of affairs. This means that sentences that purport to express moral judgments and values are literally meaningless.

Wittgenstein regards this conclusion as showing that ethics must be transcendent, by which he means that value—right and wrong, good and evil—is neither part of the world nor a truth about the world. From this it follows that there simply is no matter of fact about whether it is right or wrong to do something; instead, moral value is a function of subjective attitude, aesthetic taste, or emotional response to the facts of the world. It is in this sense that Wittgenstein, in the *Tractatus* (6.421), enigmatically declares: “It is clear that ethics cannot be expressed. Ethics is transcendental. (Ethics and aesthetics are one).” Wittgenstein sees the mind’s transcendent moral stance toward the world of facts as vitally important to phi-

losophy and the conduct of life, despite the claims that value statements are literally meaningless and that value judgments cannot be stated, but only shown.

In his later development, Wittgenstein rejected the picture theory of meaning but continued to regard ethics as being deeply rooted in common social practices, or forms of life. There can be no adequate reductive philosophical theory of forms of life, because they are too basic, and they constitute the foundation in Wittgenstein’s later work for the philosophical explanation of the meaningfulness of discourse. After rejecting the semantic theory of the *Tractatus*, Wittgenstein, in the *Philosophical Investigations* and other posthumously published writings, continued to regard philosophy as a kind of therapy for eliminating problems that arise through the misunderstanding of language. It is not the function of philosophy to offer a positive doctrine of right and wrong, of good and evil, but only to explain what Wittgenstein calls the philosophical grammar of these terms as they can permissibly be used in the language of ethics. The business of philosophy is to arrive at a correct understanding of meaning, not to formulate and defend substantive commitments to particular doctrines of morally justified action or the good.

Dale Jacquette

SEE ALSO: Art; Intersubjectivity; Language; Right and wrong; Skepticism; Transcendentalism; Truth; Value.

## Wollstonecraft, Mary

IDENTIFICATION: English journalist and educator

BORN: April 27, 1759, London, England

DIED: September 10, 1797, London, England

TYPE OF ETHICS: Sex and gender issues

SIGNIFICANCE: Wollstonecraft’s *Vindication of the Rights of Woman* (1792) brought together her interests in women’s education and democratic human rights to argue that women deserve an education equal to that of men.

Wollstonecraft’s significant public activities included running a girls’ school and working with radical political groups that supported the French Revolution. She wrote many articles that were published



*Mary Wollstonecraft.* (Library of Congress)

in left-wing periodicals as well as eight books, including novels, educational manuals, and partisan political treatises. In her most famous work, *A Vindication of the Rights of Woman*, Wollstonecraft criticized the view that women should learn only how to keep house and be attractive. Being admired for one's beauty and vocational skills, she said, is demeaning to a human being. Human beings, both male and female, are distinguished from animals in that they were created by God with the ability to shape their emotions and morals through reason. All human beings deserve an education that cultivates their reason. If all people had such an education, they would be able to respect one another as self-controlled, independent, moral, and rational beings. Mutual respect of this sort between husbands and wives is the only route to a happy marriage. In her second-most-famous work, *A Vindication of the Rights of Men* (1790), Wollstonecraft argued that mutual respect of this sort between social classes is the route to a just society.

*Laura Duhan Kaplan*

SEE ALSO: Equal pay for equal work; Equal Rights Amendment; Suffrage; Women's ethics; Women's liberation movement.

## Women's ethics

**DEFINITION:** Study or advocacy of distinctively feminine or feminist ethical values

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** Women's ethics has challenged the traditional emphasis on reason, impartiality, autonomy, and universal principles, arguing that traditional moral philosophy has portrayed as universal values which are actually masculine or masculinist. The question of what makes a value feminine or masculine—whether it is a matter of essential biological difference, or of the particular processes of socialization prevalent in a given culture—is a matter of significant controversy.

The inclusion of women's experience and the increasing number of women philosophers have had an impact on ethical theory and practice. This impact has been enormous and varied. It is difficult to identify "women's experience." Women are not only women alone, but also belong to socioeconomic classes, racial groups, religions, geographical areas, and cultures. What is common to women's ethics is that experience matters. Just as women's experience is varied, so is women's ethical theory and practice varied.

The common classifications of women's ethical theory are maternal, psychoanalytic, liberal, socialist, Marxist, radical, and lesbian. Each of these views can be divided further among those who extol some aspect of the "feminine" as the highest virtue, those who accept the traditional "masculine" values but seek to redefine them as human, and those who propose a challenge to the idea of feminine and masculine virtues and seek to generate new concepts of morality.

Women's ethics, of any variety, recognizes "traditional" ethical theories as male centered. These theories either intentionally exclude women (and people of certain races and classes) from moral experience or unintentionally use certain male moral experience as the standard for all moral experience, thus effectively excluding women (and people of certain races



and classes). The result of such exclusion is a tradition that generally favors reason over emotion, impartiality over partiality, autonomy over interdependence or dependence, the abstract over the concrete, the universal over the particular, and justice over caring. In response to this exclusion, and the resulting tradition, women's ethics consciously considers women's experiences.

### **MATERNAL ETHICS**

Maternal ethics, also referred to as the ethic of care, holds that women's unique experiences as mothers (biological or social) lead to an ethic that focuses on relationships and interdependence, and includes self-sacrifice and care for others as primary moral qualities. Whether they believe women are specially suited for such moral action by biology or by socialization, proponents of such theories believe that it is these moral characteristics that women should be recognized as having. Celebrating women's differences from men leads some theorists to suggest that women's morality is different from but complementary to the more male voice of justice. Others suggest that the feminine voice is superior and should be the model for all humanity.

### **PSYCHOANALYTIC ETHICS**

Psychoanalytic feminists see the family arrangement, in which it is primarily the woman who stays with and cares for the children, as problematic. They believe that it is this arrangement that leads to sharp gender distinctions and inequalities. Because girls stay attached to the same-sex parent and never learn to define themselves as selves, they remain dependent. Boys, however, must define themselves in opposition to the mother and therefore become excessively autonomous. These differences have played out in power struggles in which boys learn to break away and be independent and girls learn to compromise and save relationships. These gender distinctions could be minimized, such feminists believe, by increasing dual parenting. This approach challenges the tradition by questioning the moral superiority of autonomy over interdependence.

### **POLITICAL ETHICS**

The liberal feminist generally calls for the equal education of women and equal opportunity to pursue traditionally male occupations. It is at times summa-

rized as fighting for the opportunity for women to become men. Liberal feminism does not go too far in challenging the traditional approach to ethics; instead, it asks that women be included as human under the same definition as men—as rational, autonomous moral agents.

Marxist feminists see the power imbalance as primarily economic. If the marketplace is changed, women will no longer be available to be possessions of men and equality will emerge. Socialist feminists share this concern about the need to change the market but also believe that it will be necessary to change education, the home, media, and women's self-images if equality is to emerge. These approaches also accept much of the tradition and ask that conditions be changed so that women too can be rational autonomous actors.

Radical and lesbian feminists call for women to separate from men (the length and extent of the called-for separation vary). They claim that women cannot know who they are or what they believe unless they define themselves in terms of relationships with other women rather than relationships with men. If they are to avoid copying the oppression and power inequalities of patriarchy, they must first break out of it. This approach seeks to challenge the tradition at its very foundation, by rejecting it and calling women to build a separate tradition for themselves that is based on their own rich and varied experiences.

### **CONCLUSION**

Despite the variations in theories of women's ethics, they do pose some common challenges to the tradition. These theories bring to the forefront the dynamics of power that are present in almost any given situation. The solutions that they offer to address the power imbalance between men and women vary, but they all suggest a reevaluation of the assumption that moral decisions are faced by, or made by, people with real or perceived power. They ask people to evaluate traditional "universal values" from the point of view of the disempowered and ask if they still appear to be universal values. They force people to see that being inclusive of many different viewpoints requires a willingness to be critical of the canon of traditional ethics in ways not previously attempted. It would be a mistake to remove the word "man" and replace it with "human." The differences between men and women must be addressed.

Some of these possible differences include seeing relationships and interdependence as the moral starting point and questioning the ideals of impartiality and autonomy as absolute moral values. Women's ethics forces people to rethink the concept of the moral agent and the moral act. It is necessary to see the connectedness of feeling and thinking and to broaden the notion of what counts as moral.

*Erin McKenna*

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SEE ALSO: Ecofeminism; Environmental ethics; Equal Rights Amendment; Feminist ethics; Gender bias; Human rights; Personal relationships; Title IX; Women's liberation movement.

## Women's liberation movement

**DEFINITION:** Set of social and political movements resisting patriarchy and advocating the interests of women

**TYPE OF ETHICS:** Sex and gender issues

**SIGNIFICANCE:** The women's liberation movement began by seeking to achieve equal rights and equal treatment for women and men. Later, however, this model of liberation became controversial, as some feminists began to question the assumption behind it that men and women share the

same basic values. The response of this so-called Second Wave of feminism was to advocate treating feminine values as just as legitimate as masculine values, rather than pretending that one set of values fits both genders equally.

Women's liberation is the dominant version of feminism in modern American society. Women's liberation emerged in the political context of the American New Left during the 1960's. Prior to this time, the earlier feminist movement, often called the "Old Wave" or "First Wave," referred to the formation of the suffrage movement in the United States and in Britain between about 1840 and 1920. The suffrage movement stressed reforms for women in family law, economic opportunity, and obtaining the right to vote.

First Wave feminists of the 1960's carried on the suffrage movement tradition by promoting a vision of equality between men and women. They spoke and thought in terms of equality of rights, nondiscrimination, equity, and fair treatment for everyone, and they worked for constitutional changes to guarantee equal opportunity, especially in politics and education. For example, a prominent First Wave advocate, Supreme Court Justice Ruth Bader Ginsburg, championed a vision of women's liberation during the 1970's that rejected the traditional belief that men and women lived in separate and different spheres. Laws based on this distinction were designed to seemingly protect the "weaker sex" by, for example, limiting work hours or acceptable occupations. These laws created the perception that women could not take care of themselves and needed special legal protection. Ginsburg and other feminists, however, argued that such laws only justified legal subordination. They attacked laws that treated men and women differently and demanded that men and women be given equal rather than special treatment. The accomplishments of this contemporary First Wave women's liberation constitute a great and significant American success story.

### SECOND WAVE WOMEN'S LIBERATION

During the 1960's and 1970's, a different and more radical women's liberation movement evolved. Self-examination in consciousness-raising groups caused the unifying theme to emerge that women were systematically and thoroughly dominated, con-

## Milestones in Women's Liberation

<i>Year</i>	<i>Event</i>	<i>Significance</i>
1848	Declaration of Sentiments at Seneca Falls Convention	Crucial document of nineteenth century feminism.
1848	Geneva Falls Convention of Women	First women's rights convention.
1869	American and National Suffrage Associations	Early Old Wave feminist organizations founded.
1869	Wyoming grants woman suffrage	First woman suffrage law in the United States.
1920	Nineteenth Amendment is ratified	Women given the right to vote.
1937	U.S. Supreme Court upholds Washington States's minimum wage law for women.	Women workers given new legal supports.
1947	<i>Fay v. New York</i>	Supreme Court rules that women are equally qualified to serve with men on juries.
1963	<i>The Feminine Mystique</i>	Pioneering First Wave book by Betty Friedan.
1963	President's Commission on the Status of Women	Recommends appointment of women to important political positions.
1964	Title VII of the Civil Rights Act	Prohibits employment discrimination on the basis of race, color, religion, national origin, or sex.
1966	National Organization of Women (NOW) is founded	Influential contemporary women's organization.
1968	Executive Order 11246	Prohibits sex discrimination by government contractors.
1970	<i>The Female Eunuch</i>	Important Second Wave book by Germaine Greer which focused media attention on women's oppression.
1972	Equal Rights Amendment (ERA) is passed by Congress and sent to the states for ratification	Takes an important step toward guaranteeing equal rights to all women.
1972	National Women's Political Caucus is organized	Pioneering group for involving women in the political process.
1972	Title IX is passed by Congress	Prohibits discrimination based on sex in schools receiving federal monies.
1973	<i>Roe v. Wade</i>	Supreme Court ruling affirming a woman's right to abortion via her right to privacy.
1975	<i>Signs: Journal of Women, Culture and Society</i> founded	Groundbreaking forum for publication of feminist scholarship and theory.

*(continued)*

## Milestones in Women's Liberation — continued

<i>Year</i>	<i>Event</i>	<i>Significance</i>
1976	Democratic National Convention	A rule is made that women must make up half of all delegates.
1978	Pregnancy Discrimination Act	Bans job discrimination against expectant mothers.
1981- 1989	Reagan administration	The administration's antifeminist tone causes many setbacks for women's movement.
1981	Greenham	All-women's peace camp is set up at an Air Force base; positive use of feminist theory.
1981	Sandra Day O'Connor is appointed to U.S. Supreme Court	First woman Supreme Court justice.
1982	ERA is defeated	Not ratified by enough states.
1984	Geraldine Ferraro runs for vice president on the Democratic ticket	First woman to run for national office on a major party ticket.
1991	Anita Hill-Clarence Thomas hearings	Catalyzed the women's movement; key event in consciousness-raising.
1992	<i>Casey v. Planned Parenthood</i>	Abortion rights somewhat limited.
1992- 1993	"Year of the Woman"	Historic number of women run for and are elected to Congress.
1993- 2000	Clinton administration	Many women appointed to important positions, including secretary of state and attorney general.
1993	Ruth Bader Ginsburg is appointed to U.S. Supreme Court	Second woman Supreme Court justice.
1993	Violence Against Women Act	Enhances penalties for crimes motivated by gender.
1994	Gender Equity in Education Act	Federal law to train teachers in gender equity.
	Violence Against Women Act	Funds services for rape and domestic violence victims.
1996	<i>United States v. Virginia</i>	Supreme Court rules that male-only admission policy of the state-supported Virginia Military Institute (VMI) is unconstitutional.
1996	Summer Olympic Games in Atlanta	Spectacular successes of U.S. women are credited to advances in women's sports fostered by Title IX.
1997	Reinterpretation of Title IX	Supreme Court rules that college sports programs must involve roughly equal numbers of men and women.
2000	<i>United States v. Morrison</i>	Supreme Court permits victims of rape and domestic violence to sue their attackers in federal courts.

trolled, victimized, and oppressed legally, economically, and culturally by a male-dominated social structure ("andro-centricity," "hetero-patriarchy," or "sex-gender system"). As part of consciousness-raising, women would come to realize that this oppression and victimization on an individual level could form the basis for collective action, activism, and political change at a group level. This shift from stressing equity and fair treatment for everyone to stressing the oppression and victimization of women by men and the differences between men and women characterizes the "Second Wave" of women's liberation, a term coined by Marsha Weinman Lear in 1968.

### COMPARING THE TWO WAVES

The First and Second Waves of women's liberation are similar in that they both believe that sexual politics is central in the struggle for women's rights. Many of their goals are the same in terms of improving the position of women in society. Certainly, both waves have had a profound effect on American politics and society, American consciousness, and awareness of gender roles and the relationship between men and women. The fundamental difference between the First and Second Waves is that the Second Wave is, as Maggie Humm pointed out, an ideology whose purpose is to create an environment for women that transcends social equity. That is, the Second Wave stresses the separateness of and differences between women and men and the communality between women, and it seeks to provide for the emancipation of women from their yoke of male oppression, victimization, and dominance. A major goal is to challenge and change the relevant social institutions and their practices, which have created and perpetuated these oppressive systems.

These goals of Second Wave feminism can be accomplished only by developing "gynaesthesia," a term coined by Mary Daley in 1978 to describe the radically new and altered perception and understanding that occur in women when they become Second Wave feminists. Christina Hoff Sommers describes this situation as a "gyncentric prism"; that is, a sharing among women of certain women-centered beliefs and social organizations. Rather than viewing men and women as equals, Second Wave feminists generally believe that equality is impossible to achieve given the patriarchal structure and orienta-

tion of American society. To adhere to equality between men and women would be like sleeping with the enemy. Men are the enemies of women, and there is a gender war in progress. The difference between the First and Second Waves is starkly defined in three statements, two by First Wave feminists Betty Friedan and Iris Murdoch, and one by Germaine Greer, a Second Wave feminist. According to Betty Friedan, "We must not let feminism be co-opted as a mask for cynical corruption by women or by men. We must resist that polarization of us against them (women against other women, even women against men) with our new vision of community that puts first the real needs of people in life." Iris Murdoch says, "to lay claim to [Second Wave feminism] . . . is to set up a new female ghetto. . . . It is a dead end in danger of simply separating women from the mainstream thinking of the human race." According to Germaine Greer, however, "male hostility to women is a constant; all men hate all women some of the time; some men hate all women all of the time; some men hate some women all of the time. . . . What is remarkable, given the implacability of male hostility to uppity women, is that we have survived."

Laurence Miller

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SEE ALSO: Ecofeminism; Equal Rights Amendment; *Feminine Mystique, The*; Feminist ethics; Gender bias; Suffrage; Women's ethics.

## Work

**DEFINITION:** Exertion of effort to perform a task or accomplish a goal, especially habitually as one's means of livelihood; labor

**TYPE OF ETHICS:** Beliefs and practices

**SIGNIFICANCE:** The meaning or function of work, for an individual and for a society, is one of the central problems of social philosophy. Many philosophers ascribe to work either an inherent ethical value—seeing all work as a good in itself—or a potential ethical value—seeing work as potentially expressive of human freedom when performed under the proper circumstances or in the ideal society.

The Hebrew Bible, known to Christians as the Old Testament, in the mythology of creation in Genesis and in the pessimistic poetry of Ecclesiastes, evinces both a positive and a negative attitude toward work. According to the Genesis myth, God commanded the first human pair to subdue and have dominion over the earth (Gen. 1:28). God placed Adam in the Garden of Eden “to dress it and keep it” (Gen. 2:5). Thus, work was considered a necessary and integral part of human life in this world.

According to the Genesis myth, however, because of the sin of Adam and Eve, work would be filled with hardship and toil:

Cursed is the ground for thy sake; in sorrow shalt thou eat of it all the days of thy life. Thorns also and thistles shalt it bring forth to thee; and thou shalt eat the herb of it all the days of thy life; In the sweat of thy face shalt thou eat bread, till thou return unto the ground; for out of it was thou taken; for dust thou art, and unto dust shalt thou return. . . . Therefore, the Lord God sent him forth from the garden of Eden to till the ground from whence he was taken (Gen. 3:17-19, 23).

This ambivalent attitude toward work also appears in Hebrew wisdom literature. The author of Ecclesiastes, an anonymous Hebrew poet, rhetorically asks with a pessimistic tone, “What profit hath a man of all his labour which he taketh under the Sun?” (Eccles. 1:3). Human labor appears to be empty and futile. “Then I looked on all the works that my hands had wrought, and on the labour that I had laboured to do: and behold, all was vanity and vexation of spirit, and there was no profit under the sun.” The poet, who is traditionally held to be Solomon, also expresses a positive attitude, and, in the end, seems to be as ambivalent as are the Genesis myths. “There is nothing better for a man, than that he should make his soul enjoy good in his labour. This also I saw, that it was from the hand of God.”

The ancient Greeks were just as ambivalent toward work as were the Hebrews, although, overall, the Greek attitude toward work, especially manual labor, was pessimistic. Plato, writing in the *Statesman*, depicts primordial life in the mythical time of Chronos as idyllic. Work was not necessary in those days because the earth, unaided by human cultivation, brought forth fruits from trees that no human had planted. The seasons were mild, the air was fresh, and the people were naked and lounged on couches of grass. In the *Laws* (book 4), Plato called the time of Chronos a “blessed rule” in which humans were happy and provisions were abundant and spontaneously generated.

Not only the ancients but also the moderns were unsure about the role of work in early human life. Jean-Jacques Rousseau postulated an early state of nature in which the needs of human beings were provided for by a generous, benevolent world: “The produce of the earth furnished him with all he needed, and instinct told him how to use it” (*A Discourse upon the Origin and Foundation of Inequality Among Mankind*, 1761). Georg Wilhelm Friedrich Hegel, even though he castigated early human beings as lazy, regarded toil as a universal feature of human activity intended to satisfy need (*Philosophy of Right*, 1875).

### WORK AS NECESSITY

Even the fanciful and speculative ancient Greeks realized that labor was necessary in order to make leisure and happiness possible. Plato, in *Critias*, stated that mythology and intellectual inquiry were possi-

ble only after the necessities of life had been provided for. In the *Metaphysics*, Aristotle claimed that the arts of recreation, which were more esteemed than the arts of life's necessities, could be practiced only in an environment of leisure. In book 10 of the *Ethics*, Aristotle opined that happiness depended upon leisure and that people occupied themselves in work in order to have leisure. In book 1 of the *Politics*, he made the commonsense claim that one cannot live well until the necessities of life are provided for.

Hegel, in the *Philosophy of History*, held that the worker, in diligently providing for his or her needs, created his or her dignity. Montesquieu, in the *Spirit of the Laws* (1748), wrote that the activity of an "industrious" people was the source of their "blessing." Adam Smith held that the industriousness of even the lowest type of worker made possible the necessities and conveniences of life.

### THE NATURE AND END OF WORK

Usually, a distinction has been made between types of work. One distinction was between honorable and dishonorable types of work. In *Charmides*, Plato quoted Hesiod, who held that work is no disgrace. In fact, Plato made reference to things nobly and usefully made as works, although he explicitly excluded such ignominious activities as shoemaking and pickle selling. Plato's distinction seems to be based on the belief that things that serve a utilitarian purpose are mundane and therefore ignoble. Plato, in *Republic* and *Timaeus*, separated the class of husbandmen and artisans from the class of guardians. In *Laws*, Plato strictly forbade artisans from participating in politics and citizens from occupying themselves in the handicraft arts. The craft of citizenship requires much study and knowledge, and no individual could occupy himself well with two different arts.

In the *Politics*, Aristotle agreed with Plato and insisted that the citizen refrain from the trades and crafts; otherwise, there would be no distinction between master and slave. According to Aristotle, the food-producing class and the artisans provide for the necessities of life and thus are necessary elements of the life of the state, but the state has a higher end: providing for the greater good. Aristotle also deemed the mastercraftsman more honorable and wiser than the manual laborer because the former has thorough knowledge about his activity, whereas the latter

works in ignorance. In *Politics*, Aristotle wrote that some duties are necessary but others are more honorable.

In the *Critique of Judgment* (1790), Immanuel Kant made a similar distinction between artistic production and manual labor. Artistic production is distinguished from labor in that the former is free and the latter is drudgery.

Hegel, however, was not so pessimistic about the nature of labor. He believed that adults, in working, devoted their lives to labor for definite intelligent and objective aims. Adam Smith echoed the ancient Greeks in his claim that people who pursue trades for a livelihood that others pursue merely as diversions are inferior people. Smith also made a distinction between productive and nonproductive labor that would figure prominently in the thought of classical political economy. Labor that adds value to the product is productive labor, and labor that merely renders a service but fails to add value to a product is nonproductive labor. This distinction yielded ethical advantages for the advocates of capitalism, who wanted to justify the social utility and ethical value of wage labor.

Thomas Hobbes's attitude toward work was practical and utilitarian. He advocated the creation of laws that would force those with strong bodies to be employed in useful arts and manufacture. Rousseau, with his negative attitude toward the stultifying and dehumanizing aspects of modern civilization, deplored the unhealthy trades because they shortened human life and destroyed human bodies.

### WORK AND PROPERTY

Jesus said that "The workman is worthy of his hire" (Matt. 10:10). The social philosophy embedded in this pithy epigram simply sets forth the ethical principle that the worker deserves just compensation, in some form, for his or her labor. Each deserves what is proper. Property means what properly belongs to a person. Views on property have ranged from the communitarianism of Plato and Karl Marx to the concepts of private ownership found in John Locke.

In *Laws*, Plato advocated communal ownership of property and cited the old saying that "Friends have all things in common." The communal state, according to Plato, is the ideal state. Plato argued that in the ideal state there should exist neither the extreme of poverty nor that of wealth, for they produce social

evils. Aristotle modified Plato's concept of property ownership. Property should be common but private. In other words, the production of property should be social but ownership should be private.

Aristotle presumes that individuals will be more industrious if they look out for their own property and attend to their own business. Yet extreme poverty should not be allowed, because it lowers the character of democracy. People should be given the opportunity to start a farm or learn a trade. As Hobbes saw it, accident and fortune may make it impossible for some to sustain themselves by means of their labor; therefore, the state must force the physically fit to work, thereby creating social resources to be distributed to the unfortunate. Rousseau, like Plato and Aristotle, believed that government should prevent inequality by denying individuals the ability and opportunity to accumulate wealth. Rousseau believed that society enslaved the poor and empowered the rich, thereby destroying natural human liberty. Property laws and inequality worked for the advantage of the few and subjected the many.

Rousseau claimed that he could not conceive how property could come about except for manual labor. John Locke appears to agree with Rousseau, but in the end Locke took a decidedly opposing stand. In the *Second Treatise of Government* (1690), Locke began the section on property by ostensibly arguing for limited appropriation on the basis that an object that was created by means of one's labor was one's property. Yet, as he saw it, the introduction of money allowed the unlimited appropriation of property. According to Hegel, what makes an object the property of a person is that the person stamps his or her will into the thing. Hegel believed that property could be alienated only because it was external to the essential being of the worker. An individual may alienate—give up, sell, set aside, yield, or abandon—any possession, because it is external to the personality of the individual. Personality, ethical character, morality, and faith are essential characteristics of the self and therefore may not be alienated. Hegel believed that an individual could alienate his or her abilities to another person for a restricted period but not for a whole lifetime, because that would amount to making the essence of the self into a thing.

Even Adam Smith conceded that the entire product of labor does not belong to the laborer. According to Smith, in the original state of nature the entire

product belonged to the producer; he deplored the condition in modern society in which, all the lands having been converted into private property, the landlords reaped where they did not sow.

### MARXISM AND WORK

Karl Marx condemned capitalism because it ripped away the meaningfulness of work from the worker and, through the imposition of alienated labor, dehumanized the worker. For Marx, the question of work is central to the social question, because the mode of production of material life determines the social, political, and cultural aspects of life. Work is essential to human nature, first of all, because it provides for the physical existence of human life. Work is not, however, only a means for physical existence; work is valuable for its own sake. Work is human life-activity itself. It is the realization and the fulfillment of human capacities and drives.

By means of work, human beings objectify themselves and create a human world, an environment that is conducive to the full development and flowering of all human potentials and capacities. The object of labor is not only to create a product but also to build the objective social world. The construction of the human world is the primary end of work.

Under capitalism, however, human work becomes alienated labor. Alienated labor dehumanizes the worker by enslaving the worker to an activity in which the worker becomes a passive object rather than an active agent. The worker becomes a slave of work because work is given by the capitalist and because work becomes necessary in order to maintain existence as a physical organism. The alienation of labor stems from the fact that the human being is not realized or fulfilled in work; such work does not affirm the humanity of the worker but denies it. Work is not freely entered into but is coerced. In the modern industrial world, the worker becomes a commodity, because the worker not only produces commodities but also is a commodity.

Alienated labor presupposes private property. Therefore, the emancipation from alienation, the process of dealienation, entails the abolition of private property. Dealienated labor becomes the foundation for the formulation of just political institutions and social arrangements and must be included in any conception of justice. Work is essential to human nature, a necessary expression of human life-activity

and the form of human self-realization. Finally, work is the foundation of culture. By means of their work, human beings shape and construct a human world in all its aspects: culture, politics, society, and so forth.

Herbert Marcuse, in *Eros and Civilization* (1955), viewed emancipation in terms of the play impulse. The character of work itself could be changed in accord with the nondistorted needs of the life instincts. The very character of production could change as a result of instinctual transformation entering into the relations of production. The character of the working day would change, causing the elimination of the distinction between necessary time and leisure time. Human production and self-creation would lose their antithetical character. Technological advancement would allow labor to be transformed into a realm of freedom within the realm of necessity. Rationality of gratification would inform new science and new technology. It would require a new worker and a new sensibility that would abolish the distinction between productive utilitarian labor and the creative aspects of work. The new sensibility would unite work and play. Such a unity can come about, however, only if it becomes a basic need of human nature.

In *An Essay on Liberation* (1965), Marcuse stated that aim-inhibited sexuality develops in individuals a sense of what is permissible and what is not—the reality principle. Repression is heightened in advanced capitalism to prevent human beings from enjoying emancipatory possibilities; it keeps them in productive gear. In socialism, a properly repressed libido will emerge in new human relations and in culture-building activities. The prospect of automation suggests the elimination of the distinction between labor and leisure.

### CHRISTIANITY AND THE SOCIAL QUESTION OF WORK

Saint Paul enjoined Christians to work and not be idle. The Cistercians' *ora et labora* cautioned the faithful to pray and work. Martin Luther interpreted the call to salvation as being inextricably tied to the position that one held in society. One's call to salvation was also a call to accept work as vocation. John Calvin interpreted work as enterprise and held that success justifies work. Max Weber demonstrated that, for Calvinist Protestants, successful work proved God's election. This idea found fertile soil in the Puritan ethos, where frugality and hard work

were believed to be the keys to success. Weber called this Protestant ethic the "spirit of capitalism." Jürgen Moltmann interprets work as participation in God's history. Work is not only self-supporting but also self-realizing. Work affirms existence; therefore, work is a right that presupposes freedom. Work must allow for self-formation. Work requiring cooperation helps in the socialization of the individual. Therefore, work should be understood as part of the socialization process. Through work, people participate in creating or destroying the world. Thus, work has eschatological significance.

In *Laborem exercens* (1982), Pope John Paul II strongly emphasized the central role that work plays in solving social ills. Making life more human presupposes making work more human. Men and women participate with God in creation by carrying out the mandate given in Genesis to subdue and dominate the earth. Men and women are created in the image of the Creator. Therefore, human beings are creative subjects and agents who are capable of planning and rationally deciding about the future.

Men and women are not only workers but also the subjects of work. They are persons apart from their work. Thus, work should realize their humanity. From this idea is derived the ethical idea of work. Work is ethical because in it, and by means of it, human beings realize their humanity and rationally decide to bring about their future. The dignity of work therefore is based on the subjectivity of the person who works. Accordingly, Pope John Paul II stressed the primacy of work over capital, the priority of human beings over things. Work is also considered to be a means toward self-realization, as is expressed in the Vatican II documents *Mater et Magistra* (1961) and *Gaudium et Spes* (1965). The Roman Catholic Church views the commodification of the worker, the treatment of the worker as a mere means of production, as a denial of human dignity.

Pope John Paul II also affirmed the world-shaping power of work. It is the foundation of the family and society. It is foundational for the family because it provides for the subsistence of the family. Work, combined with the virtue of industriousness, influences the process of family education. In Roman Catholic social teaching, work has been considered as a fundamental force shaping the world of culture and society in a human and rational manner.

*Michael R. Candelaria*

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SEE ALSO: Calvin, John; Capitalism; Communism; Economics; Freedom and liberty; Hegel, Georg Wilhelm Friedrich; Marx, Karl; Smith, Adam; Socialism.

## World Health Organization

**IDENTIFICATION:** International agency that initiates and coordinates efforts to solve global health problems

**DATE:** Founded in 1948

**TYPE OF ETHICS:** Bioethics

**SIGNIFICANCE:** Also known as WHO, the World Health Organization was founded in response to the perceived need for an entity capable of addressing medical and health problems that cross national boundaries to affect entire regions, continents, or the planet as a whole.

International health organizations have existed from the first decade of the twentieth century, but WHO's scale is far larger than that of anything that existed earlier. It admits and provides services to all states, regardless of whether they are U.N. members. Its tasks fall by their nature into three categories. The first, carried out mainly at headquarters in Geneva, might be called "minding the store": maintaining international drug standards and sanitary and quarantine regulations, and disseminating information regarding epidemics, drug addiction, chemical residues, radiation hazards, and so forth. The second involves providing education and technical assistance for member nations, experts to help plan and set up local health centers, teachers, temporary medical personnel, and so forth. The third is mobilization to deal with specific diseases, including services provided by the central organization, national health bodies, medical laboratories, and other entities.

Smallpox was declared eradicated from the world in 1980. The list of other diseases that WHO has targeted for eradication is striking. In 1988, the organization set the year 2000 as the target date for eradicating polio. That goal was not met, but by the year 2004, only 530 cases of polio were reported worldwide, and those cases were confined to six nations: India, Pakistan, and Afghanistan in South Asia, and Nigeria, Niger, and Egypt in Africa. WHO also set



2000 as the target date for eradicating leprosy. Progress in eradicating that bacterial disease has not been nearly as dramatic as has been the case for polio, but the incidence of leprosy through the world was dramatically reduced by 2004 and was continuing to decline. Other diseases that WHO has targeted for eradication include AIDS, tuberculosis, malaria, yellow fever, cholera, and diphtheria.

In the nondisease category, WHO's goals include the providing of new contraceptives, chemical and mechanical, male and female; the promotion of health practices for mothers and children in developing countries; and even antismoking campaigns. As its charter states, WHO aims for "the highest possible level of health" for all people.

*Robert M. Hawthorne, Jr.*

SEE ALSO: Bioethics; Geneva conventions; International Red Cross; League of Nations; United Nations.

## World Society for the Protection of Animals

**IDENTIFICATION:** International organization dedicated to the protection of domestic and wild animals, including their natural habitats

**DATE:** Founded in 1981

**TYPE OF ETHICS:** Animal rights

**SIGNIFICANCE:** The World Society for the Protection of Animals (WSPA), which has more than 460 member organizations, as well as offices in twelve countries, monitors and intervenes in cases of animal cruelty and detrimental ecological practices.

Formed by the merger of two international organizations, the World Federation for the Protection of Animals (founded in 1950) and the International Society for the Protection of Animals (founded in 1959), and by absorbing the International Council Against Bullfighting in 1984, the World Society for the Protection of Animals has more than 100,000 international members. The society studies international animal welfare laws and intervenes in a diverse variety of cases involving cruelty. In 1990, for example, WSPA activities included a campaign against the an-

nual Texas rattlesnake roundup, which was condemned because of the suffering of the snakes and because of adverse ecological effects.

The society also operates an emergency rescue service for individual distressed animals, which took action, for example, in 1989, when Colombian peasants discovered and aided a wounded Andean condor. The WSPA engineered the condor's removal to a Bogotá zoo and found a sponsor to pay for its extensive medical treatment.

*Mary E. Virginia*

SEE ALSO: Animal rights; Conservation; Ecology; Humane Society of the United States; Society for the Prevention of Cruelty to Animals.

## World Trade Organization

**IDENTIFICATION:** International body that promotes and enforces trade laws and regulations

**DATE:** Began operating in 1995

**TYPE OF ETHICS:** International relations

**SIGNIFICANCE:** A global international body, the World Trade Organization manages the rules of trade among nations; its international ethics have come under attack because critics argue that its trade rules are undemocratic and affect not only people from member countries but the environment as well.

The World Trade Organization (WTO) was created in 1994 to replace the General Agreement on Tariffs and Trade (GATT). The WTO began officially functioning the following year, with its headquarters in Geneva, Switzerland. By the beginning of the twenty-first century, it had nearly 150 member countries.

The WTO's mission is to help those who produce goods and services, including importers and exporters, conduct their business. WTO agreements ensure member countries that their exports will be treated fairly in other countries' markets. Similarly, member countries promise to do the same for imports into their own markets. Supporters of the WTO argue that the organization adheres to ethical principles: It handles disputes constructively, it provides training and technical assistance for developing countries, and it provides more choices of products and qualities.

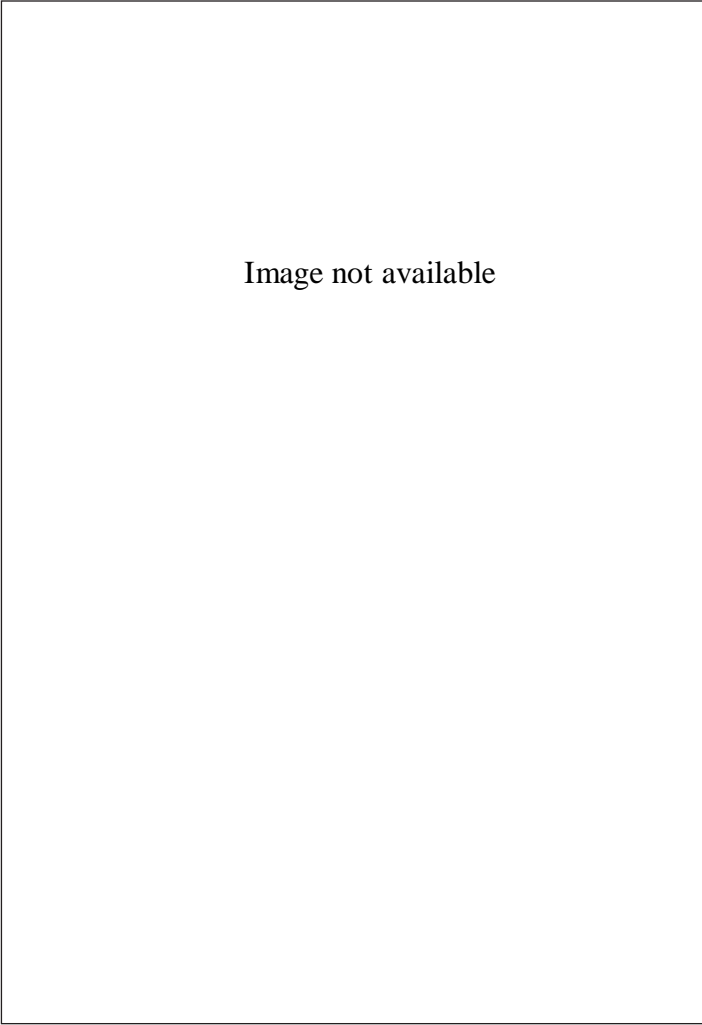


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*Mounted Australian police run down protestors demonstrating against a meeting of World Trade Organization trade ministers in Sydney in November, 2002. (AP/Wide World Photos)*

The world trade that it fosters raises income levels and stimulates economic growth, cuts the costs of living, promotes peace, and encourages good government.

Critics argue that the WTO is too powerful because it can declare the laws and regulations of sovereign nations in violation of trade rules. They allege that the WTO pressures nations into changing trade laws. Developing countries that are WTO members complain that a few powerful member countries dominate WTO discussions. Other critics maintain that WTO trade rules do not adequately protect work-

ers' rights, the environment, or human health. United States consumer advocate Ralph Nader believes that WTO policies are undemocratic because they erase national laws and move far beyond settling disputes over tariffs and import quotas. An activist group called the Global Trade Watch wants the WTO to restore each nation's right to make its own decisions about goods sold in its own domestic market and to allow individual nations to set their own environmental and health standards. Environmentalists have initiated the most powerful lobbying efforts against WTO policies. They argue that the WTO has canceled modern environmental protection by nullifying pollution prevention efforts through the use of bans.

When WTO leaders met to discuss trade policy in Seattle, Washington, in late 1999, thousands of people gathered there to protest against the organization. The protesters maintained that the organization neglected poor countries and endangered the environment with its policies.

Legal observers have pointed out significant gaps in WTO agreements and treaties. These include unclear definitions and articles, and contradictory elements within them that have become sources of disagreement among WTO members. The challenge for the WTO in the future is to become an ethically sound bargaining forum because

of changing mixes of cooperation and aggressive unilateralism present in many countries.

*David Treviño*

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SEE ALSO: Developing world; Free enterprise; Globalization; International Monetary Fund; Multinational corporations; Nader, Ralph; Poverty and wealth.

## *The Wretched of the Earth*

IDENTIFICATION: Book by Frantz Fanon (1925-1961)

DATE: *Les Damnés de la terre*, 1961 (*The Damned*, 1963; better known as *The Wretched of the Earth*, 1965)

TYPE OF ETHICS: International relations

SIGNIFICANCE: Focusing on Africa, *The Wretched of the Earth* condemns colonialism and neocolonialism from a Marxist perspective and calls for natives to rise in violence against foreign settlers.

Frantz Fanon indicted colonialist countries for using force to exploit raw materials and labor from colonized countries. Attempting to justify their actions, colonialists stereotyped natives as savages and referred to natives' "precolonial barbarism." Colonialists proclaimed that European culture was the ideal for native peoples to emulate and used violence and divide-and-conquer strategies to keep the natives down. Fanon advocated violence against the settlers as the way for colonized people to regain their sense of self-respect. Although he was a psychiatrist, Fanon did not show that such violence would be psychologically liberating. Instead, he cited cases in which such violence led to psychological degeneration. Even if anticolonial violence were the only way to regain a sense of self-respect, however, such violence would not be automatically justifiable. Rape is not justifiable, for example, even if it appears to be the only way for a person to gain a feeling of self-respect. Thus, it is a mistake to think that Fanon has adequately justified terrorist attacks on the innocent. Fanon encouraged the colonized to reject the dehumanizing domination of Western culture. He claimed that Western culture corrupted the leaders of the decolonized state, making them put their own interests above the interests of the people. He urged former colonial powers to compensate their former colonies instead of continuing to exploit them.

*Gregory P. Rich*

SEE ALSO: Colonialism and imperialism; Revolution; Violence.

# X

## Xunzi

IDENTIFICATION: Ancient Chinese philosopher

BORN: c. 307 B.C.E., Zhao Kingdom, China

DIED: c. 235 B.C.E., Lanling, Chu, China

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Xunzi (Hsün Tzu in Wade-Giles spelling) superseded Mencius (371-289 B.C.E.) as the foremost interpreter of Confucius. His humanistic philosophy was primarily concerned with the moral education and training necessary to cultivate the self and develop character, whereas Mencius had held that people are inherently good from birth and that they should depend on transcendental power and project universal love.

Xunzi's philosophy was primarily humanistic and realistic, being focused on humanity and the investigation of things. He rejected human dependence on any transcendental power or spirit, such as heaven (*tian*). Instead, he recommended that people depend on their own proper actions as spelled out by the rules of right conduct (*li*), especially in the *Li ji* (*The Book of*

*Rites*), and by justice (*yi*), combined with their own experience. Although people are born evil—that is, “uncivilized”—and are moved by desire, like other animals, they have intelligence and sympathy, which are beyond the abilities of other animals, and can learn to act righteously through knowledge and wisdom acquired by education, self-cultivation, and moral training. They can thus control their animal drives by an act of will and sense of discipline.

Xunzi thought that Mencius's idea of universal love (*jian ai*), which involved loving everyone in the world equally, was unrealistic and impractical. Instead, he held that knowledge gained by study (*xue*) and wisdom (*zhi*) would enable people to control their desires. He also realized that the basis of education was the proper understanding of language and a rational approach. Hence, he stressed the importance of linguistic analysis under the rubric of “the rectification of names.”

*Richard P. Benton*

SEE ALSO: Confucian ethics; Daoist ethics; Humanism; Mencius.

# Z

## Zen

**DEFINITION:** Buddhist school of thought whose adherents seek direct, unmediated knowledge of reality through meditation

**TYPE OF ETHICS:** Religious ethics

**SIGNIFICANCE:** A major religion in its own right, Zen Buddhism adheres to principles that have also been extremely influential in secularized form as the basis for various nondenominational spiritual philosophies.

Zen, or Zen Buddhism, is a major religion of China and Japan. The name (*Chan* in Chinese, *Zen* in Japanese) means “meditation.” Zen is one branch of the Mahāyāna School of Buddhism. Buddhism originated in India before 500 B.C.E. The historical Buddha (“Enlightened Being”)—whose sculpted image is familiar worldwide—taught followers to meditate to gain understanding of the true self, or Buddhature. Bodhidharma, the legendary founder of Zen in China, came from India during the late fifth century C.E.

Great teachers and Daoist doctrine helped shape Zen, and two Chinese schools developed, with different methods of seeking enlightenment and using meditation; these had entered Japan by the fourteenth century as Rinzai and Sōtō. Temples and monasteries arose, and Zen influenced Japanese military life, poetry, art, and landscape gardening. In the twentieth century, writings by Daisetz Teitaro Suzuki and Alan Watts helped to popularize Zen in the West.

### ETHICAL IMPLICATIONS

A compassionate realist, Buddha hoped to control suffering and eliminate possessiveness, greed, and self-centeredness. Nirvana, freedom from all earthly ties, was a spiritual goal. Although Buddha avoided specific ethical rules, his Eightfold Path sought to cure humanity’s “dislocation” with right views, right aspiration, right speech, right conduct, right vocation, right effort, right mind control, and right medi-

tation. Still central to Zen, these steps encourage careful, truthful thought and speech; respect for basic moral laws; useful work that hurts no one; and suppression of physical appetites and materialism. Although Zenists have sometimes been stereotyped as “happy have-nothings,” one traditional Zen precept has been daily work.

Zen stresses inwardness over altruism or social interaction, assuming that people who are at peace with themselves will harmonize with the world and others. Zen tries to eliminate selfishness by curbing ego, teaching that the intuitively wise person is compassionate and humane. It encourages restraint, humility, patience, and quietness. It emphasizes the symbiotic continuity of life and the connectedness of thought and action.

Roy Neil Graves

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SEE ALSO: Bodhidharma; Buddhist ethics; Bushido; Daoist ethics; Dōgen; Five precepts of Buddhism; Huineng; Mādhyamaka.



## Zero-base ethics

**DEFINITION:** Moral theory arising from the premise that one person's gain is always balanced by another's loss

**TYPE OF ETHICS:** Legal and judicial ethics

**SIGNIFICANCE:** Zero-base ethics takes zero-base, or zero-sum, economics as an axiom and attempts to ascertain the moral consequences of this axiom. In particular, it develops models and principles to guide decisions about who should suffer and who should benefit in the economic realm, given the assumption that for one person to benefit, another must necessarily suffer.

The zero-base concept is an economic concept that is often illustrated by means of the "fixed pie" analogy: The pie is of a fixed size, so if one person gets a larger piece, another person must get a smaller piece; if one person gets a piece at all, someone else must get none.

Zero-base economics has two major implications for ethics. First, it primarily involves the distribution of resources, not their production. Second, the question of distribution becomes the problem of deciding whose interests must be sacrificed so that others' may be satisfied.

Those who accept zero-base economics often use "lifeboat" scenarios to illustrate the essence of ethics. If eight people are on a lifeboat that contains provisions only for six, then the task is to decide which two must be sacrificed, voluntarily or not, so that the other six can live.

Zero-base economics is contrasted to the "expanding pie," or "win/win," model of production and distribution. Advocates of the expanding pie model argue that the production of wealth can be a dynamic, ever-increasing process, and therefore that ethics is fundamentally about production, not distribution. They point out, for example, that between the years 1750 and 2000, the world's population increased by roughly a factor of 6, yet during that time the world's production increased roughly by a factor of 1,600.

*Stephen R. C. Hicks*

**SEE ALSO:** Conflict of interest; Distributive justice; Economic analysis; Economics; Lifeboat ethics; Population control; Poverty and wealth.

## Zhu Xi

**IDENTIFICATION:** Medieval Chinese philosopher

**BORN:** October 18, 1130, Yougi, Fujian, China

**DIED:** April 23, 1200, Jianyang, Fujian, China

**TYPE OF ETHICS:** Medieval history

**SIGNIFICANCE:** An influential historian and philosopher, Zhu Xi (Chu Hsi in Wade-Giles spelling) advocated extending knowledge "through the investigation of things" ("*dan jin zai ge wu*"), which referred particularly to the study of ethical conduct in and out of government. His neo-Confucianism dominated the intellectual life of China into the first decade of the twentieth century and was influential in Korea and Japan as well.

Zhu Xi's major works are virtually all revisions of, compilations of, or commentaries upon the work of others. His *Outline and Digest of the General Mirror* (1172) is a revision of Sima Qian's history of China, *Comprehensive Mirror for Aid in Government* (late eleventh century), and his philosophy is put forward in commentaries upon the texts of his predecessors, especially Confucius and Mencius. Possibly his most famous work, *Reflections on Things at Hand* (1175), collects the writings of the foremost neo-Confucian philosophers.

Zhu Xi's own neo-Confucianism embraces cosmology and metaphysics as well as ethics and a theory of evil. What he calls the supreme ultimate (*tai ji*) is the summation of emptiness, or the realm of no-things (*li*), which is "above shapes"; it is the ideal prototype and standard that determines the nature of things. The concrete physical world is determined by the vital force (*qi*; literally, "breath"), which is "within shapes." It individuates each thing. In this way, each thing has a nature (*li*) and a specific character (*qi*). Every single thing is instilled with the supreme ultimate, which is the totality of *li* in all things. Every man can cultivate *tai ji* through earnest investigation of things and extend his knowledge of *li*; such research includes the study of the *Four Books* (*Si Shu*) of Confucianism and the study of ethical conduct. People are born with either good or bad *qi*: If it is pure and clear, they are talented and wise; if it is impure and turgid, they are foolish and degenerate. In China, Zhu Xi's philosophy was called the school of *li* (*li xue*). From a Western point of view, it is a variety of idealism.

*Richard P. Benton*

SEE ALSO: Confucian ethics; Daoist ethics; Mencius; Wang Yangming.

## Zhuangzi

IDENTIFICATION: Ancient Chinese philosopher  
BORN: c. 369 B.C.E., Meng, Kingdom of Song,  
China

DIED: 286 B.C.E., Nanhua Hill, Caozhou, Kingdom  
of Qi, China

TYPE OF ETHICS: Classical history

SIGNIFICANCE: Zhuangzi (Chuang Chou in Wade-Giles spelling) developed relativism and introduced naturalism and individualism into Daoist philosophy.

Zhuangzi criticized the other schools of thought in feudal China, such as Confucianism, Mohism, and Legalism, for their artificiality. He argued that their political and social ethics were conducive to the very disharmony that their proponents appeared to be combating. Words such as “duty” and “righteousness,” as well as concepts of “good” and “evil,” were the unnatural products of thinkers who were ignoring the real nature of humanity and its place in the universe. The way, or *dao*, of the universe was non-judgmental. Nothing was either good or bad. In fact, the concept “good” could not exist without the concept “bad,” and thus any effort to promote one of these concepts led to the unwitting encouragement of the other. As the *Zhuangzi* (his collected works) states, “The Dao is hidden by meaningless disputation, and speech is subsumed by artificiality. The Confucians and Mohists argue endlessly that each school is ‘right’ and the other ‘wrong,’ but the Dao is universal and does not recognize right or wrong.”

### ZHUANGZI

The text of the *Zhuangzi* has been corrupted by additions and emendations, and there is much controversy regarding which parts constitute the inner core of Zhuangzi’s thought. Despite this uncertainty, it is possible to perceive several consistent themes in the work. Zhuangzi was continuing the Daoist relativism of the *Dao De Jing*, a work attributed to a philosopher by the name of Laozi (“Master Lao”). The essence of this work is that there is a *dao*, or “way of the uni-

verse,” which encompasses all things and cannot be reduced into words, which have parameters. The *dao* is not subject to parameters of any kind. The first paragraph in this short work states that the *dao* that can be spoken about or identified cannot be the true *dao*. Nevertheless, Laozi’s book has eighty subsequent chapters that attempt to identify the manifestations of the *dao*. The *Dao De Jing* implies that if left alone, people are naturally peaceful and harmonious, but if they are harangued by moral argumentation, they can change for the worse. Just as concepts of shape, size, and aesthetics are all relative, so too are ethical dictates that become counterproductive because of the relativity of language.

In a sense, Zhuangzi’s writing is more consistent with Laozi’s injunction against trying to verbalize or even conceptualize the *dao* than is any other work of Daoism. Instead of sermonizing, Zhuangzi’s work primarily relates anecdotes and parables, leaving the reader to intuit the universality of the *dao*. Reality and illusion are integral parts of the *dao*, and the sage does not try to distinguish between the two. Thus, Zhuangzi states simply that, on a given night, he dreamed that he was a butterfly but wondered if he were a butterfly dreaming that he was a man. In order for skepticism to be in accord with the *dao*, it must be an all-inclusive skepticism that doubts even doubt itself.

Instead of despairing at this uncertainty, Zhuangzi suggests that one should act as if what one is doing is real and important but should also know that it might be an illusion. This is an important point in understanding Zhuangzi’s ethics. He does not dismiss moral behavior, and he frequently suggests that one should live simply and harmoniously with others. What he does dismiss, however, is the act of attributing much importance to what one does. According to Zhuangzi, therefore, ceremonies and sermons do nothing to induce moral behavior. Simplicity, and by inference what is “good,” can be achieved only by “getting closer to the *dao*.”

When Zhuangzi’s wife died and he beat on a drum instead of mourning for her, he answered his critics by explaining that perhaps his wife had evolved into a happier existence than that which she had enjoyed while in human form. It was not wrong to have loved her and to miss her, but it was wrong to mourn her change from one form to another. Zhuangzi’s parables point out that one cannot be certain what is best

for other people and that one should therefore avoid imposing tentative and uncertain values on others.

In several tales in the *Zhuangzi*, men who, because they are criminals, have been punished by amputation seem to possess considerable wisdom, most of which has to do with not valuing things, including their limbs. Zhuangzi suggests that these men are in some ways more honest than others and have attained contentment and even "virtue" by losing that which other people strive so desperately to keep.

Zhuangzi also ridiculed those who would try to define the dao as a philosophy of action or ethics, perhaps anticipating the plethora of "The Zen of . . ." and the "Dao of . . ." literature that abounds today. A famous bandit by the name of "Robber Zhi," to whom an entire chapter of the *Zhuangzi* is devoted, is said to have argued that there is even a dao of stealing: "There is cleverness in locating the booty, courage and heroism in taking it, and the intelligence of plotting the theft. Finally, there is the honesty of dividing it fairly."

Although Zhuangzi calls for individualism and skeptical relativity, he does not argue in favor of selfishness or dissipation. Instead, his ethics consist of leaving other people to decide for themselves what is right and wrong and having no state, religion, or social organization make such determinations. To Zhuangzi, one could best perfect oneself by blending with nature and not competing with it. Only when people ceased to interfere with nature or with other people could there be peace.

*Hilel B. Salomon*

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SEE ALSO: Confucian ethics; Confucius; Daoist ethics; Laozi.

## Zionism

**IDENTIFICATION:** Historical movement to establish a national Jewish state in Palestine, or, the political movement supporting the national and international interests of modern Israel

**DATE:** Formally established on August 29, 1897

**TYPE OF ETHICS:** Race and ethnicity

**SIGNIFICANCE:** The original Zionists believed that the reestablishment of a Jewish state was the only realistic means of escaping virulent anti-Semitism and the only way that Jews could fully implement Judaism as a way of life. Modern day Zionism is a form of nationalism which is closely associated with the extreme complexity and moral ambiguities of the Israeli-Palestinian conflict.

In 1882, after a series of pogroms (organized persecutions of Jews) in Russia, Russian Jewish youths formed a group called the *Hovevei Ziyon* ("Lovers of Zion") to promote immigration to Palestine. "Zion" is the ancient Hebrew poetic term for the abode of the faithful; specifically, Jerusalem and the Holy Land. The *Hovevei Ziyon* began what was called "practical Zionism."

In 1896, after witnessing anti-Semitic demonstrations in Paris resulting from the Dreyfus affair, Theodor Herzl wrote *The Jewish State*, in which he reasoned that if the Jewish army officer Alfred Dreyfus could be falsely convicted of treason in a country supposedly as enlightened and ethical as France simply because he was Jewish, there was no hope for Jews to live in peace anywhere except in an independent Jewish national state. Subsequently, Herzl organized "political Zionism" on a worldwide scale at

the First Zionist Congress in Basel, Switzerland, in 1897.

After Herzl's death in 1904, Zionist leaders worked tirelessly in the face of Arab hostility and the horrors of the Holocaust to bring about the founding of the state of Israel on May 14, 1948. By the 1980's, practically all Jews of the Diaspora had become committed to Zionism, or at least to its mission of supporting Israel and human rights for Jews.

*Andrew C. Skinner*

SEE ALSO: Anti-Semitism; Bigotry; Hitler, Adolf; Holocaust; Israeli-Palestinian conflict; Nationalism; Nazism; Oppression; Pogroms.

## Zoroastrian ethics

DEFINITION: Ethical values and principles of the Zoroastrian religion

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: Zoroastrian ethics emphasizes personal free choice and individual responsibility for good or evil behavior, measured according to a person's effects in the world. It has heavily influenced the ethical doctrines of Judaism, Christianity, Islam, and Buddhism.

Zoroastrian doctrine teaches that human beings freely choose right or wrong behavior and are personally responsible for their conduct. To achieve lasting happiness, people should recognize and engage in right conduct as it is defined in Zoroastrian teachings. At death, the good and evil thoughts, words, and actions of each person are judged by God; the good souls are rewarded in Paradise, while the bad are punished in Hell. Right and wrong conduct, which are clearly defined in Zoroastrian texts, encompass thoughts, words, and actions.

The basic doctrines of Zoroastrianism were first expressed in the *Gathas* (inspired poems, or *manthra*), which were composed from approximately 1700 to 1500 B.C.E. Their author, Zoroaster (Zarathustra), was a priest in a preliterate society probably in eastern Iran, where he experienced a series of divine visions and a call to teach all people a new spiritual way that would become the first divinely revealed world religion.

This way emphasizes right conduct and teaches a cosmic duality of two opposing divine spirits: the All-Wise and Good God (Ahura Mazda) and the All-Ignorant and Evil Adversary (Angra Mainyu). During Zoroaster's life, a system of rituals and customs developed as part of the new religion, many of them adapted from the older polytheistic religion that he had practiced. These rituals and customs are strikingly similar to early Hindu religious observances, suggesting a common origin of Hinduism and Zoroastrianism.

By 600 B.C.E., Zoroastrianism had become the state religion of the widespread Persian Empire and eventually was adapted by peoples from the borders of Greece in the West to those of India and China in the East. It remained the official state religion of Persia until around 700 C.E., when Islam replaced it. Through the twelve centuries that followed, it gradually lost both prestige and membership. It continues to be practiced in small communities, chiefly in Iran and India.

### ETHICAL DOCTRINE

Human conduct plays a crucial role in the fate of the world, according to Zoroastrian teachings. By choosing the right conduct defined by Zoroaster, humans join the All-Wise God and the accompanying six holy immortal ones and other divinities (*yazatas*), including Mithra, in an ongoing cosmic battle against the Adversary and his followers, the race of evil ones.

This battle, which began when the Adversary attacked the newly created world, will continue to rage until righteousness finally overcomes evil, the savior of the world appears, and the day of final judgment arrives. Therefore, the personal choices in daily human life are a battleground of good and evil forces. When individuals choose good thoughts, words, and actions, they support the All-Wise One and strengthen the world's prosperity, growth, and natural order: the power of the just (*asha*). When individuals choose evil thoughts, words, and actions, they support the Adversary and increase distortion, decay, and conflict in the world: the power of the evil force (*drug*). Followers of this teaching must, therefore, recognize and follow right conduct, resist the temptations of wrong conduct, and purify themselves when they think, say, or do evil.

Human conduct not only influences the outcome of the cosmic battle of good and evil but also is the

Image not available

*Zoroastrians reading their holy book, Avesta, at a festival in Iran in early 2002. (AP/Wide World Photos)*

sole basis of individual reward or punishment in life after death. After death, humans continue to exist in a spiritual state and are judged by the All-Wise God regarding their right or wrong conduct; good and evil conduct are placed on the scale of justice to determine reward or punishment in an afterlife of paradise or hell, with a shadowy place for the indeterminate ones.

Thus, good conduct leads to a place of joy and peace, while evil conduct leads to a place of suffering and conflict. Another judgment and a permanent assignment occur on the day of resurrection and judgment, when all living and dead people meet and are finally judged based on their conduct to be sent to either eternal life in a perfect material paradise or final destruction.

#### **RIGHT CONDUCT**

Since both individual and world salvation depend on the sum of an individual's own thoughts,

words, and actions, the precepts of right conduct are paramount. They are the means of both fighting evil and supporting good in daily life. Good thoughts include intention and effort to preserve good and oppose evil. Good words include prayers, agreements, and promises. Good actions include protection of the natural world, a perfect creation of the All-Wise God.

These precepts entail many rituals that are found in other religions: daily prayer, careful preparation of food, and caring for the poor and sick. Other, less common practices include marrying next of kin (brother-sister, father-daughter), conserving land and vegetation, protecting water and fire from pollution, and treating carefully dead bodies and waste material. Conserving the purity found in nature (vegetation, lakes, and so forth) and purifying unclean pollutants (decaying flesh, sewage, and so forth) become the basis of personal and world salvation.



**INFLUENCE OF ETHICS**

Although Zoroastrian ethics have insignificant direct influence today, they have indirectly influenced modern societies through other religions, including Judaism, Christianity, and Buddhism, which adapted and preserved these teachings. This influence occurred when these religions came into prolonged contact with Zoroastrianism and Zoroastrian ideas gained recognition and respect.

Chief among the adapted teachings are these: Individuals are solely responsible for their own spiritual destinies; the individuals freely choose good or evil conduct; individuals can learn to support good and oppose evil conduct; conduct has permanent moral consequences; and salvation is based on the sum of thoughts, words, and actions. These ethical ideas survive today in religions practiced by millions of people.

*Patricia H. Fulbright*

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SEE ALSO: Akbar the Great; Buddhist ethics; Choice; Christian ethics; Hindu ethics; Islamic ethics; Jewish ethics.

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## Biographical Directory

All the ethicists, philosophers, and historical figures listed here are discussed in the main body of essays. Figures whose names are printed in SMALL-CAPPED letters are subjects of essays, which are alphabetically arranged. For additional information on all figures, see the *Personages Index*.

- ABELARD, PETER (c. 1079-1142):** French philosopher and theologian who wrote many works on ethics, logic, philosophy, and theology.
- ABŪ BAKR (c. 573-634):** Arab caliph who succeeded Muḥammad. He afforded Muḥammad moral and financial support while he was in Mecca.
- ABŪ ḤANĪFAH (c. 699-767):** Muslim theologian and legal scholar who contributed to Islamic ethics with the creation of his legal doctrines.
- Adams, John (1735-1826):** Second president of the United States who believed that religion was necessary to sustain society and favored common sense over abstract theory. Adams placed society above the individual and contributed to the foundation of modern or traditionalist conservatism.
- AKBAR (1542-1605):** Mogul emperor who invented a new religion, called “Din-e-Ilahi,” which combined parts of several religions, such as Islam and Hinduism.
- ʿALĪ IBN ABĪ ṬĀLIB (600-661):** The fourth and last of the Arab caliphs after Muḥammad’s death. He is regarded as one of the most important leaders in early Islam because of his extensive knowledge of Islam.
- ARENDT, HANNAH (1906-1975):** German philosopher and author of numerous books such as *The Origins of Totalitarianism* (1951), *The Human Condition* (1958), *Eichmann in Jerusalem* (1963), and *On Revolution* (1963).
- Aristippus (c. 435-365 B.C.E.):** Greek philosopher who founded the Cyrenaic School of philosophy, the central component of which was hedonism.
- Aristotle (384-322 B.C.E.):** Greek philosopher who wrote the extremely influential *Nicomachean Ethics* (335-323 B.C.E.), the first methodical work on ethics in the Western world.
- AŚOKA (c. 302-c. 230 B.C.E.):** Indian emperor who fostered the spread of Buddhism and promoted public morality.
- ATATÜRK (1881-1938):** Atatürk launched a massive social reform movement as the founder and first president of Turkey.
- AUGUSTINE, SAINT (354-430):** Theologian and philosopher whose ethical teachings have influenced the Christian church for centuries. His most significant works were *Confessions* (397-400) and *City of God* (413-427).
- AUROBINDO, SRI (1872-1950):** Indian philosopher and a leading religious visionary who aided the spiritual and political growth of India. His works include *The Life Divine* (1914-1919) and *Synthesis of Yoga* (1948).
- AVERROËS (1126-1198):** Arab philosopher who wrote many studies on Aristotle’s work, as well as critical interpretations on the work of Avicenna and al-Fārābī.
- AVICENNA (980-1037):** Persian philosopher and important author of many works including *The Book of Healing* (early eleventh century). Avicenna is considered to be the most thoroughly regarded philosopher in the Islamic world.
- AYER, A. J. (1910-1989):** English philosopher who combined logical positivism and empiricism to form his own idea of ethics, which he detailed in the book *Language, Truth, and Logic* (1936).
- BACON, FRANCIS (1561-1626):** English philosopher whose partiality toward a naturalistic approach toward ethics governed English moral philosophy into the modern era.
- BAḤYA BEN JOSEPH IBN PAḤUDA (fl. second half of eleventh century):** Arab philosopher who is celebrated for writing *Duties of the Heart* (c. 1080). The work is regarded as the most renowned moral-religious work of the medieval era and had a lasting influence on ensuing generations of Jewish ethical and pietistic writing. It is about the personal response needed for a sincere devotion of self to the service of God.
- Bakunin, Mikhail (1814-1876):** Leading Russian anarchist and author who likened violence to vir-

- tue, believing that violence would inspire social change.
- BEAUVOIR, SIMONE DE (1908-1986):** French existentialist philosopher and author of numerous works including *The Second Sex* (1949).
- Bellah, Robert (1927- ):** American sociologist who is the leader of the Communitarianism movement—a drive toward community-based, rather than individual-based existence. Bellah believes that the fabric of the American community is in such a state of disaster that morality is essentially impossible. Author and editor of numerous books including *Habits of the Heart: Individualism and Commitment in American Life* (1985).
- BENNETT, WILLIAM (1943- ):** American statesman who published *The Book of Virtues: A Treasury of Great Moral Stories* (1993). His virtuous character was questioned when it was revealed he was a high-stakes gambler.
- BENTHAM, JEREMY (1748-1832):** English philosopher, economist, and author of numerous works including *A Fragment on Government* (1776), *An Introduction to the Principles of Morals and Legislation* (1789), *The Rationale of Reward* (1825), and *The Rationale of Punishment* (1830). Bentham also initiated the philosophy of utilitarianism in England.
- BERDYAYEV, NIKOLAY (1874-1948):** Russian philosopher and author of *The Origin of Russian Communism* (1937) and editor of the journal *Put'* (path). Berdyayev used Christian existentialism to examine the function of freedom in improving the human race.
- BERGSON, HENRI (1859-1941):** French philosopher who promoted “process philosophy.” He wrote several significant philosophical discourses, the most renowned of which was *Matter and Memory* (1896). Bergson was awarded the Nobel Prize in Literature in 1927.
- Berkeley, George (1685-1753):** British empiricist whose theory denied the existence of physical objects. Everything that exists is said to exist in the mind.
- Binet, Alfred (1857-1911):** French psychologist and physician who tried to scientifically evaluate intelligence—it was Binet who invented the expression “intelligence quotient.” Binet was most concerned with how the normal mind works.
- Black, Hugo L. (1886-1971):** American Supreme Court associate justice (1937-1971) who attempted to delineate and in some areas expand constitutional protection of civil liberties.
- BODDHARMA (fifth century-sixth century):** Buddhist monk who founded Chinese Chan Buddhism.
- BOETHIUS (c. 480-524):** Roman philosopher and author of *The Consolation of Philosophy* (523) who mixed classical philosophical ideas with Christian ethics to establish a guideline for virtuous living.
- BONHOEFFER, DIETRICH (1906-1945):** German theologian and author of numerous works including *The Cost of Discipleship* (1937), *Ethics* (1949), and *Letters and Papers from Prison* (1951). Bonhoeffer developed a consequentialist ethical theology.
- BRADLEY, F. H. (1846-1924):** English philosopher and author of several works including *The Presuppositions of Critical History* (1874), *Ethical Studies* (1876), *Principles of Logic* (1883), and *Appearance and Reality: A Metaphysical Essay* (1893). Bradley’s work focused on the individual’s role within society.
- BRANDEIS, LOUIS D. (1856-1941):** American Supreme Court Justice (1916-1939) who incorporated moral values into his legal reasoning and opinions.
- Brandt, Richard (1910-1997):** Notable American moral philosopher of the twentieth century. His most celebrated book on ethics is *A Theory of the Good and the Right* (1979).
- BUBER, MARTIN (1878-1965):** Austrian philosopher and author of *I and Thou* (1923). Buber believed the core of ethics centered on the “I-Thou” personal relationship rather than the detached “I-It” relationship.
- BUDDHA (c. 566-c. 486 B.C.E.):** Indian religious leader who started Buddhism and developed its moral code. Buddhism is one of society’s primary religious orders.
- BŪKHĀRĪ, AL- (810-870):** Islamic scholar who assembled the *al-Jāmi’ al-Ṣaḥīḥ*, a collection of customs, or *ḥadīth* from Muḥammad’s life.
- Burger, Warren (1907-1995):** Chief Justice of the United States Supreme Court (1969-1986) who criticized the Court for “moral neglect” because of its decisions on insanity and self-incrimination. He also helped found the American Inns of Court.

- BURKE, EDMUND (1729-1797):** English politician and author of *Reflections on the Revolution in France* (1790). He provided the model that serves as the foundation of modern conservatism.
- Bush, George W. (1946- ):** President of the United States (2001- ) during a time that the United States faced several significant moral issues such as the war in Iraq, stem cell research, and capital punishment.
- BUTLER, JOSEPH (1692-1752):** English cleric and author of *Fifteen Sermons Preached at the Rolls Chapel* (1726), in which he emphasized the significance of morals in life and decisions.
- CALVIN, JOHN (1509-1564):** Swiss theologian who believed in the supremacy of God's will—everyone's destiny is predetermined.
- CAMUS, ALBERT (1913-1960):** French Algerian journalist and author of numerous works such as *The Stranger* (1942), *The Myth of Sisyphus* (1942), *The Plague* (1947), *The Rebel* (1951), and *The Fall* (1956). Camus was an advocate of the individual and opposed to totalitarianism.
- Carritt, Edgar F. (1876-1964):** Twentieth century ethicist who explained his view of ethics in his *Theory of Morals* (1928).
- CICERO (106-43 B.C.E.):** Roman orator, politician, and writer of essays including *On the Republic* (52 B.C.E.), *On the Laws* (52 B.C.E.), *On the Chief End of Man* (45 B.C.E.), *Tusculan Disputations* (44 B.C.E.), and *On Duty* (44 B.C.E.). He believed just men dedicated their lives to public service.
- Clausewitz, Carl von (1780-1831):** Prussian intellectual and soldier whose *On War* (1832) is the most significant work of military philosophy—theory and strategy of warfare—in the Western world.
- CLINTON, BILL (1946- ):** President of the United States (1993-2001) who was charged with perjury and obstruction of justice because of his role in the Monica Lewinsky scandal. Clinton's impeachment led to an ethical debate over whether a president's private life should be used as a criterion to assess his public performance.
- COHEN, RANDY (1948- ):** American author of a syndicated column on applied ethics. Cohen has also published a collection of his columns called *The Good, the Bad, and the Difference: How to Tell Right from Wrong in Everyday Situations* (2002).
- Comstock, Anthony (1844-1915):** American postal official who lobbied Congress to pass the Federal Anti-Obscenity Act (1873), popularly known as the "Comstock Law." The statute prohibited the sending of materials judged "obscene, lewd, or lascivious."
- COMTE, AUGUSTE (1798-1857):** French philosopher who was the father of positivism. He stressed the importance of "moral progress" as a vital responsibility of society.
- CONFUCIUS (551-479 B.C.E.):** Chinese philosopher who stressed the idea of combining morality with the act of governing. Confucianism became the official state philosophy of China in the second century B.C.E. and it remained as the primary philosophy until the early twentieth century. Confucianism continues to be a significant influence on people throughout East Asia.
- DALAI LAMA (Tenzin Gyatso; 1935- ):** Tibetan spiritual leader of the Buddhist community in Tibet who has ruled the government in exile because of Chinese occupation. His teachings stress the importance of mixing ethical values and ethical politics. The Dalai Lama was awarded the 1989 Nobel Peace Prize.
- DALLAIRE, ROMÉO (1946- ):** Canadian commander of the U.N. peacekeeping force in Rwanda during that nation's 1994 genocide. Dallaire explored the world community's negligent behavior in response to the warnings about the uprisings in his *Shake Hands with the Devil: The Failure of Humanity in Rwanda* (2003).
- DARWIN, CHARLES (1809-1882):** English naturalist whose concept of evolution through natural selection, which he detailed in *On the Origin of Species* (1859), has been the foundation of numerous movements within ethics, such as Social Darwinism and evolutionary ethics.
- de Klerk, F. W. (1936- ):** President of South Africa who started the process of ending the racist system of apartheid.
- DERRIDA, JACQUES (1930-2004):** Jewish philosopher renown for founding the deconstructionist school of philosophy. His most noted works, including *Speech and Phenomena* (1967), *Writing and Difference* (1967), and *Margins of Philosophy* (1972), offer lengthy evaluations of the metaphysical model underlying all of conventional Western philosophy. This analysis has forced phi-



- losophers to reexamine the very nature, methodology, and boundaries of the field of ethics.
- DESCARTES, RENÉ (1596-1650):** French mathematician and philosopher whose teachings changed philosophy from a metaphysical science to one more interested in the individual, which raised awareness in ethics and conduct.
- DEWEY, JOHN (1859-1952):** Notable American philosopher whose ethical theory defines ethical conduct as a function of human behavior initiated by the individual. He was the author of *Outlines of a Critical Theory of Ethics* (1891), *The Study of Ethics: A Syllabus* (1894), "Theory of the Moral Life" (1908, 1932), *Human Nature and Conduct* (1922), and *Theory of Valuation* (1939).
- DŌGEN (1200-1253):** Founder of Japan's Sōtō school of Zen Buddhism.
- DOSTOEVSKI, FYODOR (1821-1881):** Russian author whose fiction describes the individual experience of morality and its connection to Christian religion.
- DU BOIS, W. E. B. (1868-1963):** African American writer and social activist who was one of the founders of the National Association for the Advancement of Colored People. Du Bois examined the ethical consequences of racism.
- Dunant, Jean Henri (1828-1910):** Swiss founding father of the humanitarian organization the International Red Cross and cofounder of the Young Men's Christian Association.
- DURKHEIM, ÉMILE (1858-1917):** Founder of the French school of sociology who voiced concerns about the influence of modern society on the ethics of humankind.
- EDWARDS, JONATHAN (1703-1758):** American theologian and philosopher who tried to provide a sound interpretation of predestination.
- EMERSON, RALPH WALDO (1803-1882):** American theologian and author who was a leader of the American Transcendentalist movement.
- EPICETUS (c. 55-c. 135 C.E.):** Greek philosopher who founded a school of Stoic philosophy. His ethical theory urged leading disciplined lives in accordance with natural law.
- EPICURUS (341-270 B.C.E.):** Greek philosopher whose ethical system is based on the belief that seeking personal pleasure results in the highest good. He founded the Garden School to put this philosophy into practice.
- EVERS, MEDGAR (1925-1963):** African American civil rights activist who staged an immense protest to bring attention to the unjust policies of discrimination and segregation in Mississippi. He became a martyr of the Civil Rights movement after his murder.
- FĀRĀBĪ, AL- (870-950):** Muslim philosopher who influenced Islamic ethics and thought in medieval Europe. He tried to reconcile the ideas of Aristotle, Plato, and Neoplatonic thought.
- FARRAKHAN, LOUIS (1933- ):** African American leader of the Nation of Islam who has made statements involving Malcolm X and Jesse Jackson that have raised ethical concerns about his character.
- FĀṬĪMA (c. 606-632):** The revered daughter of the Prophet Muḥammad who is viewed as a paragon of Islamic spirituality.
- Fichte, Johann Gottlieb (1762-1814):** German philosopher who provided the groundwork for the school of German Idealism.
- FOUCAULT, MICHEL (1926-1984):** French philosopher and author concerned with the effects of imprisonment and whose work generated reforms in the prison system. He is well known for such works as *Madness and Civilization* (1961), *The Order of Things* (1966), *The Discourse on Language* (1971), *Discipline and Punish* (1975), and his three-volume *The History of Sexuality* (1976-1984).
- FREUD, SIGMUND (1856-1939):** Austrian founder of psychoanalysis whose work had an enormous influence on the field of ethics.
- Galen (129-c. 199):** Greek physician and philosopher who was instrumental in formulating logical empiricism.
- Galileo (1564-1642):** Italian astronomer who was a principal figure of the early scientific revolution. His work helped develop the modern scientific methods of observation and experimentation. Galileo's *Dialogue Concerning the Two Chief World Systems* (1632) was condemned by the Vatican.
- GANDHI, MOHANDAS K. (1869-1948):** Indian nationalist leader who used nonviolent protests as a means to fight for Indian independence, women's rights, and the untouchables.
- Garvey, Marcus (1887-1940):** Jamaican-born journalist and orator who founded the Universal Negro Improvement Association. A proponent of

black nationalism, he urged African Americans to move back to Africa.

- Gewirth, Alan (1912- ):** Gewirth is one of the foremost American ethicists from the late twentieth century. He is renowned for his belief in the ethical commitment to respect human rights. Gewirth has written over one hundred articles on ethical, moral, political, and social philosophy and some of his books include *Reason and Morality* (1978), *Human Rights: Essays on Justification and Applications* (1982), *The Community of Rights* (1996), and *Self-Fulfillment* (1998).
- GHAZĀLĪ, AL- (1058-1111):** Persian author who is well known for his writings on ethics and mysticism.
- Gilligan, Carol (1936- ):** American psychologist and author. Gilligan's early work focused on moral development in girls, leading to the formation of her "difference feminism"—women possess different moral and psychological inclinations than men. Her most famous book is *In a Different Voice: Psychological Theory and Women's Development* (1982).
- Goldman, Emma (1869-1940):** Russian-born American anarchist who criticized the capitalist and socialist systems. Goldman supported the ideals of anarchy through her fight for women's rights.
- Gregory, John (1725-1773):** Scottish physician who wrote *Lectures on the Duties and Qualifications of a Physician* (1772). The book stressed the virtues of the physician and described the physician's obligations.
- GROTIUS, HUGO (1583-1645):** Dutch philosopher who provided the framework for such pacts as the Geneva Conventions which dictate the conduct of war, through his influential book *On the Law of War and Peace* (1625).
- Habermas, Jürgen (1929- ):** German philosopher who was an influential member of the Frankfurt School for Social Research. Habermas is well known for trying to articulate an inclusive theory of communication, language, and the development of society within an ethical system. His principal works include *Theory and Practice* (1963), *Knowledge and Human Interests* (1968), *The Theory of Communicative Action* (1981), *Between Facts and Norms* (1992).
- HALLĀJ, AL- (c. 858-922):** Persian mystic whose martyrdom was vital to the growth of Sufism.

- Hardin, Garrett James (1915-2003):** American ecologist and microbiologist. A prolific author, Hardin wrote articles and books on numerous subjects such as bioethics, ecology, ethics, immigration, and population theory. In *Filters Against Folly* (1985), he discussed the three intellectual filters necessary for a useful ethical theory. His other principal works include the essays "The Tragedy of the Commons" and "Living on a Lifeboat" and the books *Living Within Limits: Ecology, Economics and Population Taboos* (1993), *The Immigration Dilemma: Avoiding the Tragedy of the Commons* (1995), *Stalking the Wild Taboo* (1996), and *The Ostrich Factor: Our Population Myopia* (1999).
- HARE, R. M. (1919-2002):** English philosopher and author of *The Language of Morals* (1952), *Freedom and Reason* (1963), *Applications of Moral Philosophy* (1972), *Moral Thinking* (1981), *Essays in Ethical Theory* (1989), and *Essays on Political Morality* (1989). Hare developed a moral theory called "universal prescriptivism." He also displayed an interest in difficulties related to moral education and moral decision making.
- HART, H. L. A. (1907-1992):** English philosopher who wrote on numerous topics, including the nature of obligation, punishment, and the role of pardons in ethics and law. He contended that law and morality are not necessarily connected. One of his most famous works is *The Concept of Law* (1961).
- HARTSHORNE, CHARLES (1897-2000):** American philosopher, theologian, and author who was a proponent of a logical, germane view of ethics.
- HEGEL, GEORG WILHELM FRIEDRICH (1770-1831):** German philosopher who developed numerous doctrines that influenced various disciplines such as anthropology, history, psychology, political theory, and sociology.
- HEIDEGGER, MARTIN (1889-1976):** German philosopher whose theories were concerned with the study and meaning of "being."
- HIPPOCRATES (c. 460-c. 377 B.C.E.):** Greek physician known as the "father of Western medicine." He wrote the guidelines for ethical conduct within the medical profession—the Hippocratic oath—a standard for physician behavior in medicine.
- HITLER, ADOLF (1889-1945):** German dictator who was responsible for the death of thousands of peo-

- ple during the Holocaust and for triggering the events that started World War II.
- HOBBS, THOMAS (1588-1679):** English political philosopher well known as a proponent of political absolutism.
- Holmes, Robert (1935- ):** American philosopher who inferred that all modern wars are immoral because innocent people are killed. He argued for the practice of nonviolence. Holmes is the author of *On War and Morality* (1989) and *Basic Moral Philosophy* (1992) and the editor of *Nonviolence in Theory and Practice* (1990).
- HUINENG (638-713):** Chinese Buddhist monk who taught that freedom is achieved when one realizes that there is no self.
- HUME, DAVID (1711-1776):** English philosopher who was a proponent of empiricism.
- ḤUSAYN (626-680):** Grandson of the Prophet Muḥammad, who served as a political and religious leader. Ḥusayn's death was a defining moment in Shī'a Islam.
- HUSSEIN, SADDAM (1937- ):** Dictatorial Arab leader of Iraq (1979-2003), who brutally repressed his people and was responsible for the death or inhuman treatment of thousands of civilians.
- Hutcheson, Francis (1694-1746):** Scottish moral philosopher who was celebrated for his ethical philosophy of innate moral sense. He also wrote *Inquiry into the Original of Our Ideas of Beauty and Virtue* (1725), *Essay on the Nature and Conduct of the Passions and Affections* (1728), and *System of Moral Philosophy* (1755).
- Ibn al-ʿArabī (1165-1240):** Arab philosopher who articulated a systematic philosophical account of Sufism that remains influential in modern practice. His writings include *Meccan Revelations* and *Gems of Wisdom* (1229).
- IBN GABIROL (c. 1020-c. 1057):** Arab philosopher and poet. Ibn Gabirol's version of Neoplatonism philosophy came to be intergrated within Christian Augustinian thought. He authored *The Source of Life* (eleventh century).
- IBN KHALDŪN (1332-1406):** Arab philosopher who was the first and one of the best philosophers in history. He produced a system of political ethics that he trusted would assist in the growth of civilization and better society. His massive work, *The Muqaddimah* (1375-1379) is the first known work in the philosophy of social and cultural history.
- JACKSON, JESSE (1941- ):** Noted African American Christian minister and civil rights leader whose ethical conduct has come into question on two occasions. Jackson has faced criticism for making disparaging racial and religious remarks and for committing adultery and fathering a child outside of his marriage.
- JAMES, WILLIAM (1842-1910):** American philosopher whose ethical theory is based upon humankind's freedom of choice. His most significant works include *The Principles of Psychology* (1890), *The Varieties of Religious Experience: A Study in Human Nature* (1902), *Pragmatism: A New Name for Some Old Ways of Thinking* (1907), and *A Pluralistic Universe* (1909).
- Jaspers, Karl (1883-1969):** Leading German philosopher who provided the foundation for the existential movement.
- JEFFERSON, THOMAS (1743-1826):** American philosopher and third president of the United States. Jefferson was the author of the Declaration of Independence, and he strived to expand and protect civil rights, democracy, public education, and religious freedom.
- JESUS CHRIST (c. 6 B.C.E.-30 C.E.):** Religious teacher who initiated Christianity and instructed that love is the consummate value and that sin may be forgiven through genuine penance.
- Johnson, Lyndon B. (1908-1973):** Thirty-sixth president of the United States who was a proponent of civil rights and increased the government's role in social welfare through his Great Society programs.
- JUNG, CARL (1875-1961):** Swiss psychologist and father of analytical psychology. Jung is probably best known for his descriptions of the orientations of the personality, "extroversion" and "introversion."
- KANT, IMMANUEL (1724-1804):** German philosopher who combined empiricism and rationalism into a new system of philosophical thought.
- KELLER, HELEN (1880-1968):** Blind and deaf American social activist who committed her life to serving disabled people. Keller was also an author who wrote *The Story of My Life* (1903), *The World I Live In* (1908), *Out of the Dark* (1913), *Helen Keller's Journal* (1938), and *Teacher: Anne Sullivan Macy* (1955).

- Kennedy, John Fitzgerald (1917-1963):** Thirty-fifth president of the United States who contributed to the tendency toward dishonesty within political circles when he received the Pulitzer Prize for a book he did not write.
- KEVORKIAN, JACK (1928- ):** American pathologist who assisted in the suicide of many terminally ill patients. His actions were covered extensively by the media resulting in an ethical debate on the rights and wrongs of physician-assisted suicide.
- KIERKEGAARD, SØREN (1813-1855):** Danish philosopher and theologian who is viewed as the founder of existentialism. His most noted works include *Either/Or: A Fragment of Life* (1843), *Fear and Trembling* (1843), and *Concluding Unscientific Postscript* (1846).
- KINDĪ, AL- (c. 800-866):** A prolific author who wrote on many subjects, al-Kindī was the first significant Arab philosopher. He furnished the first methodical philosophical presentation of ethics and moral psychology in Arabic.
- KING, MARTIN LUTHER, JR. (1929-1968):** American civil rights leader. As founding president of the Southern Christian Leadership Conference, King headed the nonviolent movement that led to the 1964 Civil Rights Act and the 1965 Voting Rights Act. He was awarded the Nobel Peace Prize in 1964 for his role in the nonviolent war against racial injustice and poverty.
- KOHLBERG, LAWRENCE (1927-1987):** American psychologist. He outlined his concept of moral development—a cognitive skill that evolves in phases—in his book *Essays on Moral Development* (1981).
- KŪKAI (774-835):** Born Saeki Mao, Kūkai, was a Japanese monk who established the Shingon school of Japanese Buddhism. He instructed that compliance to moral and social principles comprised the second of the ten rungs on the ladder that leads to actual Buddhahood.
- LAOZI (604 B.C.E.-sixth century B.C.E.):** Chinese philosopher and religious figure who is widely identified as one of the primary masters of Daoism, the second of China's great philosophical schools.
- LEIBNIZ, GOTTFRIED WILHELM (1646-1716):** German philosopher, theologian, and historian. Leibniz contributed to the development of rationalist philosophy. His works include *Theodicy: Essays on the Goodness of God, the Freedom of Man, and the Origin of Evil* (1710) and *New Essays Concerning Human Understanding* (written 1704; published 1765).
- LEMKIN, RAPHAEL (1900-1959):** Renowned Polish legal scholar and political activist who defined the word genocide. His efforts to have genocide acknowledged as a crime aided the 1948 adoption of the United Nations Genocide Convention.
- LENIN, VLADIMIR ILICH (1870-1924):** Born Vladimir Ilich Ulyanov. Lenin, a Russian political ruler, modified Marxist theory to the politics of late imperial Russia, establishing and heading the Communist Party. He was the main architect of the new socialist state that became the model for world communism.
- LEOPOLD, ALDO (1887-1948):** American scientist and writer who has been called the father of modern wildlife management and ecology. He wrote the influential *A Sand County Almanac* (1949) and founded the Wilderness Society in 1935.
- LEVINAS, EMMANUEL (1906-1995):** Levinas fostered the idea that responsibility to others is the foundation of ethics. His writings on ethics include *Difficult Freedom: Essays on Judaism*.
- LINCOLN, ABRAHAM (1809-1865):** President of the United States who issued the Emancipation Proclamation and supported other legislation to deal with the ethical dilemma of slavery.
- LOCKE, JOHN (1632-1704):** English philosopher who mixed empiricism and theism, creating a powerful philosophy of mind and ethics. He was one of the most powerful political theorists from the Enlightenment era. His writings include *An Essay Concerning Human Understanding* (1690) and *Two Treatises of Government* (1690).
- Lorenz, Konrad (1903-1989):** Austrian ethologist and zoologist who was awarded the Nobel Prize in Physiology or Medicine in 1973. He was considered a principal founder of the science of ethology because of his work in correlating patterns of animal and human behavior. As a result of this work, Lorenz developed his theory of aggression which has numerous ethical implications.
- LUTHER, MARTIN (1483-1546):** German Protestant reformer who developed a theology and a religious movement that had a profound impact on the social, political, and religious thought of Western society.



- McCarthy, Joseph R. (1908-1957):** United States senator who achieved notoriety for his unethical persecution of political and entertainment figures during the 1950's.
- Machiavelli, Niccolò (1469-1527):** Italian political theorist who introduced a pragmatic manner of political discourse that is completely free of ethical considerations derived from traditional sources of moral authority, such as classical philosophy and Christian theology.
- MacIntyre, Alasdair (1929- ):** An influential Scottish moral philosopher. In *After Virtue* (1981), MacIntyre outlines the history of Western ethical thinking, defines the moral dilemmas of the modern era, and provides a novel approach to ethical theory to face and settle those dilemmas. MacIntyre's other works include *A Short History of Ethics* (1966), *Difficulties in Christian Belief* (1959), *Marxism and Christianity* (1968), and *First Principles, Final Ends, and Contemporary Philosophical Issues* (1990).
- MacKinnon, Catharine A. (1946- ):** American lawyer, professor, author, and activist. A leader in the formation of feminist legal theory, MacKinnon's argument that sexual harassment is a form of sex discrimination was later ratified.
- Maimonides, Moses (1135-1204):** Jewish philosopher whose works were characterized by ethical concerns, most particularly in *Mishneh Torah* (1185) and *Guide of the Perplexed* (1190).
- Malcolm X (1925-1965):** Born Malcolm Little. As an American religious leader and social activist, Malcolm X was a proponent of using "any means necessary" to achieve equality, justice, and freedom for African Americans. His actions spurred ethical debates about nonviolent and violent protest.
- Malthus, Thomas Robert (1766-1834):** English economist who encouraged controls on human reproduction in his *An Essay on the Principle of Population, as It Affects the Future Improvement of Society* (1798).
- Mandela, Nelson (1918- ):** South African social activist and statesman who has been a leader or participant in many ethical issues such as apartheid, AIDS, and human rights.
- Mao Zedong (1893-1976):** Chinese political figure who established the People's Republic of China. His regime was one of repression and oppression that led to the mass murder of his country's people.
- Maplethorpe, Robert (1946-1989):** American artist whose work was the center of controversy in disputes over censorship and public funding of the arts during the late 1980's and early 1990's.
- Marcus Aurelius (121-180):** Born Marcus Annius Verus. Roman emperor who produced a Stoic philosophy in his *Meditations* (c. 171-180). This work reflects the emperor's efforts to achieve the Platonic ideal of the philosopher-king and is the last great literary statement of Stoicism.
- Marcuse, Herbert (1898-1979):** German philosopher who was a member of the Frankfurt School for Social Research. His works included *Eros and Civilization* (1955) and *One-Dimensional Man* (1964), both of which criticized capitalist society as oppressed. In *Soviet Marxism* (1958) he was antagonistic toward bureaucratic communism.
- Marx, Karl (1818-1883):** German political philosopher. Marx's opinions regarding economic distribution and social class have significantly influenced theories in economic and philosophical thought and have helped form the political structure of the modern world.
- Mead, George Herbert (1863-1931):** American pragmatist philosopher and psychologist. His principal works include *The Philosophy of the Present* (1932), *Mind, Self, and Society* (1934), *Movements of Thought in the Nineteenth Century* (1936), and *The Philosophy of the Act* (1938).
- Mencius (c. 372-c. 289 B.C.E.):** Chinese philosopher born Meng Ke. Mencius explained and developed the wisdom embodied in Confucius's *Analects*, rendering Confucian ideas more accessible. His *Mengzi* transcended other interpretations of Confucius and gained acceptance as the orthodox version of Confucian thought.
- Mill, John Stuart (1806-1873):** English philosopher and economist who was the most renowned modern advocate of utilitarianism. His most influential works include *On Liberty* (1859), *Utilitarianism* (1863), and *The Subjection of Women* (1869).
- Milošević, Slobodan (1941- ):** Serbian political leader whose ethnic cleansing policies against ethnic Albanians received widespread outrage and was eventually stopped.
- Moniz, Egas António (1874-1955):** Portuguese neurosurgeon who won the Nobel Prize in Physi-



ology or Medicine in 1949 for his prefrontal leukotomy procedure. Moniz believed that his technique could be used to reduce apprehension and other emotional conditions in humans.

**Montaigne, Michel de (1533-1592):** French essayist who declared that European colonization of the New World was morally wrong. He also denounced animal cruelty.

**MONTESQUIEU (1689-1755):** French political philosopher who studied the nature of government, laws, and society. His works include *The Persian Letters* (1721) and *The Spirit of the Laws* (1748).

**MOORE, G. E. (1873-1958):** English philosopher who established analytic philosophy as a major system in modern philosophical thought. His work includes *Principia Ethica* (1903) and *Ethics* (1912).

**MOSES (c. 1300-c. 1200 B.C.E.):** Early Hebrew leader. The codification of religious and ethical laws in the Pentateuch, the first five books of the Old Testament, is traditionally attributed to him.

**MOZI (c. 470-c. 391 B.C.E.):** Chinese philosopher and teacher whose philosophy advocated universal love and condemned warfare. His teachings are preserved in a book, *Mozi* (fifth century B.C.E.; *The Ethical and Political Works of Motse*, 1929; also known as *Mo Tzu: Basic Writings*, 1963), compiled by his disciples.

**MUHAMMAD (c. 570-632 C.E.):** Founder of Islam whose visions served as the basis for the Qurʾān. Muslims believe that Muḥammad’s life serves as the premier example of an ethical existence.

**MUIR, JOHN (1838-1914):** Scottish American naturalist who founded the Sierra Club and played an important role in the conservation movement and the development of the national park system.

**Mussolini, Benito (1883-1945):** Italian dictator whose fascist regime placed the state’s interests above individual human rights. Mussolini also ordered the unethical invasion and use of poison gas against Ethiopia.

**NADER, RALPH (1934- ):** American advocate of consumer rights and a proponent of responsible government behavior.

**Naess, Arne (1912- ):** Norwegian philosopher who founded the environmental movement known as deep ecology. His most influential work is *Ecology, Community, and Lifestyle* (1974).

**NĀGĀRJUNA (c. 150-c. 250 C.E.):** Indian Buddhist

philosopher who founded the Mādhyamaka school of Mahāyāna Buddhism. His most important innovation was the concept of “emptiness,” or *śūnyatā*—a recognition that things derived their only meaning from their relationships to other things.

**NAGEL, THOMAS (1937- ):** American philosopher who devised a form of ethical realism that acknowledges objective and subjective grounds for action. He is famous for his books, *The Possibility of Altruism* (1970) and *The View from Nowhere* (1986).

**NĀNAK (1469-1539):** Indian religious leader who combined the basic principles of Islam and the tradition of Hinduism into a new universal religion, Sikhism. His teaching emphasizes the equality of all human beings and regards responsible social action as central to true spiritual practice.

**Newton, Isaac (1642-1727):** English physicist whose scientific studies served to provide an explanation of occurrences in the physical world thereby moving away from God as the explanation for these occurrences.

**NIEBUHR, H. RICHARD (1894-1962):** American theologian who became one of the principal Christian ethicists of the twentieth century. He wrote influential books such as *The Meaning of Revelation* (1941) and *Christ and Culture* (1951).

**NIEBUHR, REINHOLD (1892-1971):** American theologian who devised Neoorthodox theology. He used the political and social arenas to place the Christian faith in the center of the cultural and political world of his day.

**NIETZSCHE, FRIEDRICH (1844-1900):** German philosopher whose analysis of traditional ethics in *Beyond Good and Evil* (1886) and *On the Genealogy of Morals* (1887) significantly impacted the intellectual perspective of the twentieth century.

**Nixon, Richard (1913-1994):** Thirty-seventh president of the United States (1969-1974) who was impeached for his unethical behavior during the Watergate scandal.

**Noddings, Nel (1929- ):** American professor and education theorist. Noddings is well known for her writings on caring and the part it plays in ethical behavior and moral training. Noddings’s principal works include *Caring: A Feminine Approach to Ethics and Moral Education* (1984),

- Educating Moral People: A Caring Alternative to Character Education* (2002), and *Starting at Home: Caring and Social Policy* (2002).
- NOZICK, ROBERT (1938-2002):** American philosopher and author. He is most famous for his book *Anarchy, State, and Utopia* (1974).
- NUSSBAUM, MARTHA (1947- ):** American scholar who believes that ethical and moral interests should always be the guiding force in international relationships.
- ORTEGA Y GASSET, JOSÉ (1883-1955):** Spanish philosopher whose fame helped to bring Spain out of a long period of cultural isolation and whose thought contributed greatly to his country's intellectual reawakening. He wrote the book *The Revolt of the Masses* (1929).
- ORWELL, GEORGE (1903-1950):** Born Eric Blair. British novelist who expressed his consideration of social concern in a diverse body of works. He believed that people should be afforded equality and justice under the law.
- Paley, William (1743-1805):** English theologian and author who established a moral system based on utilitarianism.
- PASCAL, BLAISE (1623-1662):** French philosopher who believed that one should not compromise one's ethical beliefs to achieve political or social influence. He wrote *The Provincial Letters* (1656-1657) and *Pensées* (1670).
- PEIRCE, CHARLES SANDERS (1839-1914):** American philosopher who is one of the fathers of pragmatism. Peirce criticized established ideas regarding truth and knowledge and made important contributions to the fields of logic and epistemology.
- Percival, Thomas (1740-1804):** English physician who wrote *Medical Ethics* (1803). His work laid the foundation for the first American Medical Association Code of Ethics in 1847.
- PERRY, R. B. (1876-1957):** American philosopher who wrote *General Theory of Value* (1926) and *Realms of Value* (1954). Perry is renowned for his development of the theory of value.
- PHILO OF ALEXANDRIA (c. 20 B.C.E.-c. 45 C.E.):** Egyptian philosopher who united Greek philosophy with Old Testament teaching. He wrote *The Creation of the World, That God Is Immutable*, and *On the Ten Commandments* (all early first century C.E.).
- Pinchot, Gifford (1865-1946):** American leader in the late nineteenth century conservation movement. He and Theodore Roosevelt wrote extensively about the conservation ethic.
- Pius XII (1876-1958):** Italian pope who spoke on behalf of the Church on moral issues such as euthanasia and lifesaving measures. He also denounced the practice of situational ethics.
- PLATO (c. 427-347 B.C.E.):** Born Aristocles, Plato was a Greek philosopher. He is one of the most influential thinkers of Western civilization. Plato used the dialogue structure in order to pose basic questions about knowledge, reality, society, and human nature. He formulated his own philosophy, Platonism, in order to answer these questions, a philosophy which has been one of the most influential thought-systems in the Western tradition.
- QUINLAN, KAREN ANN (1954-1985):** Comatose patient whose case is important in discussions of the right to die, the ordinary/extraordinary care distinction, the euthanasia debate, and the need for a living will. The removal of her respirator helped the fight for the right to die, and her death is important in discussions regarding whether there is a difference between active and passive euthanasia.
- RĀBĪ'AH AL-'ADAWĪYAH (712-801):** Arab mystical poet who composed several significant poems inspired by the absolute love of God. Her life represents an example of religious devotion.
- RAND, AYN (1905-1982):** Born Alisa Rosenbaum. A Russian American novelist and philosopher who promoted rational egoism and libertarianism. Rand declared her philosophy in works, such as *The Fountainhead* (1943), *Atlas Shrugged* (1957), *The Virtue of Selfishness: A New Concept of Egoism* (1964), and *Capitalism: The Unknown Ideal* (1966).
- RAWLS, JOHN (1921-2002):** American political philosopher whose theory of justice is based on the social contract theory. Rawls is best known for his works *A Theory of Justice* (1971) and *Political Liberalism* (1993).
- RAZI, AL- (c. 864-c. 925):** Arab philosopher and physician who set new standards for medical ethics, the clinical observation of disease, and the testing of medical treatment. His works include a comprehensive medical encyclopedia in twelve volumes; *The Book of Spiritual Physick* (c. 920),

his principal ethical treatise; and the apologetic *The Philosopher's Way of Life* (c. 920).

**Read, Herbert (1893-1968):** English author and critic who defined the differences between the theory of liberty and personal freedom.

**Reagan, Ronald (1911-2004):** Fortieth president of the United States (1981-1989) whose presidency was tainted by the Iran-Contra scandal and possible cover-up. Other issues during the Reagan administration that had ethical implications were Reagan's opposition to abortion rights and his signature on a bill prohibiting the use of federal money for what many regarded as obscene works of art.

**Regan, Tom (1938- ):** American philosopher, author and editor of several philosophy books on animal rights, environmental policy, ethics, and medical ethics. Regan is regarded as the "philosophical father" of the animal rights movement. Some of Regan's principal works on animal rights include *The Case for Animal Rights* (1983), *The Animal Rights Debate* (2001), and *Defending Animal Rights* (2001).

**Robertson, Pat (1930- ):** American religious broadcaster and politician. He is well known as the creator of *The 700 Club*, a Christian television show, and for ethical and religious views which some view as extreme. Robertson also founded the Christian Coalition, the conservative, grass-roots political organization.

**Roosevelt, Franklin D. (1882-1945):** Thirty-second president of the United States (1933-1945) who passed the New Deal legislation, yet also ruled the country in an imperial fashion.

**Roosevelt, Theodore (1858-1919):** Twenty-sixth president of the United States (1901-1909) who considered himself a moral leader and struck a balance between the collective good and individualism.

**RORTY, RICHARD (1931- ):** American author and philosopher who has developed his own theory of ethics that addresses immigration, gender, and democracy among other issues.

**Ross, W. D. (1877-1940):** Scottish moral philosopher who denounced utilitarianism and promoted a form of intuitionism. His works include *Aristotle* (1923), *The Right and the Good* (1930), *Foundations of Ethics* (1939), *Plato's Theory of Ideas* (1951), and *Kant's Ethical Theory* (1954).

**ROUSSEAU, JEAN-JACQUES (1712-1778):** French philosopher who helped transform the Western world into a predominantly democratic civilization dedicated to assuring the dignity and fulfillment of the individual. He wrote *A Treatise on the Social Contract: Or, The Principles of Politic Law* (1762).

**ROYCE, JOSIAH (1855-1916):** American philosopher who was a proponent of philosophic idealism. His works include *The World and the Individual* (1899-1901) and *The Philosophy of Loyalty* (1908).

**Ruddick, Sara (1935- ):** American feminist philosopher and author of *Maternal Thinking: Towards a Politics of Peace* (1989). Ruddick contends in her book that a focus on nurturing and educating children has an effect on their ethical decisions and actions.

**RŪMĪ, JALĀL AL-DĪN (c. 1207-1273):** Afghan mystical poet who was the founder of the Mevlevī Sufi order. His most influential work is *Mathnavī* (1259-1273).

**Rummel, Rudolph (1932- ):** American author and professor who coined the term "democide." His works include *Death by Government* (1994), *The Miracle That Is Freedom* (1996), *Power Kills* (1997), and *Statistics of Democide* (1997).

**RUSSELL, BERTRAND (1872-1970):** English philosopher who believed that people could choose good over evil. His most influential ethical works include *On Education* (1926), *Why I Am Not a Christian* (1927), *Marriage and Morals* (1929), *Education and the Social Order* (1932), *Religion and Science* (1935), and *Human Society and Ethics* (1955). He won the 1950 Nobel Prize in Literature.

**ŚAṄKARA (c. 700-750):** Indian philosopher and commentator of Advaita Vedanta Hinduism, a religious and philosophical tradition based on a non-dualist, monistic reading of the Hindu sacred texts. He is also the author of commentaries on the *Bhagavadgītā* and the Upaniṣads and established four Indian monasteries.

**SANTAYANA, GEORGE (1863-1952):** Spanish philosopher, poet, and novelist who wrote *The Life of Reason: Or, The Phases of Human Progress* (1905-1906), *Scepticism and Animal Faith* (1923), and *Realms of Being* (1927-1940). Santayana's view of ethics amounted to a life that stressed detachment, reflection, generosity, and faith.

- SARTRE, JEAN-PAUL (1905-1980):** French philosopher, playwright, and novelist. Sartre was a principal advocate of modern existentialist thought. His works include *Being and Nothingness* (1943) and *Existentialism and Humanism* (1946). He won the 1964 Nobel Prize in Literature.
- SCHINDLER, OSKAR (1908-1974):** German merchant who rescued eleven hundred Jews from death sentences during the Holocaust. He risked his life and fortune in order to act morally responsible.
- SCHOPENHAUER, ARTHUR (1788-1860):** German philosopher who developed a pessimistic system of philosophy based upon the primacy of will. His *The World as Will and Representation* (1819), advanced his philosophy.
- SCHWEITZER, ALBERT (1875-1965):** German theologian and missionary who urged the public, politicians, and statesmen to come to grips with the threat of nuclear war and work for peace. He wrote the *Philosophy of Civilization* (1923). He was recipient of the 1952 Nobel Peace Prize.
- SHAFESBURY, THIRD EARL OF (1671-1713):** Born Anthony Ashley Cooper, he was an English philosopher who emphasized common sense as opposed to logical systems and introduced the theory of moral sense as a significant component of ethical theory. Among his most important works are *An Inquiry Concerning Virtue* (1699), *A Letter Concerning Enthusiasm* (1708), *Sensus Communis* (1709), *The Moralists* (1709), and *Characteristics of Men, Manners, Opinions, Times* (1711).
- Shakespeare, William (1564-1616):** English Renaissance dramatist whose plays often touched on the morality of issues such as assassination.
- SHINRAN (1173-1262):** Born Matsuwaka-Marū. Shinran was a Japanese Buddhist monk who founded the Japanese Mahāyānist Buddhist sect Jōdo Shinshū, or the True Pure Land Sect. He taught the difference between faith (salvation in the next world) and morality (one's duty to society in this world).
- SIDGWICK, HENRY (1838-1900):** English philosopher who tried to reconcile an intuitive approach to morality with that of utilitarianism. He produced *Methods of Ethics*, one of the most significant works on ethics in English, the capstone of nineteenth century British moral philosophy.
- SINGER, PETER (1946- ):** Australian philosopher and ethicist who wrote *Animal Liberation* (1975), *Practical Ethics* (1979), and *Rethinking Life and Death* (1994), among many other works. Singer is an eminent authority in two areas of ethics—animal rights and bioethics.
- Skinner, B. F. (1904-1990):** American psychologist and behaviorist primarily responsible for the development of modern behaviorism. Skinner believed that the fundamental traits of human nature are neither good nor bad but the outcome of complicated environmental interactions.
- SMITH, ADAM (1723-1790):** Scottish economist who was a leading proponent of laissez-faire economics. He wrote *The Theory of Moral Sentiments* (1759), and *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776).
- SOCRATES (c. 470-399 B.C.E.):** Greek philosopher who is thought to have switched the focus of Greek philosophy from the natural world to the human mind and ethics. He believed that moral goodness is based on objective knowledge.
- SOLZHENITSYN, ALEKSANDR (1918- ):** Russian novelist and historian who promoted the idea of the mutuality of communal and individual ethics within the context of the Russian Christian tradition. He advanced this idea in literary works such as *One Day in the Life of Ivan Denisovich* (1962), *The First Circle* (1968), and *Cancer Ward* (1968), and in historical works such as *The Gulag Archipelago, 1918-1956: An Experiment in Literary Investigation* (1973-1975). He was the recipient of the 1970 Nobel Prize in Literature.
- Sophocles (c. 496-406 B.C.E.):** Greek dramatist, military and civil leader. His play *Antigone* (c. 441 B.C.E.) showed an awareness of the conflict between respecting civic duty versus the demands of the conscience within the individual.
- Spencer, Herbert (1820-1903):** British philosopher and sociologist who was one of the main defenders of evolutionary theory. He also criticized utilitarian positivism.
- SPINOZA, BARUCH (1632-1677):** Dutch philosopher who contributed much to the emergence of political and religious tolerance. His works include *A Theologico-Political Treatise* (1670) and *Ethics* (1677).
- STALIN, JOSEPH (1879-1953):** Russian political leader of the Communist Party of the Soviet Union (1928-1953). Under his leadership, the Soviet Union became a repressive totalitarian state.



- STANTON, ELIZABETH CADY (1815-1902):** American suffragist who was a proponent of complete moral and social equality for women.
- Stevenson, Charles L. (1908-1979):** American philosopher who largely developed the ethical theory of emotivism. He also wrote *Ethics and Language* (1944), one of the most pivotal works on ethics in the modern era.
- STEWART, MARTHA (1941- ):** American entrepreneur whose character was questioned after a series of unethical business decisions.
- TAGORE, RABINDRANATH (1861-1941):** Indian poet, playwright, and philosopher. The foundation for Tagore's literary achievements is his vision of the universal man, based on his unique integration of Eastern and Western thought. *Gitanjali (Song Offerings; 1910)* is his best-known work in the West. He was the recipient of the Nobel Prize in Literature in 1913.
- Tertullian (c. 155-160 C.E.-after 217 C.E.):** Religious figure from the age of Imperial Rome who is considered the prominent spokesman for Christianity in the Latin West before Saint Augustine. Tertullian's polemical treatises set the direction for much of later Western theology. Among his personal beliefs was an opposition to vivisection.
- THOMAS AQUINAS (1224 or 1225-1274):** Italian theologian who combined elements of the Christian faith with Aristotle's theory of ethics that had implications for ethics, law, psychology, semantics, and the nature of reason itself. His works include *Summa Theologica* (c. 1265-1273) and *Summa Contra Gentiles* (c. 1258-1264).
- THOREAU, HENRY DAVID (1817-1862):** American writer, philosopher, and a major figure in the Transcendentalist movement. His most significant works include "Civil Disobedience" (1849) and *Walden: Or, Life in the Woods* (1854).
- TILLICH, PAUL (1886-1965):** German American theologian who introduced a unique and challenging approach to the area of theology. His works include *Systematic Theology* (1951-1963), *Dynamics of Faith* (1957), and *The Protestant Era* (1948).
- Tolstoy, Leo (1828-1910):** Russian author who was renowned for his fiction and later achieved prominence as a moralist, pacifist, and social activist.
- TUTU, DESMOND (1931- ):** South African advocate of civil and human rights who urged the end of apartheid by appealing to the moral conscience of people worldwide.
- UNAMUNO Y JUGO, MIGUEL DE (1864-1936):** Spanish philosopher who was a key figure in the expression of the existentialist tension between reason and faith. He wrote such works as *The Life of Don Quixote and Sancho* (1905), *The Tragic Sense of Life in Men and Peoples* (1913), and *The Agony of Christianity* (1925).
- VARDHAMĀNA (c. 599-527 B.C.E.):** Indian religious reformer who established the Jain religion. He instructed on the ethical significance of nonviolence and spirituality.
- VOLTAIRE (1694-1778):** Born François-Marie Arouet. French writer and philosopher who believed that morality was an obligation to humanity and justice. He wrote *Candide: Or, All for the Best* (1759).
- WANG YANGMING (1472-1529):** Chinese philosopher who quelled rebellions and created a reign of peace in China that lasted a century. As a Neo-Confucian philosopher, he exercised tremendous influence in both China and Japan for 150 years. He wrote *Instructions for Practical Living* (1527).
- WASHINGTON, BOOKER T. (1856-1915):** African American educator who used utilitarian and pragmatic standards to explain human behavior. He was the author of *Up from Slavery* (1901).
- WEBER, MAX (1864-1920):** German social scientist and theorist widely acclaimed as the "father of sociology." Weber is best known for his thesis of the Protestant ethic, which links the psychological effects of Calvinism with the development of modern capitalism. He detailed his theory in *The Protestant Ethic and the Spirit of Capitalism* (1904-1905).
- WHITEHEAD, ALFRED NORTH (1861-1947):** English philosopher who applied mathematical and scientific laws to philosophical ethics. He explored his theories in works such as *Science and the Modern World* (1925), *Religion in the Making* (1926), *Process and Reality: An Essay in Cosmology* (1929), *Symbolism: Its Meaning and Effect* (1927), and *Adventures of Ideas* (1933).
- WIESEL, ELIE (1928- ):** Romanian-born author and rights activist. Wiesel is a significant figure in the human rights cause and author of *Night* (1956),



one of the most influential and best known memoirs of a concentration camp survivor. He was awarded the Nobel Peace Prize in 1986.

**Wilson, Edward O. (1929- ):** American scholar and activist whose work introduced a new academic discipline, sociobiology. Wilson believes that behavior is rooted in genetics. He has written on numerous subjects such as animal behavior and evolutionary psychology, biodiversity, environmental ethics, and the philosophy of knowledge. Author of the Pulitzer Prize-winning *On Human Nature* (1978), Wilson went on to write numerous other books including *The Diversity of Life* (1992), *Consilience: The Unity of Knowledge* (1998), and *The Future of Life* (2002).

**Wilson, Woodrow (1856-1924):** Twenty-eighth president of the United States (1913-1921) and the primary architect of the League of Nations.

**WITTGENSTEIN, LUDWIG (1889-1951):** Austrian-born British philosopher. Wittgenstein is one of the most important and influential philosophers of the twentieth century. He believed that moral value was outside the scope of philosophy. He

was the author of *Tractatus Logico-Philosophicus* (1922), and *Philosophical Investigations* (1953).

**WOLLSTONECRAFT, MARY (1759-1797):** English journalist and educator who developed a comprehensive feminist program. She described her beliefs in her *Vindication of the Rights of Woman* (1792).

**XUNZI (c. 307-c. 235 B.C.E.):** Chinese philosopher who promoted a humanistic philosophy concerned with the moral training required to enhance one's self and character.

**Zeno of Citium (c. 335-c. 263 B.C.E.):** Greek philosopher who founded Stoicism, the principal Hellenistic school of philosophy. Stoicism focused on abstract ideas and on how an individual functioned in the world.

**ZHU XI (1130-1200):** Chinese philosopher whose most important contribution to the field of ethics was his examination of ethical behavior in and out of government.

**ZHUANGZI (c. 369-286 B.C.E.):** Chinese philosopher who incorporated individualism and naturalism into Daoist philosophy.

## Glossary

*Note that many terms listed here have multiple meanings. This glossary provides only the definitions most directly relevant to ethics.*

*A priori.* Independent of, or logically prior to, lived experience; logically deduced solely from abstract rational premises without reference to empirical evidence.

*Absolutist.* Advocating the belief in objective truth and universal moral values.

*Absurd, the:* That which points toward the ultimately meaningless character of human life.

*Accountable.* Answerable for a moral or ethical transgression.

*Actual.* Existing; real.

*Adjudicate.* To act as a judge in a legal proceeding; or, to judge between two conflicting ethical claims or priorities.

*Adversarial.* Acting as opponents in a competition.

*Afterlife.* Eternal existence following death, usually in a location determined by the moral quality of one's actions while alive.

*Ageism.* Unfair treatment of people, or unjust beliefs about them, based upon their age.

*Aggression:* Any behavior that is intended to harm someone, either physically or verbally.

*Ahimsā.* Hindu practice of refraining from harming living creatures.

*Alienation.* Unnatural emotional isolation from, or inability to comprehend or communicate with, either oneself or the external world.

*Alterity.* Absolute radical difference; otherness.

*Altruism.* Unselfish devotion to helping others.

*Anarchy.* Political disorder; chaos.

*Anathema.* Hated or attacked as being diametrically opposed to one's own values.

*Anthropocentrism.* Tendency to see the world solely in terms of human concerns.

*Anthropomorphism of the divine:* Description of God or gods in terms of properties that are typical of human beings.

*Applied ethics.* Branch of moral philosophy that deals with making practical ethical choices and solving actual problems in the real world.

*Argument.* Series of logical statements designed to prove that something is true or to persuade another person to believe something.

*Aristotelian ethics.* Ethics based on the values and ideas central to Aristotle, especially concern with defining the nature of the good life and with the ultimate purpose, or *telos*, of all things.

*Ascetic.* Strictly observant of religious rules requiring self-denial and abstinence.

*Atheism.* Belief that there is no god.

*Attribute.* Property; characteristic.

*Authentic.* Truly originating from oneself and not imposed by outside influences; genuine.

*Authority.* Legitimate right to exercise power, issue commands, have one's judgments accepted, or have one's opinions believed.

*Autonomy.* Complete self-sufficiency and independence.

*Bad faith.* Dishonesty or insincerity behind words or actions designed to win someone's trust.

*Benevolent.* Kind.

*Bigotry.* Intolerance for the opinions of others.

*Binding.* Imposing an inescapable obligation.

*Bioethics.* Branch of ethics dealing with the moral implications of science and technology for medical practices and procedures.

*Bodhisattva ideal.* Deferral of nirvana so that one can help other, less enlightened people on their paths to nirvana.

*Bushido:* Japanese military code meaning "way of the warrior" that incorporates strict ethical responsibilities with a code of physical sacrifice.

*Capitalism.* Economic system in which private individuals and corporations are the primary owners of the means of production, and wealth circulates in order to create more wealth.

*Casistry.* Making an argument to prove something that one knows to be false; or, applying general moral principles to resolve specific questions.

*Character.* One's level of personal integrity.

*Charity:* Sharing one's property and person with others in order to alleviate their basic needs.

*Chivalry:* Medieval code of stressing loyalty, wis-

- dom, courage, generosity, religious fidelity, and the virtues of courtly love.
- Citizen.* Person both subject to a sovereign state and enjoying the full rights and privileges accorded to the members of that state.
- Civil disobedience.* Intentional violation of an unjust law; or, intentional violation of laws maintaining social order to draw public attention to, or to prevent, a specific injustice.
- Class.* One of the broad categories of economic identity, such as upper class, middle class, lower class, bourgeoisie, aristocracy, or proletariat, that divide and categorize the members of a given society.
- Code.* System of rules or laws governing behavior.
- Coercion.* Use of intimidation or force to make someone comply with one's desires.
- Cognitivism.* Belief that ethical utterances constitute logical propositions that can be evaluated for truth or falsity.
- Command.* Instruction or order given by someone in a position of authority.
- Common good.* Set of interests shared by all members of a group or society.
- Common sense.* Beliefs that, whether actually true or false, seem to be obviously true and to require no explanation or justification.
- Communism.* Politico-economic system in which private property has been abolished, the means of production are controlled by everyone equally (at least in theory), and wealth merely circulates without being created or increased; or, a social theory advocating the creation of such a system.
- Communitarian.* Ethically concerned primarily with the common good rather than the good of each individual member of the community.
- Community.* Group of people, of any size and geographic distribution, whose members perceive themselves as sharing certain traits, interests, or values in common.
- Comparative ethics.* Study of similarities and differences between the moral theories, moral values, and moral behaviors of different cultures or communities.
- Compromise.* To lessen one's demands in return for similar concessions on the part of an adversary; or, to jeopardize or violate the integrity of a thing, especially of something affecting one's character or reputation.
- Conduct.* Behavior, especially behavior regulated by codes of etiquette or professional ethics.
- Confidentiality.* Secrecy of information, deriving from the nature of the relationship in which the information was shared.
- Conflict of interest.* Situation in which one person has two goals or desires that are mutually exclusive, especially when one goal is a private desire and the other is a public goal; or, situation in which one professional serves two clients who are in direct or indirect competition with each other.
- Conscience.* Intuitive sense of right and wrong influencing one's moral decisions and behavior.
- Conscientious objection:* Refusal to perform an action, such as military service, on moral or religious grounds.
- Consent.* To give permission, especially permission to perform a medical procedure.
- Consequence.* Effect or result.
- Consequentialism.* Doctrine that the morality of one's actions should be judged by the positive or negative nature of their consequences.
- Conservative.* Advocating or believing in traditional values and institutions; generally resistant to change.
- Consistency.* Unwavering adherence to a pattern of behavior or belief; lack of self-contradiction.
- Constraint.* Physical or mental restriction, coercion, or obligation; lack of autonomy.
- Contract.* Formal, morally and legally binding agreement.
- Conventional.* Traditionally, customarily, or commonly done, accepted or believed.
- Criterion.* (plural, *criteria*). Standard of judgment; yardstick.
- Critique.* Evaluation of the form, content, significance, and effects of a human creation, institution, or pattern of behavior.
- Culpability.* Worthiness of blame; guilt.
- Cultural.* Deriving from culture rather than nature; produced by humans; artificial.
- Culture.* Set of all distinctive or meaningful ways of behaving, interrelating, communicating, and living common to a given society, social group, or subgroup.
- Cynicism.* Distrust of the motives of others or disbelief in the ability of ethical theory to guide actual human behavior; or, more narrowly (and always

capitalized) a school of ancient Greek philosophy holding that self-control is the highest good.

*Daoism.* Philosophical system advocating a lifestyle of extreme simplicity and harmony with nature.

*Deconstruction.* Literary and philosophical movement that investigates the construction and consequences of truth, meaning, and value.

*Defamation.* Malicious lies designed to harm a person's reputation.

*Deism:* Belief that it is possible to establish the existence of an intelligent and ethical supreme being on the basis of reason.

*Democracy.* Government in which ultimate authority is vested in the citizenry.

*Deontology.* Formal study of duty and moral obligations.

*Descriptive.* Portraying or describing factually, without making value judgments.

*Desert.* Just reward or punishment, or other treatment that is merited.

*Determinism.* Belief that human thought and action are governed by the laws of cause and effect.

*Deterrent.* Explicit or implicit threat of consequences meant to discourage undesirable actions.

*Diagnose.* To determine the root cause of a symptom.

*Difference.* Existence of significant, socially meaningful dissimilarities between the members of a given community; or, quality or state of having a trait that prevents one from resembling another.

*Dignity.* Recognition of or respect for a person's inherent worth.

*Dilemma.* Problem that forces one to choose between two evils, or, more broadly, an insoluble problem "Dirty hands." Taint one one bears when performing morally or ethically questionable acts.

*Discipline.* Self-control or self-regulation maintained through training.

*Discrimination.* Illegitimate treatment of an individual based on the social category, such as race or gender, to which the individual belongs.

*Disempowered.* Deprived of social influence or of control over one's own life.

*Dissent.* Public expression of disagreement with the values, methods, actions, or ideology of one's government or of the political majority.

*Distributive justice.* Fair allocation of resources to all members of a community.

*Diversity.* Presence of multiple types of people, with

fundamentally different identities or values, within the same community.

*Divine command theory:* Belief that the ethical values and principles binding upon human beings depend only on the commands of a higher power or god.

*Doctrine.* Fundamental teaching or axiom advocated by a particular religion, government, philosophical school, or other formal belief system.

*Dominant values.* Values or ideologies accepted or followed by the majority of members of a community, including members whose own best interests may be damaged by their acceptance.

*Dualism.* Belief in the existence of two absolutely irreconcilable and fundamentally opposed entities, such as the mind and the body, good and evil, or facts and values.

*Duress.* Coercion that compels and thus legally invalidates or mitigates an action, decision, or contract by depriving one of the ability to consent or act freely.

*Duty.* Commitment one is morally required to fulfill.

*Egalitarian.* Embracing equality as one of the fundamental moral values; treating all people in exactly the same fashion.

*Ego.* Portion of the psyche, both conscious and unconscious, that forms the recognizable identity or self; the "I."

*Egoism.* Philosophical system that asserts that self-interest is the highest good.

*Egotism.* Tendency to understand all aspects of life in terms of their effects upon oneself.

*Elitist.* Characterized by a belief that one segment of society is better than another segment, because it is more educated, richer, or otherwise more fully developed.

*Emotivism.* Philosophical theory that language expresses and influences emotions, rather than signifying meanings or making logical assertions.

*Empirical.* Based solely upon perceptual experience rather than abstract theory.

*Empiricism.* Doctrine that all genuine knowledge and all legitimate philosophical theories derive from perceptual experience.

*End.* Entity whose value comes solely from itself and not from the uses to which it may be put; or, the ultimate purpose or goal.

*Enlightenment, the.* Philosophical movement of the seventeenth and eighteenth centuries character-

- ized by a belief in the power of reason, the autonomy and sovereignty of the rational individual, and the existence of natural rights.
- Entity.* Particular, self-contained thing.
- Environmental ethics.* Branch of moral philosophy dealing with the rights and obligations of human beings with respect to nature.
- Epistemology.* Philosophical study of knowledge and the nature of truth.
- Equality.* State in which all people are acknowledged to have the same moral worth and to enjoy the same fundamental rights and privileges.
- Ethics.* Philosophical science that deals with the rightness and wrongness of human actions; closely allied with morality.
- Ethnocentrism.* Belief that one's own race or ethnicity is the norm according to which all others are to be judged.
- Etiquette.* Formal or informal code of conduct governing proper social behavior.
- Euthanasia.* Killing someone, or allowing someone to die, as an act of mercy.
- Evidence.* Facts, details, or observations that tend to support a subjective opinion or prove the truth of an objective assertion.
- Evil.* Clear and extreme moral transgression for the sake of such transgression alone; or, quality of taking pleasure in such an act; or, anything that has only harmful effects.
- Excellence.* Quality of surpassing all or most others in skill or achievement.
- Excuse.* Legitimate reason for a fault or transgression.
- Existentialism.* School of philosophy that holds that the world lacks objective meaning or purpose, but individuals are morally obligated to create such meaning for themselves.
- Explanation.* Description of a state of affairs in terms of causes and effects; description meant to make something make sense.
- Exploit.* To treat people as a means to achieve one's own ends, or as objects rather than as subjects; or, to extract surplus value from laborers.
- Expression.* Act of uttering, writing, or otherwise representing one's ideas or emotions to others; communication.
- Fact.* Something that is objectively true.
- Fair.* Unbiased; equitable; just.
- Fatalism.* Belief that events are predetermined by forces beyond human control and that individual destinies cannot be altered.
- Federal.* Pertaining to the central, national government of the United States.
- Feminism.* Political, social, and theoretical movements resisting masculine domination and masculinist values.
- First philosophy.* Branch of philosophy—different according to different philosophers—that grounds all other branches and that must therefore be completed prior to any other philosophical inquiry. The Greeks believed that ontology was first philosophy. In the Enlightenment, epistemology was considered first philosophy, and for some twentieth century philosophers, philosophy of language became first philosophy.
- Formal.* Official, or explicitly set out in writing or in some other manner that imparts authority or validity; or, having a rigorously defined set of elements and structure, as in a system or model.
- Foundationalism.* Philosophical doctrine that logical or scientific methods of reasoning both can and should be used to establish the objective truth or validity of knowledge and judgment, and that this grounding should take place prior to any further reasoning or action.
- Four noble truths.* Buddhist belief that eliminating consciousness of the individual self will enable one to overcome desire and to eliminate all suffering in one's life.
- Fraud.* Unfairly depriving someone of something of value by means of deception.
- Free-riding.* Enjoying of benefits produced by the efforts of others without contributing one's own fair share.
- Freedom.* Lack of constraint; autonomy of judgment and action; or, living in a manner that allows one to realize one's true potential and to express fully one's creative impulses.
- Gaia hypothesis.* Belief that the earth is a living entity whose biosphere is self-regulating and capable of maintaining planetary health by controlling its chemical and physical environment.
- Gender.* Set of cultural meanings and values that attach to or are produced by biological sex; that is, masculinity or femininity, as opposed to maleness or femaleness.



- Genocide.* Mass murder based on shared cultural identity of the victims.
- Golden mean.* Perfect balance between extremes.
- Golden rule.* Always do unto others as you would have them do unto you.
- Good, the.* Source or embodiment of moral value; the set of all things and actions that should be desired.
- Good faith.* Sincere attempt to do right by one's actions, regardless of their actual outcome; or, sincere intent to honor both the letter and the spirit of contract or agreement and to ensure that both parties to the agreement benefit from it.
- Ground.* To demonstrate logically the objective validity of a judgment, belief, or system.
- Guilt.* Moral culpability for wrongdoing; or, subjective awareness of such culpability accompanied by feelings of shame and remorse.
- Happiness.* Joy; or, living the good life.
- Hate crime:* Criminal acts committed against individuals or groups because of their race, ethnicity, religion, sexual orientation, or other group affiliation.
- Homophobia.* Irrational hatred of nonheterosexual people, or of one's own homosocial impulses.
- Honor.* Self-esteem based upon one's rigorous commitment to a personal or conventional ethical code.
- Human nature.* Qualities, capacities, or propensities shared in common by all human beings.
- Human rights.* Set of basic moral rights that inhere in all people.
- Humanism.* Philosophy grounded in a belief in human nature and in the ethical centrality of the values and interests shared by all people.
- Humility.* Self-effacement or modesty arising from one's recognition of people or forces whose power, value, or significance is greater than one's own.
- Hypocrisy.* Practice of condemning in public what one does in private, or otherwise espousing values one does not actually possess.
- Id.* Portion of the psyche, residing entirely in the unconscious, that consists solely of instinct and impulse, ungoverned by reason or restraint.
- Idealism.* Belief in noble principles that seem to conflict with the state of the actual world; dedication to achieving extremely or unrealistically high standards.
- Idealism, German.* School of philosophy concerned to investigate the nature and structure of subjective experience and its relationship to material reality.
- Idealism, Platonic.* School of philosophy that asserts that abstract concepts such as Justice or Equality exist independently of human subjects and have actual effects in the world.
- Identity.* Person's fundamental continuity of experience or character over time; the specific characteristic or characteristics felt to be most important in defining one's character; sense of self.
- Identity politics.* Activism rooted in specific, culturally significant categories of identity, such as race, class, gender, or sexuality.
- Ideology.* Socially determined structures of thought that make possible the conversion of perception into meaningful experience while simultaneously limiting the range of possible meanings of that experience; or, a specific example of these structures, as capitalist ideology, communist ideology, feminist ideology, patriarchal ideology, and so on.
- Immediate.* Intuited or known directly, without any intervening filter or template; not mediated.
- Immortality:* Eternal life.
- Impartial.* Unbiased; objective; fair.
- Imperative.* Demand or requirement for action.
- Imperative, categorical.* Imperative that is demanded universally by all situations, as "always treat people as ends in themselves and never as means only."
- Imperative, hypothetical.* Imperative that is demanded by a particular situation or goal, as "in order to keep your belongings safe, lock the door behind you."
- Imply.* To require logically, as the existence of a watch implies the existence of a watchmaker.
- Inalienable.* Inherent, unquestionable, and incapable of being taken away.
- Incommensurable.* Lacking any common basis for comparison or exchange.
- Individualism.* Interpretation of human culture or history in terms of single persons rather than groups or movements; belief that a single person is a more significant moral unit than is a community.
- Inherent.* Permanently, definitively, inseparably, or essentially characteristic of a person or thing; innate.

- Innate.* Arising necessarily as a result of the fundamental nature of a person or thing; inherent.
- Institution.* Publicly recognized, formally structured organization or set of relationships, especially one that generates some form of authority and distributes it hierarchically among its members.
- Integrity.* Strength of character; moral fortitude; honesty.
- Intention.* Purpose or motive behind an action.
- Intentionality.* Property of referring to something; “aboutness.”
- Interest.* State of relative fulfillment or attainment of a need, benefit, or advantage; or, causal connection between a particular state of affairs and such a benefit.
- Intrinsic.* Resulting inherently from the essential nature of a thing; inseparable; innate.
- Intuition.* Direct, pure, immediate perception, insight, or knowledge.
- Intuitionism.* Philosophical belief that moral truth can be apprehended directly through intuition, rather than being learned or deduced logically.
- Investment.* Expenditure of emotion, energy, or value on a person, thing, or situation, in anticipation of a desired or beneficial result.
- Involuntary.* Against or not as a result of one’s will; unintentional.
- Irrational.* Not based upon or agreeing with reason; nonsensical; illogical.
- Judgment.* Assignment of positive or negative value, moral praise, or blame to a person, thing, or action; evaluation.
- Jurisprudence.* Philosophy of law.
- Justice.* Fundamental moral principle or ideal of perfect correspondence between desert and actual reward or punishment.
- Kantian ethics.* Ethics based on the values and ideas central to Immanuel Kant, especially belief in a categorical imperative and the importance of moral duty.
- Karma.* Positive or negative spiritual energy resulting from moral or immoral acts.
- Law.* Formally or institutionally authorized rule, or set of all such rules in a given society.
- Legitimate.* Backed up, verified, or validated by official rules or standards; lawful; just.
- Liable.* Legitimately responsible; answerable in court.
- Libel.* Written defamation.
- Liberal.* Open to or advocating progress and reform; disinclined to preserve traditional values for the sake of tradition.
- Liberal individualism.* Central political ideology in the United States and much of Europe, that portrays individuals as autonomous, rational decision makers who enjoy fundamental natural rights.
- Libertarianism.* Political philosophy, combining social liberalism with economic conservatism, dedicated to maximizing individual liberties and minimizing centralized government.
- Liberty.* Political freedom; ability to act as one sees fit without interference by government.
- Limited war.* Warfare involving a fraction of the total military resources of a nation, or whose goal is to defeat or control only a fraction of the enemy’s military or territory.
- Lobby.* To attempt to persuade a legislator to vote in a particular way.
- Logic.* Formal system of reasoning, rational argumentation, or analysis.
- Logocentrism.* Belief that logic is the superior method, or the only valid method, for divining truth, producing knowledge, or communicating.
- Loyalty.* Unwavering dedication; faithfulness.
- Luck.* Randomness or arbitrariness in events that affect one’s life positively or negatively; fortune.
- Lust.* Strong or unmanageable desire, especially sexual desire.
- Mādhyamaka.* School of Buddhist philosophy advocating moderation in all things.
- Manichean.* Divided between two absolute extremes; given to seeing things as black or white.
- Materialism.* Marxist school of philosophy that asserts that brute physical reality, especially economic reality, is the ultimate determinant of history, and that economic and political changes cause new ideas, not the other way around; or, philosophical rejection of spirituality in favor of beliefs that correspond with empirically verifiable experience; or, trait of caring excessively about physical objects and wealth and ignoring spiritual or intangible values.
- Meaning.* Source and nature of the importance of a thing, person, idea, or situation; significance.

*Means.* Tool or method used to accomplish some goal.

*Mediate.* To filter, transmit, translate, or otherwise convey in an indirect fashion.

*Mercy.* Leniency motivated by compassion.

*Merit.* Legitimate claim to recognition or reward; desert.

*Messiah.* Prophesied figure who is expected to deliver the Jewish people from harm; or, any such promised deliverer or savior, such as Jesus Christ.

*Messianism:* Belief in a messiah.

*Metaethics.* Branch of philosophy concerned to ground or criticize the practice of ethics.

*Metaphysics.* Branch of philosophy that studies the fundamental nature of the world, especially as that nature relates to and is presupposed by other branches of philosophical inquiry; or, any specific set of presumptions about the nature of reality; or, belief that the world humans experience has a hidden, objective nature lying underneath its surface.

*Metaphysics of presence.* Belief that the world is composed of objects or things that exist independently of one another, that these objects present themselves to equally autonomous human subjects who can experience and evaluate them without affecting or being affected by them, and that the objects, once evaluated, can be exhaustively described and understood through logical propositions; or, belief that meaning is objectively present in spoken and written language, and that language can convey this meaning immediately from one speaker to another without the need for interpretation.

*Model.* System of rational principles or axioms that define the nature or parameters of a particular discipline, practice, or thing.

*Monotheism.* Belief in a single, all-powerful god.

*Moral equivalence:* Equating of the morality and ethics of two entities that are not usually seen as comparable, such as Adolf Hitler and Saddam Hussein.

*Moral luck.* Any instance of random fortune or chance that affects a person's ethical status.

*Morality.* Belief in right and wrong; or, any specific set of ethical values or beliefs, especially absolute or totalizing values.

*Motive.* Purpose or intent behind a given action; reason for acting.

*Multiculturalism.* Diversity of cultural backgrounds

and viewpoints within a community; or, ethical position advocating such diversity or advocating tolerance for the mixture of values and beliefs that results from it.

*Mysticism.* Belief in a reality or a spiritual or divine entity that normally transcends human experience, but that can be contacted and provide enlightenment under specific circumstances.

*Narrative.* Story.

*Nation.* A people unified under, or desiring to be unified under, a centralized government; or, any such centralized government that exercises or enjoys sovereignty.

*Nationalism.* Belief that one's national affiliation defines one's identity and that one's nation commands one's absolute loyalty.

*Natural law.* Moral rules derived from objective human nature and applicable to and within all societies.

*Natural rights.* Rights enjoyed by all people according to the principles of natural law.

*Naturalistic fallacy.* Any attempt to define moral good in terms of something else, rather than taking it to be an irreducible concept in itself.

*Necessary.* Logically mandated as a prior requirement for some proposition to be true or for some situation to prevail.

*Negative.* Bad; or, reactive rather than active—defined primarily in terms of an opposition to some external entity or set of values, rather than in purely internal terms.

*Negligence.* Failure to take proper care or otherwise to safeguard some person or interest one was morally obligated to protect.

*Nihilism.* Rejection of all beliefs, except the belief that all other beliefs should be rejected.

*Nirvana.* Buddhist spiritual enlightenment and transcendence resulting from moral virtue.

*Noncognitivism.* Belief that ethical utterances are irrational expressions of value rather than fact, and that they therefore are neither true nor false.

*Nonviolent resistance.* Passive physical interference with unjust activities; or, passive refusal by a protester to comply with the instructions or commands of law enforcement agents who are placing the protester under arrest, requiring the agents to lift or drag the protester bodily in order to accomplish the arrest.

*Norm.* Accepted, average, or customary state of affairs.

*Normative.* Prescribing rules or making value judgments about what ought to be done and what ought not to be done.

*Obedience.* Compliance with commands issued by someone in authority; or, general tendency or predisposition to follow such commands.

*Object.* Thing or person that is acted upon, thought about, or judged.

*Objective.* Existing independently of human perceptions, values, or interpretations; simply and undeniably true; or, unbiased or impartial.

*Objectivism.* Philosophical belief that objective facts exist and are the necessary starting point for any genuine philosophy.

*Obligation.* Moral requirement or duty.

*Ontology.* Philosophical study of being and the nature of existence.

*Oppression.* Unjust, usually systematic, exercise of power or authority to subjugate a social group.

*Optimism.* Tendency to interpret things in the most positive possible light or to anticipate good things happening in the future.

*Other.* Absolutely different from the self, especially, characterized by attributes that are diametrically opposed to one's own or one's culture's most deeply cherished values.

*Pacifism.* Commitment to nonviolent resolution of conflict on all scales from the personal to the international.

*Panentheism:* Belief system that attempts to mediate between theism and pantheism.

*Pantheism:* Belief that God is synonymous with the universe.

*Passion.* Strong and irrational emotion.

*Paternalism.* Practice of intrusively managing or interfering in the affairs of others, purportedly for their own good.

*Perspectivism.* Belief that the world has no fundamental or inherent nature, and therefore that no single point of view can be exhaustive or objectively valid.

*Pessimism.* Tendency to interpret things in the most negative possible light or to anticipate bad things happening in the future.

*Phenomenological.* Having to do with the nature of

subjective experience, especially as studied or understood from the internal point of view of the subject having the experience.

*Philosophy.* Formal study of knowledge, truth, reality, and value.

*Platonic ethics.* Ethics based on the values and ideas central to Plato, especially belief in objective, ideal forms and the importance of guiding all people to lead virtuous lives.

*Pleasure.* Feeling produced by the satisfaction of desire; enjoyment.

*Pluralism.* System that fosters tolerance for multiple points of view or advocacy of a community in which diverse perspectives are accepted or celebrated; or, ethical philosophy that asserts that there is a plural but finite number of valid moral beliefs and values.

*Politically correct.* In accord with or advocating an informal set of conventions governing appropriate and inappropriate forms of social and political speech.

*Politics.* Practice or profession of exercising governmental power; or, practice of maneuvering for power in a nongovernmental institution.

*Positive.* Good; or, the opposite of negative; active rather than reactive—defined primarily in terms of internal traits or values, rather than in opposition to something external.

*Postmodernism.* Set of aesthetic and intellectual movements within late capitalist or postindustrial culture, characterized primarily by a celebration of cultural fragmentation, by disbelief in any distinction between art and popular culture, and by an extreme skepticism toward any attempt to ground values or judgments.

*Poststructuralism.* School of philosophy and criticism that looks at human culture as a set of texts, and that understands those texts as rule-governed but irrational, noncentered structures or systems that include among their elements the philosopher or critic who reads them.

*Power.* Ability to have effects in the world.

*Practical.* Directed toward, preparing for, informing, or influencing concrete action.

*Practice.* Concrete action based upon or applying theoretical principles; or, a meaningful social activity that takes place within a specific institution and that can function as an arena for achievement or excellence.

- Pragmatism.* School of philosophy asserting that the meaning of a word or sign is a function of its practical effects in the world, and that the truth of a belief is determined by its usefulness.
- Prejudice.* Preconception, especially an unfavorable preconception about an individual based upon the individual's group affiliations; bias.
- Prescription.* Ethical command or edict.
- Prescriptivism.* Belief that moral language is meant to command actions and omissions, rather than describe values or express feelings or judgments.
- Principle.* General law or truth governing or grounding more specific laws or truths within a particular discipline or context; or, any generally accepted rule, especially one guiding proper moral conduct.
- Prior restraint.* Governmental or legal action that prevents someone in advance from publishing or otherwise circulating specific information or opinions.
- Privacy.* Right or ability to withhold some portion of one's life from public scrutiny or to protect it from governmental interference.
- Private.* Pertaining to or located within the domestic or personal sphere; separated from general social interaction.
- Professional ethics.* Codes of conduct defined by unions or other vocational organizations, or through customary work-related interactions, that define the moral standards of behavior required or expected of all members of a particular occupation or profession.
- Progressive.* Dedicated to reforming and improving society, especially through grassroots movements and by lobbying or otherwise utilizing existing social and political institutions.
- Propaganda.* Material designed to manipulate the opinions of its audience in order to support a particular ideology.
- Property.* That which belongs legitimately to a particular person, group, corporation, community, or government; anything that is owned; or, quality, characteristic, or attribute.
- Proscription.* Command to refrain from an action; interdiction; prohibition.
- Prudence.* Justifiable caution; good judgment.
- Public.* Pertaining to or located within the professional, political, or economic sphere; occurring outside domestic space and within the general purview of society.
- Pure (of reason).* Prior to or independent of practical experience; based solely on abstract logical principles without reference to the actual world.
- Quality.* Essential characteristic or attribute that distinguishes one thing from another.
- Racism.* Prejudice or bias that is based on race and that exists as a structural principle within one or more social or political institutions.
- Rational.* Based on reason; sensical; logical.
- Rationale.* Reason provided to justify something, especially an empty or specious reason invented to justify a course of action already desired or settled upon, or a reason created after the fact to provide retrospective justification.
- Rationalism.* Doctrine that all genuine knowledge and all legitimate philosophical theories derive from abstract logic or reason.
- Rationality.* Faculty of logic and reason within the human psyche; or, quality of being reasonable or logical.
- Realism.* Moral theory that holds that values, including ethical values, have an objective existence in the world; or, set of aesthetic movements that attempt to portray objects, or to transmit meanings, without calling attention to the techniques, styles, or signs used to accomplish the portrayal or transmission.
- Realpolitik.* Doctrine that political policies and actions, especially in foreign affairs, should be based solely on practical considerations and should be unaffected by moral or ethical principles.
- Reason.* Rational faculty of the human mind that evaluates, judges, and makes sense of its experiences; logic.
- Recognition.* Sympathetic perception of another person that acknowledges the inherent worth both of the person and of the person's goals, projects, and desires.
- Reconcile.* To cause two contradictory principles to coexist or fit together.
- Regulation.* Formal, usually quasi-legal, rule published or circulated in an official set of guidelines or principles.
- Relationship.* Connection or association between two or more entities.
- Relativism.* Belief that the fundamental or inherent nature of the world is such that it admits of an infi-



- nite number of valid, exhaustive descriptions, or that all moral beliefs are true.
- Religion.* Any systematic and customary set of shared beliefs in a supernatural or divine Entity or entities that gives meaning to or provides explanations of human experience, and that generally includes a specific set of moral values and principles to guide human action.
- Resources.* Any materials, skills, objects, abilities, currency, or other potentially useful items of value that are in finite supply.
- Responsibility.* Accountability; liability; culpability.
- Retaliation.* Vengeful or strategic response to a wrongful or transgressive action; reprisal.
- Reverse discrimination.* Discrimination by members of a socially disempowered group against a socially empowered group; or, institutional discrimination in favor of a socially disempowered group designed to correct or redress traditional discrimination against that group.
- Revolution.* Sudden social and political change or upheaval.
- Right.* That which is fair, just, and proper; the set of all actions that are permissible or required by accepted moral principles.
- Rights.* Objectively legitimate, universally valid moral claims to privileges or entitlements; or, similar claims whose legitimacy is derived from specific laws or legal principles within a particular society.
- Rule.* Principle; regulation; law.
- Salvation.* Deliverance from the world of pain to a transcendent or paradisiacal existence, especially deliverance from and redemption of sin.
- Secular.* Advocating belief only in empirical reality; nonreligious.
- Self.* Unified entity or identity underlying all subjective experience and differentiated from the external world of objects and other subjects; ego.
- Self-regulation.* Voluntary passage of formal, internal rules of ethical conduct by a professional organization or other entity that might otherwise be subject to external regulation by the government.
- Semiotics.* Study of signs.
- Sense.* One of the five types of physical interface between the human perceiving mind and the external world: sight, hearing, taste, touch, or smell; or, any mental faculty that seems to convey information or perceptions to the mind in a manner analogous to the physical senses; intuition; or, a specific feeling or intuition conveyed by such a faculty.
- Sentience.* Conscious awareness.
- Sentiment.* Feeling, sense, or emotion.
- Sex.* Physical distinction between two biological reproductive categories, upon which gender identities are based; that is, maleness or femaleness, as opposed to masculinity or femininity.
- Sexism.* Prejudice or bias that is based on sex or gender and that exists as a structural principle within one or more social or political institutions.
- Sign.* Any thing that conventionally symbolizes or stands for another thing or otherwise conveys or expresses meaning.
- Signify.* To symbolize; to mean; to stand for.
- Sin.* Serious moral transgression, especially transgression against religious moral laws.
- Situated.* Placed or located; having a particular position or perspective; partial rather than impartial.
- Situation.* State of affairs; context.
- Situational ethics.* Nonuniversal, nonabsolutist ethics based solely upon moral principles that arise from the particular context in which a moral decision or act takes place.
- Skepticism.* Intentional doubt of apparent or obvious truths, cultivated as a method to facilitate successful philosophical inquiry; or, unintentional doubt, or utter inability to believe in such truths.
- Slander.* Spoken defamation.
- Slippery slope.* Tendency of minor erosions of safeguards, scruples, or freedoms to escalate rapidly into major erosions and to continue escalating until the safeguards, scruples, or freedoms no longer exist.
- Social.* Having to do with the communal or interactive aspects of human behavior.
- Social contract.* Theoretical construct retroactively describing the circumstances under which society would have formed if it were formed as a result of rational, premeditated choice.
- Social Darwinism.* Political philosophy, modeled loosely and unscientifically after Darwin's theory of evolution by means of natural selection, that seeks to apply the theory to societies as if they were organisms.
- Social justice.* Fair and equitable distribution of wealth, resources, and power across all levels of

society or throughout the globe, especially to counteract or ameliorate disparities produced by the division of labor.

*Society.* Large-scale, usually national, group of people that exists in a set of highly structured relationships, produces an identifiable culture or set of cultures, and understands itself as a community.

*Sophism.* Philosophical school popularly believed to have taught that rhetorical skill was more important than, or constitutive of, truth and that successful legal argumentation was more important than, or constitutive of, moral right.

*Spiritual.* Valuing intangible or mystical types of experience, or things of benefit to the soul, rather than wealth or other material objects and pleasures of the body.

*Standard.* Thing to which one compares all other things of the same class or type; basis for evaluation or judgment.

*State.* Unit of political sovereignty, especially a nation that enjoys a legal monopoly on the means of violence within its borders.

*State of nature.* Philosophical fiction describing human experience prior to or outside of any community.

*Stereotype.* Caricatured mental image or other preconception about members of a social group or class based upon simplification and exaggeration of features that are common among the group.

*Stoicism.* Ancient Greek philosophy characterized by studied indifference to joys and sorrows and advocating the use of reason alone to make moral decisions.

*Subject.* Self-aware, knowing, judging, willing, and communicating entity; a total self, including the conscious mind, the unconscious mind, and other aspects of identity that exceed the “I” or ego.

*Subjective.* Biased, partial, or otherwise based upon personal values and experience; or, perceived or experienced by a subject.

*Subjectivism.* Belief that knowledge is partial or perspectival by definition, and that objective knowledge is not only impossible but is an incoherent concept.

*Subjectivity.* Conscious, self-conscious, and unconscious rational and irrational mental processes of a sentient, social, and linguistic entity; interiority; psyche.

*Sufficient.* Logically adequate in itself to cause some proposition to be true or some situation to prevail.

*Superego.* Portion of the psyche, residing largely but not solely in the preconscious, that regulates, restrains, and redirects thoughts and desires before they can become fully conscious or before they can motivate action; conscience.

*Supererogation:* Doing what is morally praiseworthy beyond what is required by duty or what is required to be free of moral blame.

*Supernatural.* Not explainable by the scientifically accepted laws of nature.

*Symptom.* Perceivable sign that indicates the existence of a hidden problem, disease, or contradiction.

*System.* Rationally ordered set of elements, structured in well-defined relationships to one another, that forms a unitary whole.

*Teleology.* Belief that the world as a whole, or things in the world, have objective purposes or ends.

*Telos.* Greek word referring to the “final cause” or ultimate purpose of an entity.

*Terror.* Violence perpetrated to eliminate difference.

*Theism.* Belief in the existence of a higher power, or god, who is responsible for creating the earth and humankind and on whom all finite things are in some way dependent.

*Theodicy.* Theological explanation for the presence of evil in a world created by a benevolent deity.

*Theology.* Study of religion; or, a particular body of religious belief or doctrine.

*Theory.* Abstract rational knowledge of general rules or principles; or, a proposed fact or principle that has yet to be proven or disproven; or, a nickname (often capitalized) for a large body of academic social, literary, and cultural theory that is meant to be applicable to the interpretation and analysis of every meaningful aspect of human existence; critical theory.

*Tolerance.* Allowing or acceptance of difference.

*Totalizing.* Claiming to apply to or include everything, without exception.

*Traditional.* Rooted in the practices or values of the past; conventional; customary.

*Transcendental.* Investigating subjective experience in order to deduce facts or truths that exist beyond or prior to subjective experience.

*Transgression.* Violation; crime; impermissible or forbidden act.

*Truth.* Quality of beliefs that causes them to count as knowledge, of statements that causes them to count as honest or accurate, and of propositions that causes them to count as factual.

*Tyranny.* Cruel, domineering, or illegitimate rule.

*Understand.* To know the meaning or importance of; to comprehend.

*Universal.* Applying equally to all things in all times and all places.

*Utilitarianism.* Hedonistic social philosophy that asserts that usefulness is the highest good.

*Value.* Goodness or badness; worth.

*Vice.* An immoral or merely frowned-upon pleasure; or body of such pleasures generally.

*Violence.* Material or spiritual attack causing physical or emotional harm.

*Virtue.* An inherent moral value, or body of such values generally.

*Voluntary.* Caused through the exercise of will; freely chosen.

*War.* Large-scale combat between societies, usually nation-states or national factions.

*Western.* Having to do with the dominant or the traditionally dominant cultures or values shared by Western Europe and the United States.

*Will.* Ability intentionally to act or to refrain from action; volition.

*Worth.* Relative value.

*Wrong.* That which is unfair, unjust, or improper; the set of all actions that are impermissible or forbidden by accepted moral principles.

*Zen:* Buddhist school whose adherents seek an experiential perception of reality through meditation.

*Andy Perry*

## Nobel Peace Prize Winners

<i>Year</i>	<i>Recipients</i>	<i>Reason</i>
1901	Jean Henri Dunant (Swiss) Frédéric Passy (French)	Founding of International Red Cross and Geneva Convention Founding of first French peace society
1902	Élie Ducommun (Swiss) Charles Albert Gobat (Swiss)	Work with Permanent International Peace Bureau Administration of Inter-Parliamentary Union and International Peace Bureau
1903	Sir William Cremer (British)	Founder and secretary of International Arbitration League
1904	Institute of International Law	Development of international law and studies of laws of neutrality
1905	Bertha von Suttner (Austrian)	Support of pacifist societies; founding of Austrian peace society
1906	Theodore Roosevelt (American)	Negotiations to end Russo-Japanese War
1907	Ernesto Teodoro Moneta (Italian) Louis Renault (French)	Work with Lombard League for Peace Organization of peace conferences
1908	Klas Pontus Arnoldson (Swedish) Fredrik Bajer (Danish)	Founding of Swedish Society for Arbitration and Peace Work with International Peace Bureau
1909	Auguste Beernaert (Belgian) Paul d'Estournelles de Constant (French)	Work with Permanent Court of Arbitration Founding and direction of French Parliamentary Arbitration Committee
1910	Permanent International Peace Bureau	Promotion of international peace and arbitration
1911	Tobias Asser (Dutch) Alfred Fried (Austrian)	Conferences on international law Writings on peace; editor of <i>Die Friedenswarte</i>
1912	Elihu Root (American)	Organization of Central American Peace Conference; settlement of problem of Japanese immigration into California
1913	Henri Lafontaine (Belgian)	President of International Peace Bureau
1914-1916	No awards	
1917	International Committee of the Red Cross	War relief
1918	No award	
1919	Woodrow Wilson (American)	Support for League of Nations
1920	Léon Bourgeois (French)	President, Council of League of Nations
1921	Karl Hjalmar Branting (Swedish) Christian Lous Lange (Norwegian)	Promotion of Swedish social reforms Secretary-general, Inter-Parliamentary Union
1922	Fridtjof Nansen (Norwegian)	Russian relief work; originated Nansen passports for refugees
1923-1924	No awards	
1925	Sir Austen Chamberlain (British) Charles G. Dawes (American)	Locarno Peace Pact Plan for German reparations
1926	Aristide Briand (French) Gustav Stresemann (German)	Locarno Peace Pact German acceptance of reparation plan; development of Locarno Peace Pact
1927	Ferdinand Buisson (French) Ludwig Quidde (German)	President, League of Human Rights Writings on peace; participation in peace conferences
1928	No award	

<i>Year</i>	<i>Recipients</i>	<i>Reason</i>
1929	Frank B. Kellogg (American)	Negotiations for Kellogg-Briand Peace Pact condemning war as means of solving international problems
1930	Nathan Söderblom (Swedish)	Writings on peace; association with ecumenical movement
1931	Jane Addams (American)	Work for international peace; president, Women's International League for Peace and Freedom
	Nicholas Murray Butler (American)	Work with Carnegie Endowment for International Peace; promoter of Kellogg-Briand Pact
1932	No award	
1933	Norman Angell (British)	Work for international peace; author of <i>The Great Illusion</i>
1934	Arthur Henderson (British)	President, World Disarmament Conference of 1932
1935	Carl von Ossietzky (German)	Promotion of international disarmament; pacifist writings
1936	Carlos Saavedra Lamas (Argentine)	Negotiation of peace settlement between Bolivia and Paraguay
1937	Lord Robert Cecil (British)	Working with peace movements; founding of International Peace Campaign
1938	Nansen International Office for Refugees	Relief work among refugees
1939-1943	No awards	
1944	International Committee of the Red Cross	War relief
1945	Cordell Hull (American)	Work for peace as United States secretary of state; work on formation of United Nations
1946	John R. Mott (American)	YMCA work/relief for displaced persons
	Emily Greene Balch (American)	President, Women's International League for Peace and Freedom
1947	Friends Service Council and the American Friends Service Committee	Humanitarian work
1948	No award	
1949	Lord John Boyd-Orr (British)	Directing United Nations Food and Agriculture Organization
1950	Ralph Bunche (American)	Mediation of Israeli War for Independence; director, Division of Trusteeship of the United Nations
1951	Léon Jouhaux (French)	Organization of national and international labor unions
1952	Albert Schweitzer (German)	Humanitarian work in Africa
1953	George C. Marshall (American)	Promotion of European Recovery Program
1954	Office of the United Nations High Commissioner for Refugees	Work on refugee problems
1955-1956	No awards	
1957	Lester B. Pearson (Canadian)	Organization of United Nations' Egyptian force; president, United Nations General Assembly
1958	Georges Pire (Belgian)	Settlement of displaced persons
1959	Philip Noel-Baker (British)	Promotion of peace; author of <i>The Arms Race: A Program for World Disarmament</i>
1960	Albert Lutuli (South African)	Campaign against South African racial segregation
1961	Dag Hammarskjöld (Swedish)	Work for peace in Congo; secretary general of United Nations
1962	Linus Pauling (American)	Work for elimination of nuclear weapons



<i>Year</i>	<i>Recipients</i>	<i>Reason</i>
1963	International Committee of the Red Cross and the League of Red Cross Societies	Humanitarian work
1964	Martin Luther King, Jr. (American)	Nonviolent protests in support of civil rights for blacks
1965	United Nations Children's Fund (UNICEF)	Worldwide aid for children
1966-1967	No awards	
1968	René Cassin (French)	Promotion of human rights; drafter of United Nations Declaration of Human Rights
1969	International Labour Organisation	Improvement of working conditions
1970	Norman E. Borlaug (American)	Increases in food production through development of high-yield grains of wheat and rice
1971	Willy Brandt (German)	Improvement of East-West relations and promotion of European unity
1972	No award	
1973	Henry Kissinger (American) and Le Duc Tho (Vietnamese) (Declined award)	Negotiation of Vietnam War cease-fire
1974	Seán MacBride (Irish) Eisaku Satō (Japanese)	Work for human rights Work to improve international relations; work toward limitation of nuclear weapons
1975	Andrei Sakharov (Soviet)	Promotion of peace and respect for human rights for the individual
1976	Mairead Corrigan (Irish) and Betty Williams (Irish)	Organization of movement to end sectarian violence in Northern Ireland
1977	Amnesty International	Aid for political prisoners
1978	Menachem Begin (Israeli) Anwar el-Sadat (Egyptian)	Efforts in settling Middle East conflict
1979	Mother Teresa (Agnes Bojaxhiu; Albanian)	Aid and service to India's poor
1980	Adolfo Pérez Esquivel (Argentine)	Promotion of human rights and nonviolence
1981	Office of the United Nations High Commissioner for Refugees	Support for refugees
1982	Alva Myrdal (Swedish) and Alfonso García Robles (Mexican)	United Nations disarmament negotiations
1983	Lech Wałęsa (Polish)	Nonviolent campaign for workers' rights in Poland
1984	Desmond Tutu (South African)	Nonviolent campaign against South African racial separation
1985	International Physicians for the Prevention of Nuclear War	Campaign on potential effects of nuclear war
1986	Elie Wiesel (American)	Efforts on behalf of victims of repression and racial discrimination
1987	Oscar Arias Sánchez (Costa Rican)	Attempts to end wars in Central America
1988	United Nations peacekeeping forces	Prevention of military conflicts
1989	The Dalai Lama (Tibetan)	Nonviolent efforts opposing Chinese occupation of Tibet
1990	Mikhail Gorbachev (Soviet)	Promotion of world peace by reducing East-West tension

<i>Year</i>	<i>Recipients</i>	<i>Reason</i>
1991	Aung San Suu Kyi (Burmese)	Nonviolent promotion of human rights and democracy in Burma
1992	Rigoberta Menchú (Guatemalan)	Work for social justice and recognition of the cultures of indigenous peoples
1993	Nelson Mandela and F. W. de Klerk (South African)	Work for a negotiated end to apartheid
1994	Yasir Arafat (Palestinian) and Shimon Peres and Yitzhak Rabin (Israeli)	Efforts to end the Middle East's Israeli-Palestinian conflict
1995	Joseph Rotblat (British) and Pugwash Conferences on Science and World Affairs	Development of the Russell-Einstein Manifesto, which established the annual Pugwash Conferences for limiting and ultimately eliminating nuclear weapons
1996	Carlos Filipe Ximenes Belo and José Ramos-Horta (East Timorian)	Work to end the conflict between East Timor and the government of Indonesia
1997	International Campaign to Ban Landmines; Jody Williams (American)	Work to eliminate land mines throughout the world
1998	John Hume and David Trimble (British)	Efforts to end Northern Ireland's Protestant-Roman Catholic conflict
1999	Médecins Sans Frontières	Humanitarian medical work throughout the world
2000	Kim Dae-jung (South Korean)	Work in support of human rights in South Korea and Southeast Asia
2001	Kofi Annan (Ghanaian) and United Nations	Work to resolve international conflicts
2002	Jimmy Carter (American)	Longtime efforts to find peaceful solutions to conflicts and promotion of international social and economic cooperation
2003	Shirin Ebadi (Iranian)	Championing of women's and children's rights in Iran
2004	Wangari Muta Maathai	Leading Green Belt Movement that has contributed to sustainable development in Africa by planting more than thirty million trees and campaigning for women's rights.

## Organizations

*Listed below are centers, institutions, organizations, and societies that dispense information, conduct research, sponsor education, and advocate policies promoting ethical issues and topics.*

### **AARP**

FOUNDED: 1958

601 E Street NW

Washington, DC 20049

PHONE: (888) 687-2277

FAX: (202) 434-2320

WEB SITE: [www.aarp.org/](http://www.aarp.org/)

ETHICAL CONCERNS: Civil rights; elder rights; politico-economic ethics

Formerly known as the American Association of Retired Persons, AARP is committed to helping older Americans achieve lives of dignity, independence, and purpose. Members are afforded easy access to information on such topics as computers and the Internet, finances, health and wellness, legislative issues, and leisure activities.

### **Accuracy in Media (AIM)**

FOUNDED: 1969

4455 Connecticut Avenue NW, Suite 330

Washington, DC 20008

PHONE: (800) 787-4567

FAX: (202) 364-4098

E-MAIL: [info@aim.org](mailto:info@aim.org)

WEB SITE: [www.aim.org/](http://www.aim.org/)

ETHICAL CONCERNS: Media ethics; professional ethics

Grassroots news media monitoring group that assesses “botched and bungled” news stories and corrects the record on significant issues that have received biased coverage. AIM’s intent is to promote fair and objective media coverage without bias or partisanship.

### **American Academy of Religion (AAR)**

FOUNDED: 1909

825 Houston Mill Road NE, Suite 300

Atlanta, GA 30329-4205

PHONE: (404) 727-3049

FAX: (404) 727-7959

WEB SITE: [www.aarweb.org/](http://www.aarweb.org/)

ETHICAL CONCERNS: Religion; religious ethics

World’s largest organization for American scholars in the field of religious studies. The Ethics Section of the AAR provides a symposium for the ethical issues all religious bodies face.

### **American Association of Retired Persons. See AARP**

### **American Bar Association (ABA)**

FOUNDED: 1878

321 North Clark Street

Chicago, IL 60610

PHONE: (312) 988-5000

E-MAIL: [askaba@abanet.org](mailto:askaba@abanet.org)

WEB SITE: [w3.abanet.org/home.cfm](http://w3.abanet.org/home.cfm)

ETHICAL CONCERNS: Attorney conduct; legal ethics

Organization founded to serve as the voice of the legal profession. Although the ABA does not have the authority to chastise attorneys, it influences attorney behavior through its ethical guidelines. One of the ABA’s goals is “to achieve the highest standards of professionalism, competence and ethical conduct.” The ABA has three committees relating to ethics: the Special Committee on Bioethics and the Law, the Standing Committee on Ethics and Professional Responsibility, and the Legal Ethics and Professional Responsibility committee.

### **American Catholic Philosophical Association**

FOUNDED: 1926

Administration Building

Fordham University

Bronx, NY 10458

PHONE: (718) 817-4081

FAX: (718) 817-5709

E-MAIL: [acpa@fordham.edu](mailto:acpa@fordham.edu)

WEB SITE: [www.acpa-main.org/](http://www.acpa-main.org/)

ETHICAL CONCERNS: Ethical issues; philosophy

The members of the association, largely composed of college and university professors of philosophy, incorporate the work of major philosophers from every era into the issues and focus of modern

philosophy. Basic ethical issues are often the focus of conferences and research carried out by the association.

### **American Civil Liberties Union (ACLU)**

FOUNDED: 1920

125 Broad Street, 18th Floor

New York, NY 10004

PHONE: (212) 344-3005

WEB SITE: [www.aclu.org/](http://www.aclu.org/)

ETHICAL CONCERNS: Civil liberties; civil rights; legal ethics

Established to safeguard civil liberties, the ACLU works in communities, courts, and legislatures to defend First Amendment rights, equal protection, right to due process, and the right to privacy laws afforded to all Americans under the Constitution and Bill of Rights.

### **American Enterprise Institute**

FOUNDED: 1943

1150 Seventeenth Street NW

Washington, DC 20036

PHONE: (202) 862-5800

FAX: (202) 862-7177

E-MAIL: [info@aei.org](mailto:info@aei.org)

WEB SITE: [www.aei.org](http://www.aei.org)

ETHICAL CONCERNS: Domestic policy; international policy; moral issues

Think tank established to uphold and enrich cultural and political values in the United States. Research on moral issues and domestic and international economic policy is conducted and published by the institute.

### **American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)**

FOUNDED: 1955

815 16th Street NW

Washington, DC 20006

PHONE: (202) 637-5000

FAX: (202) 637-5058

WEB SITE: [www.aflcio.org/](http://www.aflcio.org/)

ETHICAL CONCERNS: Business and labor ethics; economic justice; social justice

Formed through a merger, the AFL-CIO was created to fight for economic and social justice in the workplace and throughout the United States. It is a voluntary federation of national and international la-

bor unions whose goals include empowering working families, strengthening the political voice of families, and providing a voice for workers in the global economy.

### **American Humanist Association (AHA)**

FOUNDED: 1941

1777 T Street NW

Washington, DC 20009-7125

PHONE: (202) 238-9088

FAX: (202) 238-9003

E-MAIL: [aha@americanhumanist.org](mailto:aha@americanhumanist.org)

WEB SITE: [www.americanhumanist.org/](http://www.americanhumanist.org/)

ETHICAL CONCERNS: Civil liberties; education; humanism; human rights

The AHA introduces social reforms and establishes new programs. Much notable progress in the areas of civil liberties, education, human rights, humanistic psychology, and science was first proposed and supported by the AHA and by Humanists.

### **American Inns of Court (AIC)**

FOUNDED: 1985

1229 King Street

Alexandria, VA 22314

PHONE: (703) 684-3590

FAX: (703) 684-3607

E-MAIL: [info@innsofcourt.org](mailto:info@innsofcourt.org)

WEB SITE: [www.innsofcourt.org/default.asp](http://www.innsofcourt.org/default.asp)

ETHICAL CONCERNS: Legal and judicial ethics; professional ethics

Organization of legal professionals whose purpose is to enrich the abilities, ethics, and professionalism of judges and lawyers. Most inns focus on issues encompassing civil and criminal litigation. There are others that focus on administrative law, family law, federal litigation, labor law, white-collar crime, and numerous other types of law.

### **American Medical Association (AMA)**

FOUNDED: 1847

515 North State Street

Chicago, IL 60610

PHONE: (800) 621-8335

WEB SITE: [www.ama-assn.org/](http://www.ama-assn.org/)

ETHICAL CONCERNS: Bioethics; medical ethics; professional ethics

Principal organization of medical doctors that advocates for patients and physicians and works toward

the betterment of the health care system in the United States. The AMA's code of medical ethics, first issued in 1847, underwent several substantial revisions during the twentieth century. In 1997 the AMA established the Institute for Ethics, an academic research center that conducts research on end-of-life matters, genetics, managed care, and professionalism. The institute's own Web site is located at [ife@ama-assn.org](mailto:ife@ama-assn.org). The AMA also sponsors the Ethics Resource Center, which provides students and physicians with the instruments and ability to handle ethical difficulties in a transforming health care climate. Its Web site is [erc@ama-assn.org](mailto:erc@ama-assn.org).

#### **American Philosophical Association (APA)**

FOUNDED: 1900

31 Amstel Avenue

University of Delaware

Newark, DE 19716-4797

PHONE: (302) 831-1112

FAX: (302) 831-8690

E-MAIL: [apaOnline@udel.edu](mailto:apaOnline@udel.edu)

WEB SITE: [www.udel.edu/apa](http://www.udel.edu/apa)

ETHICAL CONCERNS: Ethical issues; philosophy

One of the largest philosophical societies in the world, with a membership of over 10,000. Ethical issues are a major focus of the association. The APA publishes newsletters and holds conferences related to many issues in ethics such as computer use, the environment, feminism, law, medicine, and race.

#### **American Society for Bioethics and Humanities (ASBH)**

FOUNDED: 1998

4700 West Lake

Glenview, IL 60025-1485

PHONE: (847) 375-4745

FAX: (877) 734-9385

E-MAIL: [info@asbh.org](mailto:info@asbh.org)

WEB SITE: [www.asbh.org/](http://www.asbh.org/)

ETHICAL CONCERNS: Bioethics; professional ethics

ASBH strives to further the sharing of ideas and promote "multidisciplinary, interdisciplinary, and interprofessional scholarship, research, teaching, policy development, professional development, and collegiality" among those working in fields related to bioethics and health-associated humanities.

#### **American Society for the Prevention of Cruelty to Animals (ASPCA)**

FOUNDED: 1866

424 East 92nd Street

New York, NY 10128-6804

PHONE: (212) 876-7700

E-MAIL: [napcc@aspc.org](mailto:napcc@aspc.org)

WEB SITE: [www.aspc.org/site/PageServer](http://www.aspc.org/site/PageServer)

ETHICAL CONCERNS: Animal rights

The ASPCA promotes respect for and humane treatment of all animals. The ASPCA conducts nationwide programs in humane education, public awareness, government advocacy, shelter support, and animal medical services and placement.

#### **American Society of Newspaper Editors (ASNE)**

FOUNDED: 1922

11690B Sunrise Valley Drive

Reston, VA 20191-1409

PHONE: (703) 453-1122

FAX: (703) 453-1133

E-MAIL: [asne@asne.org](mailto:asne@asne.org)

WEB SITE: [www.asne.org](http://www.asne.org)

ETHICAL CONCERNS: Media ethics; professional ethics

The goals of the ASNE are to maintain the propriety and rights of the craft of journalism, to contemplate and institute ethical standards of professional conduct, and to exchange ideas for the promotion of professional ideals.

#### **Amnesty International (AI)**

FOUNDED: 1961

322 8th Avenue

New York, NY 10001

PHONE: (212) 807-8400

FAX: (212) 463-9193

E-MAIL: [admin-us@aiusa.org](mailto:admin-us@aiusa.org)

WEB SITE: [www.amnesty.org/](http://www.amnesty.org/)

ETHICAL CONCERNS: Death penalty; human rights; international relations

Watchdog organization established to campaign for internationally accepted human rights. AI conducts research and seeks to prevent and end human rights abuses worldwide. The following are some of the types of campaigns initiated by AI: ending violence against women, controlling arms, ending the use of child soldiers, eradicating the death penalty, ending torture, fighting for international justice,



fighting for economic globalization and human rights.

**Anti-Defamation League (ADL)**

FOUNDED: 1913

823 United Nations Plaza  
New York, NY 10017

E-MAIL: [webmaster@adl.org](mailto:webmaster@adl.org)

WEB SITE: [www.adl.org/adl.asp](http://www.adl.org/adl.asp)

ETHICAL CONCERNS: Anti-Semitism; civil liberties; discrimination; prejudice

Founded to combat the vilification of Jewish people, the ADL strives to achieve fair and just treatment for all citizens. The league also monitors the activities of hate groups. In 1977, the ADL founded the Braun Center of Holocaust Studies (later renamed the Braun Holocaust Institute). It also publishes a magazine on the Holocaust, *Dimensions: A Journal of Holocaust Studies*.

**Association for Practical and Professional Ethics (APPE)**

FOUNDED: 1991

Indiana University  
618 East Third Street  
Bloomington, IN 47405-3602

PHONE: (812) 855-6450

FAX: (812) 855-3315

E-MAIL: [appe@indiana.edu](mailto:appe@indiana.edu)

WEB SITE: [www.indiana.edu/~appe/](http://www.indiana.edu/~appe/)

ETHICAL CONCERNS: Professional ethics

Established to foster high-caliber interdisciplinary scholarship and teaching of ethics, APPE supports this mandate by advancing communication and shared ventures among centers, colleges, and professional associations.

**Association for the Prevention of Torture (APT)**

FOUNDED: 1977

Route de Ferney 10  
P.O. Box 2267  
CH-1211 Geneva 2  
Switzerland

PHONE: 41 22 919 21 70

FAX: 41 22 919 21 80

E-MAIL: [apt@apt.ch](mailto:apt@apt.ch)

WEB SITE: [www.apt.ch](http://www.apt.ch)

ETHICAL CONCERNS: Human rights; torture

Independent nongovernmental organization working worldwide to prevent torture and inhumane treatment of prisoners.

**Brookings Institution**

FOUNDED: 1916

1775 Massachusetts Avenue NW  
Washington, DC 20036

PHONE: (202) 797-6000

FAX: (202) 797-6004

E-MAIL: [webmaster@brookings.edu](mailto:webmaster@brookings.edu)

WEB SITE: [www.brook.edu/](http://www.brook.edu/)

ETHICAL CONCERNS: Economics; foreign policy; government

Independent and nonpartisan think tank devoted to research, analysis, and public education, with a focus on economics, government, and foreign policy.

**Carnegie Council on Ethics and International Affairs**

FOUNDED: 1914

Merrill House  
170 East 64th Street  
New York, NY 10021-7478

PHONE: (212) 838-4120

FAX: (212) 752-2432

E-MAIL: [info@cceia.org](mailto:info@cceia.org)

WEB SITE: [www.cceia.org](http://www.cceia.org)

ETHICAL CONCERNS: Armed conflict; economics; environmental protection; global justice; human rights

Organization's original objective was to achieve world peace. The council has evolved into a medium for education and study in ethics and international policy. The council gathers specialists to discuss numerous ethical approaches to confusing moral problems such as environmental protection, human rights violations, and global economic disparities.

**Center for Environmental Philosophy (CEP)**

FOUNDED: 1989

University of North Texas  
370 EESAT

P.O. Box 310980

Denton, TX 76203-0980

PHONE: (940) 565-2727

FAX: (940) 565-4439

E-MAIL: [cep@unt.edu](mailto:cep@unt.edu)

WEB SITE: [www.cep.unt.edu/](http://www.cep.unt.edu/)

ETHICAL CONCERNS: Environmental ethics

CEP publishes the journal *Environmental Ethics*, promotes research in environmental ethics through conferences and workshops, reprints significant books through its book series *Environmental Ethics Books*, and promotes graduate and postdoctoral research and education in environmental ethics.

### **Center for Professional Responsibility**

FOUNDED: 1978

321 North Clark Street, 15th Floor  
Chicago, IL 60610

PHONE: (312) 988-5323

E-MAIL: [ETHICSearch@staff.abanet.org](mailto:ETHICSearch@staff.abanet.org)

ETHICAL CONCERNS: Legal ethics

Established by the American Bar Association (see above), the center produces and interprets principles and academic resources in legal ethics, professional behavior, professional responsibility, and client protection mechanisms. A feature of the center is its Ethics Department, which is the nucleus for development, research, and implementation of legal and judicial ethical principles. The department distributes information in various ways, such as advising the ABA Standing Committee on Ethics and Professional Responsibility and through its use of ETHICSearch. ETHICSearch is a comprehensive research service that studies ethical predicaments and identifies suitable standards to settle the problems.

### **Center for Science in the Public Interest (CSPI)**

FOUNDED: 1971

1875 Connecticut Avenue NW, Suite 300  
Washington, DC 20009

PHONE: (202) 332-9110

FAX: (202) 265-4954

E-MAIL: [cspi@cspinet.org](mailto:cspi@cspinet.org)

WEB SITE: [www.cspinet.org/](http://www.cspinet.org/)

ETHICAL CONCERNS: Consumer protection; health and nutrition

Consumer advocacy organization that has focused on health and nutrition and food safety issues for the American public. The CSPI conducts research on issues such as alcohol, the environment, food, and health and dispenses up-to-date, unbiased information to consumers and policymakers.

### **Children's Bureau**

FOUNDED: 1912

330 C Street SW  
Washington, DC 20447

WEB SITE: [www.acf.hhs.gov/programs/cb](http://www.acf.hhs.gov/programs/cb)

ETHICAL CONCERNS: Children's rights

Oldest federal organization to advocate for children's rights. Its original intent was to handle problems related to infant mortality, preventive medicine, orphanages, the juvenile justice system, and child labor. The agency's efforts have evolved to include preventing child abuse and finding new homes for children who have been removed from their homes because of neglect or abuse.

### **Congress of Racial Equality (CORE)**

FOUNDED: 1942

817 Broadway  
New York, NY 10003

PHONE: (212) 598-4000

FAX: (212) 598-4141

E-MAIL: [core@core-online.org](mailto:core@core-online.org)

WEB SITE: [www.core-online.org/index.html](http://www.core-online.org/index.html)

ETHICAL CONCERNS: Civil rights; equal rights; race and ethnicity

CORE's goal is to establish "equality for all people regardless of race, creed, sex, age, disability, sexual orientation, religion or ethnic background." In striving to reach its goal, CORE attempts to identify and reveal discriminatory acts in the private and civil sectors.

### **Council on Foreign Relations**

FOUNDED: 1921

The Harold Pratt House  
58 East 68th Street  
New York, NY 10021

PHONE: (212) 434-9400

FAX: (212) 434-9800

WEB SITE: [www.cfr.org/](http://www.cfr.org/)

ETHICAL CONCERNS: Foreign policy

Independent, nonpartisan body in which senior government officials, scholars, world leaders, and members of the council debate and examine the current significant foreign policy concerns facing the world. The council generates articles and books that analyze these concerns and recommend solutions to these policy issues. *Foreign Affairs* is a journal published by the council, covering U.S. foreign policy

and international affairs. The council also supports autonomous task forces whose reports assist in setting the public foreign policy agenda.

### **Elie Wiesel Foundation for Humanity**

FOUNDED: 1988

529 Fifth Avenue, Suite 1802

New York, NY 10017

PHONE: (212) 490-7777

FAX: (212) 490-6006

E-MAIL: [info@eliewieselfoundation.org](mailto:info@eliewieselfoundation.org)

WEB SITE: [www.eliewieselfoundation.org/](http://www.eliewieselfoundation.org/)

ETHICAL CONCERNS: Human rights

The foundation promotes human rights by developing platforms for the debate and resolution of pressing ethical problems. The Prize in Ethics Essay Contest was started by the foundation in 1989. Each year, students from colleges and universities across the United States participate in the contest by submitting an essay on an ethics issue of their choice. The foundation also sponsors a humanitarian award, which was established to recognize notable individuals whose achievements are consistent with the aims of the foundation. Recipients of this award have included Danielle Mitterrand (1989), George H. W. Bush (1991), King Juan Carlos of Spain (1991), Hillary Rodham Clinton (1994), and Laura Bush (2002).

### **Environmental Protection Agency (EPA)**

FOUNDED: 1970

Ariel Rios Building

1200 Pennsylvania Avenue NW

Washington, DC 20460

PHONE: (202) 272-0167

WEB SITE: [www.epa.gov/epahome/](http://www.epa.gov/epahome/)

ETHICAL CONCERNS: Environment; environmental ethics

Federal government agency whose objective is to safeguard human health and the environment. Some of the functions of the EPA include developing and executing the regulations of environmental laws, conducting environmental research, and promoting environmental education.

### **Ethics and Public Policy Center (EPPC)**

FOUNDED: 1976

1015 15th Street NW, Suite 900

Washington, DC 20005

PHONE: (202) 682-1200

FAX: (202) 408-0632

E-MAIL: [Ethics@eppc.org](mailto:Ethics@eppc.org)

WEB SITE: [www.eppc.org](http://www.eppc.org)

ETHICAL CONCERNS: Public policy

The EPPC emphasizes the role of moral tradition in the area of domestic and foreign policy issues. The center has various programs, such as research, writing, publication, and conferences to encourage debate on public policy issues in the Judeo-Christian moral tradition.

### **Ethics Resource Center (ERC)**

FOUNDED: 1977

1747 Pennsylvania Avenue NW, Suite 400

Washington, DC 20006

PHONE: (202) 737-2258

FAX: (202) 737-2227

E-MAIL: [ethics@ethics.org](mailto:ethics@ethics.org)

WEB SITE: [www.ethics.org](http://www.ethics.org)

ETHICAL CONCERNS: Global ethics

The ERC aims to support global ethical leadership through the use of education, partnerships, and research. The goals of the ERC are for individuals to act in an ethical manner toward one another, for institutions to act ethically, and for individuals and institutions to work together to encourage or nurture ethical communities. *Ethics Today* is sponsored by the ERC as a platform for examining an immense scope of business ethics and character development questions and for presenting and addressing business ethics, global ethics, and character development ideologies. It is a free monthly publication that is e-mailed to subscribers. Each issue is also posted online for a month and then stored in the *Ethics Today* archive.

### **Facing History and Ourselves**

FOUNDED: 1976

16 Hurd Road

Brookline, MA 02445

PHONE: (617) 232-1595

FAX: (617) 232-0281

WEB SITE: [www.facing.org](http://www.facing.org)

ETHICAL CONCERNS: Human rights; racism

Educational organization whose mission is to fight prejudice and racism and to promote human rights through the study of the Holocaust and other incidents in the history of collective violence. The organization conducts research, holds seminars, and

has an extensive collection of resources available to promote critical thinking and moral behavior.

### **Fairness and Accuracy in Reporting (FAIR)**

FOUNDED: 1986

112 West 27th Street

New York, NY 10001

PHONE: (212) 633-6700

FAX: (212) 727-7668

E-MAIL: fair@fair.org

WEB SITE: www.fair.org/

ETHICAL CONCERNS: Censorship; media bias; professional ethics

National media-monitoring group that works to vitalize the First Amendment by urging for greater diversity in the media and studying media practices that marginalize public interest, minority, and opposing views. FAIR also serves as an anticensorship organization by uncovering slighted news stories and supporting journalists who have been silenced.

### **Gray Panthers**

FOUNDED: 1970

733 15th Street NW

Washington, DC 20005

PHONE: (800) 280-5362

FAX: (202) 737-1160

E-MAIL: info@graypanthers.org

WEB SITE: www.graypanthers.org/

ETHICAL CONCERNS: Discrimination; environmental issues; rights for the disabled

National organization of activists committed to social change. The Gray Panthers includes more than fifty local networks that advocate for antidiscrimination legislation, campaign reform, disability rights, employment, environmental issues, families, housing, and peace. The organization has helped fight mandatory retirement age regulations, revealed nursing home abuse, and has supported a national health care system.

### **Greenpeace International**

FOUNDED: 1971

Otto Helderstraat 5

1066 AZ Amsterdam

The Netherlands

PHONE: 31 20 5148150

FAX: 31 20 5148151

E-MAIL: supporter.services@int.greenpeace.org

WEB SITE: www.greenpeace.org/international\_en/

ETHICAL CONCERNS: Environmental protection; international relations

Global organization dedicated to protecting the earth's biodiversity and environment. Greenpeace's campaigns have included trying to stop climate change, the nuclear threat, war, and whaling; eliminating toxic chemicals; protecting ancient forests; saving the seas; encouraging sustainable trade; and saying no to genetic engineering.

### **Hastings Center**

FOUNDED: 1969

21 Malcolm Gordon Road

Garrison, NY 10524-5555

PHONE: (845) 424-4040

FAX: (845) 424-4545

E-MAIL: mail@thehastingscenter.org

WEB SITE: www.thehastingscenter.org

ETHICAL CONCERNS: Bioethics

Bioethics research institute established to examine vital and developing questions in biotechnology, health care, and the environment. It conducts many research projects on issues that concern medical professionals, the public, and social policy such as genetics and biotechnology; ethics, science, and the environment; health care and policy; and ethics and scientific research. The Hastings Center publishes *IRB: Ethics & Human Research*, a journal that discusses the ethical issues facing administrators, investigators, participants, and others involved in research with human subjects.

### **Human Rights Information and Documentation Systems, International (HURIDOCS)**

FOUNDED: 1982

HURIDOCS Secretariat

48, chemin du Grand-Montfleury

CH-1290 Versoix, Switzerland

PHONE: 41 22 755 52 52

FAX: 41 22 755 52 60

E-MAIL: info@huridocs.org

WEB SITE: www.huridocs.org/

ETHICAL CONCERNS: Human rights

Worldwide network of human rights organizations concerned with improving access to and dissemination of information regarding human rights. HURIDOCS organizes documentation practices and

examines difficulties and procedures of data handling in this domain.

### **Human Rights Watch**

FOUNDED: 1978

350 Fifth Avenue, 34th Floor

New York, NY 10118-3299

PHONE: (212) 290-4700

FAX: (212) 736-1300

E-MAIL: [hrwnyc@hrw.org](mailto:hrwnyc@hrw.org)

WEB SITE: [www.hrw.org/](http://www.hrw.org/)

ETHICAL CONCERNS: Arms control; children's rights; human rights; international relations; women's rights

Organization that monitors the human rights practices of more than seventy nations around the globe. It determines whether the practices are in harmony with principles recognized by agreements such as the Helsinki Accords and the United Nations Declaration of Human Rights. It also tracks children's rights, women's rights, and arms control and reports abuses. Other areas of interest for Human Rights Watch include academic freedom, drugs, international justice, prisons, and refugees.

### **Humane Society of the United States (HSUS)**

FOUNDED: 1954

2100 L Street NW

Washington, DC 20037

PHONE: (202) 452-1100

WEB SITE: [www.hsus.org/ace/352](http://www.hsus.org/ace/352)

ETHICAL CONCERNS: Animal rights

Organization that promotes the elimination of animal abuse and exploitation, protection for endangered species and their environments, and a relationship of compassion and respect for all animals. The society has become the world's largest animal protection organization and addresses global animal abuses and concerns through advocacy, education, litigation, and rehabilitation.

### **Institute for Global Ethics**

FOUNDED: 1990

11 Main Street

P.O. Box 563

Camden, ME 04843

PHONE: (207) 236-6658

FAX: (207) 236-4014

E-MAIL: [ethics@globalethics.org](mailto:ethics@globalethics.org)

WEB SITE: [www.globalethics.org](http://www.globalethics.org)

ETHICAL CONCERNS: Global ethics

Organization whose goal is to foster ethical behavior in people, institutions, and the world through discussion, education, practical action, and research. The institute also publishes the weekly *Ethics Newsline*, an online source for news and information on ethics and current events.

### **Institute for Philosophy and Public Policy**

FOUNDED: 1976

Maryland School of Public Affairs

3111 Van Munching

College Park, MD 20742

PHONE: (301) 405-4753

FAX: (301) 314-9346

WEB SITE: [www.puaf.umd.edu/IPPP/](http://www.puaf.umd.edu/IPPP/)

ETHICAL CONCERNS: Public policy

Established to investigate complex and ethical questions of public policy debate and formulation, this organization concentrates on issues such as the teaching of ethics, equal opportunity, and democratic values.

### **Intercollegiate Studies Institute (ISI)**

FOUNDED: 1953

3901 Centerville Road

P.O. Box 4431

Wilmington, DE 19807-0431

PHONE: (800) 526-7022

FAX: (302) 652-1760

E-MAIL: [info@isi.org](mailto:info@isi.org)

WEB SITE: [www.isi.org/](http://www.isi.org/)

ETHICAL CONCERNS: Economics; politics

Organization established to promote among collegians a deeper understanding of the economic, political, and spiritual principles that support a free and ethical society. ISI sponsors more than three hundred educational programs, such as lectures and seminars, and offers graduate fellowships to teachers.

### **International Business Ethics Institute (IBEI)**

FOUNDED: 1994

1725 K Street NW, Suite 1207

Washington, DC 20006

PHONE: (202) 296-6938

FAX: (202) 296-5897

E-MAIL: [info@business-ethics.org](mailto:info@business-ethics.org)



WEB SITE: [www.business-ethics.org](http://www.business-ethics.org)

ETHICAL CONCERNS: Business ethics

Nonprofit, educational organization dedicated to elevating public understanding of international business ethics matters and distributing information about corporate responsibility through the use of educational resources. IBEI's educational resources include its Web site, its roundtable discussion series, and the publication *International Business Ethics Review*.

### **International Committee of the Red Cross**

FOUNDED: 1863

19 avenue de la Paix

CH 1202 Geneva, Switzerland

PHONE: 41 22 734 60 01

FAX: 41 22 733 20 57

WEB SITE: [www.icrc.org/](http://www.icrc.org/)

ETHICAL CONCERNS: Humanitarianism; international relations

Organization established to assist in humanitarian efforts around the globe on a neutral and impartial basis. The Red Cross visits prisoners of war to ensure they are being treated properly, searches for missing people, provides food, water, and medical assistance to people in need, and fosters regard for international humanitarian law.

### **International Labour Organization (ILO)**

FOUNDED: 1919

4, route des Morillons

CH-1211 Geneva 22

Switzerland

PHONE: 41 22 799 61 11

FAX: 41 22 798 86 85

E-MAIL: [ilo@ilo.org](mailto:ilo@ilo.org)

WEB SITE: [www.ilo.org/public/english/index.htm](http://www.ilo.org/public/english/index.htm)

ETHICAL CONCERNS: Human rights; business and labor ethics

Dedicated to fostering social justice and internationally accepted human and labor rights, the ILO creates international labor standards by setting minimum standards of basic labor rights, such as the eradication of forced labor, implementation of collective bargaining, equal opportunity and treatment, freedom of association, and freedom to organize. The ILO also advocates the growth of independent employer and employee organizations and provides advice and training services to the organizations.

### **JCT Center for Business Ethics & Social Responsibility**

FOUNDED: 1992

P.O. Box 16031

Jerusalem 91160 Israel

PHONE: 972-2-675-1182

FAX: 972-2-642-2075

WEB SITE: [www.besr.org/](http://www.besr.org/)

ETHICAL CONCERNS: Business ethics; Jewish ethics; personal and social ethics

Center that fosters and encourages a high level of business integrity through promoting an understanding of Jewish ethical teachings. The center produces a weekly column called the "Jewish Ethicist," in which a question regarding a business dilemma is posed and answered by a rabbi who includes general standards of Jewish ethics and law into his response. The public may suggest questions for the column by submitting them to: [jewishethicist@yahoo.com](mailto:jewishethicist@yahoo.com). The Web site offers an archive of previous questions.

### **Josephson Institute of Ethics**

FOUNDED: 1987

9841 Airport Blvd., #300

Los Angeles, CA 90045

PHONE: (310) 846-4800

FAX: (310) 846-4857

E-MAIL: [webmaster@jiethics.org](mailto:webmaster@jiethics.org)

WEB SITE: [www.josephsoninstitute.org/](http://www.josephsoninstitute.org/)

ETHICAL CONCERNS: Business ethics; education

Established to promote the teaching of ethics in businesses, schools, and workplaces, the institute conducts numerous programs and workshops catered to influential persons, such as mayors, judges, reporters, corporate executives, and military and police officers. The institute also conducts an "Ethics in the Workplace" training seminar.

### **Kennedy Institute of Ethics**

FOUNDED: 1971

Healy, 4th Floor

Georgetown University

Washington, DC 20057

PHONE: (202) 687-8099

FAX: (202) 687-8089

WEB SITE: [www.georgetown.edu/research/kie/site/index.htm](http://www.georgetown.edu/research/kie/site/index.htm)

ETHICAL CONCERNS: Bioethics

Center focuses on research and teaching on such bioethical issues as cloning, eugenics, gene therapy, and reproductive and feminist bioethics. The institute is a source of information for those who analyze and study ethics, as well as those who debate and decide public policy.

### **League of Women Voters (LWV)**

FOUNDED: 1920

1730 M Street NW, Suite 1000

Washington, DC 20036-4508

PHONE: (202) 429-1965

FAX: (202) 429-0854

WEB SITE: [www.lwv.org](http://www.lwv.org)

ETHICAL CONCERNS: Politico-economic ethics; public policy; sex and gender issues

Nonpartisan political organization that promotes the participation of all citizens in government, works to further the understanding of significant public policy issues, and addresses public policy through advocacy and education.

### **Markkula Center for Applied Ethics**

FOUNDED: 1986

500 El Camino Real

Santa Clara, CA 95053

PHONE: (408) 554-5319

E-MAIL: [ethics@scu.edu](mailto:ethics@scu.edu)

WEB SITE: [www.scu.edu/ethics/](http://www.scu.edu/ethics/)

ETHICAL CONCERNS: Applied ethics

Established at Santa Clara University, the center focuses on the research and dialogue of ethical issues. The center fosters communication among community leaders, faculty, staff, students, and the public to face ethical issues effectively in action, teaching, and research. The center focuses on ethical issues in the fields of biotechnology and health care, business, character education, global leadership, and government. In 1996, the center launched Ethics Connection, its interactive Web site which provides information and useful tips on making ethical decisions and allows visitors to communicate with one another and the Ethics Connection staff through the use of message boards and a feedback feature. Ethics Connection also features a section on case studies, on which visitors may comment and study.

### **Media Institute**

FOUNDED: 1979

1800 North Kent Street, Suite 1130

Arlington, VA 22209

PHONE: (703) 243-5060

FAX: (703) 243-2453

E-MAIL: [info@mediainstitute.org](mailto:info@mediainstitute.org)

WEB SITE: [www.mediainstitute.org/](http://www.mediainstitute.org/)

ETHICAL CONCERNS: Media ethics; free expression

Think tank that studies the First Amendment and communications practices. The institute fosters and advances the growth of awareness and understanding of American communications and the media. The three goals of the institute are freedom of speech, a competitive communications and media industry, and virtue in journalism. The institute fosters research into the economic, ethical, legal, and political arenas of the media and communications fields.

### **National Anti-Vivisection Society (NAVS)**

FOUNDED: 1929

53 West Jackson Boulevard, Suite 1552

Chicago, IL 60604

PHONE: (800) 888-NAVS

FAX: (312) 427-6524

E-MAIL: [feedback@navs.org](mailto:feedback@navs.org)

WEB SITE: [www.navs.org/](http://www.navs.org/)

ETHICAL CONCERNS: Animal rights; bioethics; scientific ethics

Educational organization founded to abolish the use of animals in product testing and biomedical research. NAVS aims to educate manufacturers, physicians, researchers, teachers, and government officials about the alternatives to using animals, which will save millions of animal lives each year and still achieve the goals of these individuals.

### **National Association for the Advancement of Colored People (NAACP)**

FOUNDED: 1909

4805 Mount Hope Drive

Baltimore, MD 21215

PHONE: (877) NAACP-98

WEB SITE: [www.naacp.org/](http://www.naacp.org/)

ETHICAL CONCERNS: Civil rights; prejudice; race and ethnicity

Civil rights organization that aims to eradicate racial prejudice by ending discrimination in all areas of the public and private sectors, including business,

employment, housing, the judicial system, schools, transportation, and voting.

**National Conference of State Legislatures (NCSL)**

FOUNDED: 1975

444 North Capital Street NW, Suite 515

Washington, DC 20001

PHONE: (202) 624-5400

FAX: (202) 737-1069

WEB SITE: [www.ncsl.org/programs/ethics/overview\\_ethics.htm](http://www.ncsl.org/programs/ethics/overview_ethics.htm)

ETHICAL CONCERNS: Government ethics

Nonpartisan, nonprofit organization established to address the loss of trust in democracy by the American people. The Ethics Center of the NCSL has assembled information from every state on legislative ethics laws in five primary areas: gifts, honoraria, lobbyists, nepotism, and revolving door policies.

**National Gay and Lesbian Task Force (NGLTF)**

FOUNDED: 1973

1325 Massachusetts Avenue NW, Suite 600

Washington, DC 20005

PHONE: (202) 393-5177

FAX: (202) 393-2241

E-MAIL: [nglftf@nglftf.org](mailto:nglft@nglftf.org)

WEB SITE: [www.thetaskforce.org/index.cfm](http://www.thetaskforce.org/index.cfm)

ETHICAL CONCERNS: Gay rights; sex and gender issues; civil rights; hate crime

Civil rights organization that directs national efforts to organize legislative actions and nationwide grassroots organizing on a number of issues of special concern to the gay, lesbian, bisexual, and transgender population, such as domestic partnership and same-sex marriage. The NGLTF also recognizes issues outside its own community such as affirmative action, aging, civil rights, families, hate crimes, and schools.

**National Institute Against Prejudice and Violence. See Prejudice Institute**

**National Legal and Policy Center**

FOUNDED: 1991

107 Park Washington Court

Falls Church, VA 22046

PHONE: (703) 237-1970

FAX: (703) 237-2090

E-MAIL: [nlpc@nlpc.org](mailto:nlpc@nlpc.org)

WEB SITE: [www.nlpc.org](http://www.nlpc.org)

ETHICAL CONCERNS: Legal ethics

Center established to foster ethics in government and to give visibility to the Code of Ethics for Government.

**National Organization for Women (NOW)**

FOUNDED: 1966

733 15th Street NW

Washington, DC 20005

PHONE: (202) 628-8669

FAX: (202) 785-8576

E-MAIL: [now@now.org](mailto:now@now.org)

WEB SITE: [www.now.org/](http://www.now.org/)

ETHICAL CONCERNS: Civil rights; feminism; sex and gender issues; women's rights

Women's rights organization established to eradicate discrimination and prejudice against women in all areas of life. The organization seeks to acquire economic equality for women and assure it through a constitutional amendment that guarantees equal rights for women; supports abortion and reproductive freedom rights; fights racism and bigotry against lesbians and gays; and opposes violence against women. NOW uses civil action, organizing marches and rallies, lawsuits, and lobbying to work toward its goals.

**New York Society for the Prevention of Cruelty to Children (NYSPCC)**

FOUNDED: 1875

161 William Street

New York, NY 10038

PHONE: (212) 233-5500

FAX: (212) 791-5227

WEB SITE: [www.nyspcc.org/index.htm](http://www.nyspcc.org/index.htm)

ETHICAL CONCERNS: Children's rights

Oldest organization in the world dedicated to protecting the interests of children. The society strives to develop and introduce educational, legal, and mental health programs that assure the healthy development of children and shield them from harm.

**Office of the High Commissioner for Human Rights (OHCHR)**

FOUNDED: 1993

United Nations Office at Geneva

8-14 Avenue de la Paix

1211 Geneva 10

Switzerland

PHONE: 41 22 917 9000  
 FAX: 41 22 917 9011  
 E-MAIL: 1503@ohchr.org  
 WEB SITE: www.unhchr.ch/  
 ETHICAL CONCERNS: Human rights

Branch of the United Nations that strives for the international community and its member states to abide by universally agreed upon human-rights standards. The OHCHR serves as the voice of people whose human rights have been violated; it pushes the international community to thwart violations.

### **People for the Ethical Treatment of Animals (PETA)**

FOUNDED: 1980  
 501 Front Street  
 Norfolk, VA 23510  
 PHONE: (757) 622-PETA  
 FAX: (757) 622-0457  
 E-MAIL: info@peta.org  
 WEB SITE: www.peta.org/  
 ETHICAL CONCERNS: Animal rights

Militant animal-rights organization committed to establishing and defending the rights of all animals. PETA's guiding principle is that "animals are not ours to eat, wear, experiment on, or use for entertainment."

### **Philosophy Documentation Center**

FOUNDED: 1966  
 P.O. Box 7147  
 Charlottesville, VA 22906-7147  
 PHONE: (800) 444-2419  
 FAX: (434) 220-3301  
 E-MAIL: order@pdcnet.org  
 WEB SITE: www.pdcnet.org/  
 ETHICAL CONCERNS: Ethics; philosophy

Information center that specializes in bibliographical and other types of information pertaining to ethics, philosophy, and philosophers. It is committed to providing affordable access to these materials. The center produces academic journals, conference and reference materials, and instructional software.

### **Physicians Committee for Responsible Medicine (PCRM)**

FOUNDED: 1985  
 5100 Wisconsin Avenue NW, Suite 400  
 Washington, DC 20016  
 PHONE: (202) 686-2210

FAX: (202) 686-2216  
 E-MAIL: pcmr@pcrm.org  
 WEB SITE: www.pcrm.org/  
 ETHICAL CONCERNS: Animal rights; medical ethics  
 Professional organization of physicians and laypersons working together for humane and effective "medical practice, research, and health promotion." PCRM opposes unethical human experiments and encourages alternatives to animal research.

### **Population Connection**

FOUNDED: 1968  
 1400 16th Street NW, Suite 320  
 Washington, DC 20036  
 PHONE: (202) 332-2200  
 FAX: (202) 332-2302  
 E-MAIL: info@populationconnection.org  
 WEB SITE: www.populationconnection.org  
 ETHICAL CONCERNS: Environmentalism; population control

National grassroots organization that champions efforts to stabilize world population at a level that can be sustained by the earth's resources. Formerly known as Zero Population Growth, Population Connection influences political action on international, national, state, and local levels; conducts teacher education and public education programs; provides educational materials; participates in coalitions; conducts research; and provides a forecast on the effect of the population on environmental and social problems. The organization encourages measures that seek voluntary compliance.

### **Prejudice Institute**

FOUNDED: 1985  
 2743 Maryland Avenue  
 Baltimore, MD 21218  
 PHONE: (410) 243-6987  
 E-MAIL: prejinst@aol.com  
 WEB SITE: www.prejudiceinstitute.org/  
 ETHICAL CONCERNS: Prejudice; violence

Originally known as the National Institute Against Prejudice and Violence, the institute was reincorporated as the Prejudice Institute in 1993. The institute examines and conducts research into the occurrence of prejudice and violence and its effects on the victims and society. The issue of violence surrounding anti-gay, ethnic, racial, and religious prejudice is also addressed.

**President's Council on Bioethics**

FOUNDED: 2001

WEB SITE: [www.bioethics.gov/](http://www.bioethics.gov/)

ETHICAL CONCERNS: Bioethics; cloning; research ethics; stem cell research

Federal government agency that advises the president of the United States on ethical matters related to progress in biomedical science and technology. In addition to the concerns listed above, the council also deals with aging and the end of life; biotechnology and public policy; bioethics in literature; drugs, children, and behavior control; memory boosting/suppression; mood control; neuroethics; organ transplantation; and sex selection in reproductive technology.

**Public Responsibility in Medicine and Research (PRIM&R)**

FOUNDED: 1974

126 Brookline Avenue, Suite 202

Boston, MA 02215

PHONE: (617) 423-4112

FAX: (617) 423-1185

E-MAIL: [info@primr.org](mailto:info@primr.org)WEB SITE: [www.primr.org/](http://www.primr.org/)

ETHICAL CONCERNS: Medical ethics

Organization committed to developing, activating, and promoting the highest ethical principles in the fields of biomedical and behavioral research. It has been the prominent source for education, progress, and resource sharing in all areas relating to the ethical, regulatory, and societal considerations of research. The organization conducts educational and training programs and holds conferences to achieve its mandate.

**Sierra Club**

FOUNDED: 1892

85 Second Street

San Francisco, CA 94105

PHONE: (415) 977-5500

FAX: (415) 977-5799

E-MAIL: [information@sierraclub.org](mailto:information@sierraclub.org)WEB SITE: [www.sierraclub.org/](http://www.sierraclub.org/)

ETHICAL CONCERNS: Environmental ethics; environmentalism

Oldest, largest, and most powerful grassroots environmental organization in the world. Its aims are to foster the responsible use of the earth's resources and

ecosystems, protect wild habitats, teach and recruit people to preserve and revive the natural and human environment, and use just methods to achieve these objectives. The club's top priorities are ensuring clean water, ending commercial logging, stopping sprawl, and protecting wildland. *Sierra* is a magazine published by the club.

**Society for Business Ethics (SBE)**

FOUNDED: 1980

School of Business Administration

Loyola University Chicago

820 North Michigan Avenue

Chicago, IL 60611

PHONE: (312) 915-6994

FAX: (312) 915-6988

E-MAIL: [jboatri@luc.edu](mailto:jboatri@luc.edu)WEB SITE: [www.societyforbusinessethics.org/](http://www.societyforbusinessethics.org/)

ETHICAL CONCERNS: Business ethics

International organization of intellectuals who are concerned with the academic examination of business ethics. An annual meeting is held by SBE to offer research in the field. SBE publishes the journal *Business Ethics Quarterly* to distribute significant scholarship in the discipline.

**Society of Christian Philosophers**

FOUNDED: 1978

Department of Philosophy

Calvin College

Grand Rapids, MI 49546-4388

WEB SITE: [www.siu.edu/~scp/](http://www.siu.edu/~scp/)

ETHICAL CONCERNS: Ethics; philosophy

The society promotes the exchange of information about issues relating to ethics and the philosophy of religion. *Faith and Philosophy* is published quarterly by the society and is an influential journal in the field.

**Southern Poverty Law Center (SPLC)**

FOUNDED: 1971

400 Washington Avenue

Montgomery, AL 36104

PHONE: (334) 956-8200

WEB SITE: [www.splcenter.org/index.jsp](http://www.splcenter.org/index.jsp)

ETHICAL CONCERNS: Civil rights; legal rights

Organization of legal professionals established to defend and promote the legal and civil rights of indigent people through legal means and education. Fre-



quently the SPLC's work has centered on aiding individuals harmed or intimidated by actions of the Ku Klux Klan and other white supremacist organizations.

**Union of Concerned Scientists (UCS)**

FOUNDED: 1969  
2 Brattle Square  
Cambridge, MA 02238-9105  
PHONE: (617) 547-5552  
FAX: (617) 864-9405  
WEB SITE: [www.ucsusa.org/](http://www.ucsusa.org/)

ETHICAL CONCERNS: Environmentalism; food safety; scientific ethics; nuclear weapons

Organization of science professionals established to guarantee that all people have clear air, energy, transportation, and food that is manufactured in a safe manner. UCS conducts studies on the impact of global warming, the risks of genetically engineered crops, renewable energy options, and other related areas.

**United Nations (U.N.)**

FOUNDED: 1945  
United Nations  
New York, NY 10017  
PHONE: (212) 963-4475  
FAX: (212) 963-0071  
E-MAIL: [inquiries@un.org](mailto:inquiries@un.org)  
WEB SITE: [www.un.org](http://www.un.org)

ETHICAL CONCERNS: Human rights; international relations

International organization to which virtually every sovereign nation belongs. The United Nations, along with its many specialized branches, attempts to identify and settle international feuds that jeopardize world peace and security. A proponent of human rights, the United Nations strives to foster conditions in which justice and honor for international law and treaties can be preserved.

**United States Holocaust Memorial Museum**

FOUNDED: 1980  
100 Raoul Wallenberg Place SW  
Washington, DC 20024-2126  
PHONE: (202) 488-0400  
WEB SITE: [www.ushmm.org/](http://www.ushmm.org/)

ETHICAL CONCERNS: Genocide; moral awareness

Museum dedicated to increasing public awareness of the Holocaust, perpetuating the remembrance

of those who suffered, and encouraging visitors to contemplate on the moral and spiritual considerations raised by the Holocaust. The museum aims to increase public knowledge of the Holocaust through exhibits, research, and annual Holocaust commemorations referred to as the Days of Remembrance. The museum also serves as a memorial to the millions of people who were murdered during the Holocaust.

**World Health Organization (WHO)**

FOUNDED: 1948  
Avenue Appia 20  
1211 Geneva 27  
Switzerland  
PHONE: 41 22 791 21 11  
FAX: 41 22 791 31 11  
E-MAIL: [inf@who.int](mailto:inf@who.int)  
WEB SITE: [www.who.int/en/](http://www.who.int/en/)

ETHICAL CONCERNS: Bioethics; environmental ethics; health care; international relations

Branch of the United Nations (see above) whose goal is the highest possible level of health—total physical, mental, and social well-being by every individual inhabiting the earth.

**World Society for the Protection of Animals (WSPA)**

FOUNDED: 1981  
34 Deloss Street  
Framingham, MA 01702  
PHONE: (508) 879-8350  
FAX: (508) 620-0786  
E-MAIL: [wspa@wspausa.com](mailto:wspa@wspausa.com)  
WEB SITE: [www.wspa-america.org](http://www.wspa-america.org)  
ETHICAL CONCERNS: Animal rights

Animal-rights organization whose goal is the worldwide advancement of animal welfare standards. The vision of the WSPA is a world in which the welfare of animals is appreciated and regarded by all peoples and safeguarded by legislation. The WSPA exposes animal abuse and dispatches animal rescue teams to save abandoned or neglected animals.

**Zero Population Growth. See Population Connection**

*Andrea E. Miller*

# Time Line of Primary Works in Moral and Ethical Philosophy

*This table lists works chronologically to show the historical evolution of ethical thought.*

<i>Date</i>	<i>Work</i>	<i>Author</i>
1200-100 B.C.E.	Old Testament	Hebrew scribes
1000-400 B.C.E.	Upaniṣads	Hindu sages
800-200 B.C.E.	<i>Dao De Jing</i>	Attributed to Laozi (fl. sixth century B.C.E.)
c. 500-320 B.C.E.	<i>The Art of War</i>	Attributed to Sunzi (fl. c. 500 B.C.E.)
c. 500 B.C.E.	<i>The Analects of Confucius</i>	Confucius (c. 551-c. 479 B.C.E.)
399-390 B.C.E.	<i>Apology</i>	Plato (427-347 B.C.E.)
388-368 B.C.E.	<i>Republic</i>	
335-323 B.C.E.	<i>Nicomachean Ethics</i>	Aristotle (384-322 B.C.E.)
	<i>Politics</i>	
320-289 B.C.E.	<i>Mengzi</i>	Mencius (c. 372-c. 289 B.C.E.)
310-270 B.C.E.	<i>Principal Doctrines</i>	Epicurus (c. 342-c. 270 B.C.E.)
	<i>Letter to Menoeceus</i>	
c. 300 B.C.E.	<i>Zhuangzi</i>	Zhuangzi (c. 370-c. 285 B.C.E.)
200 B.C.E.-200 C.E.	<i>Bhagavadgītā</i>	Hindu mystic(s)
150 B.C.E.-500 C.E.	Talmud	Hebrew scholars
c. 50-350	New Testament	Christian scribes
c. 138	<i>The Enchiridion</i>	Epictetus (c. 65-c. 135)
171-180	<i>Meditations</i>	Marcus Aurelius (121-180)
c. 256-270	<i>Enneads</i>	Plotinus (c. 204-270)
397-400	<i>Confessions</i>	Saint Augustine (354-430)
413-427	<i>The City of God</i>	
c. 610-650	Qurʾān	Muḥammad (c. 570-632) and his followers
c. 677	<i>The Platform Scripture of the Sixth Patriarch</i>	Huineng (638-713)
c. 720-c. 750	<i>Crest Jewel of Wisdom</i>	Śaṅkara (c. 700-c. 750)
1022-1037	<i>The Book of Salvation</i>	Avicenna (980-1037)
1180	<i>The Incoherence of the Incoherence</i>	Averroës (1126-1198)
1190	<i>Guide of the Perplexed</i>	Moses Maimonides (1135-1204)
c. 1265-1274	<i>Summa Theologica</i>	Thomas Aquinas (c. 1225-1274)
1516	<i>Utopia</i>	Thomas More (1478-1535)
1517	<i>The Ninety-five Theses</i>	Martin Luther (1483-1546)
1532	<i>The Prince</i>	Niccolò Machiavelli (1469-1527)
1641	<i>Meditations on First Philosophy</i>	René Descartes (1596-1650)
1651	<i>Leviathan</i>	Thomas Hobbes (1588-1679)
1677	<i>Ethics</i>	Baruch Spinoza (1632-1677)
1690	<i>Two Treatises of Government</i>	John Locke (1632-1704)
1748	<i>The Spirit of the Laws</i>	Montesquieu (1689-1755)
1751	<i>An Enquiry Concerning the Principles of Morals</i>	David Hume (1711-1776)
1762	<i>The Social Contract</i>	Jean-Jacques Rousseau (1712-1778)

<i>Date</i>	<i>Work</i>	<i>Author</i>
1776	<i>An Inquiry into the Nature and Causes of the Wealth of Nations</i>	Adam Smith (1723-1790)
1781, 1787	<i>Critique of Pure Reason</i>	Immanuel Kant (1724-1804)
1785	<i>Foundations of the Metaphysics of Morals</i>	
1788	<i>Critique of Practical Reason</i>	
1789	<i>An Introduction to the Principles of Morals and Legislation</i>	Jeremy Bentham (1748-1832)
1791	<i>Rights of Man</i>	Thomas Paine (1737-1809)
1792	<i>A Vindication of the Rights of Woman</i>	Mary Wollstonecraft (1759-1797)
1792	<i>Critique of Judgment</i>	Immanuel Kant
1807	<i>Phenomenology of Spirit</i>	Georg Wilhelm Friedrich Hegel (1770-1831)
1819	<i>The World as Will and Representation</i>	Arthur Schopenhauer (1788-1860)
1821	<i>Philosophy of Right</i>	Georg Wilhelm Friedrich Hegel
1826	<i>An Essay on the Principle of Population</i>	Thomas Robert Malthus (1766-1834)
1832	<i>On War</i>	Carl von Clausewitz (1780-1831)
1841-1844	<i>Essays</i>	Ralph Waldo Emerson (1803-1882)
1843	<i>Either/Or</i>	Søren Kierkegaard (1813-1855)
1848	<i>Communist Manifesto</i>	Karl Marx (1818-1883)
1854	<i>Walden</i>	Henry David Thoreau (1811-1896)
1859	<i>On the Origin of Species</i>	Charles Darwin (1809-1882)
1859	<i>On Liberty</i>	John Stuart Mill (1806-1873)
1863	<i>Utilitarianism</i>	
1864	<i>Apologia pro Vita Sua</i>	John Henry Cardinal Newman (1801-1890)
1867	<i>Capital</i>	Karl Marx
1874	<i>Methods of Ethics</i>	Henry Sidgwick (1838-1900)
1886	<i>Beyond Good and Evil</i>	Friedrich Nietzsche (1844-1900)
1887	<i>On the Genealogy of Morals</i>	
1903	<i>Principia Ethica</i>	G. E. Moore (1873-1958)
1904-1905	<i>The Protestant Ethic and the Spirit of Capitalism</i>	Max Weber (1864-1920)
1905-1906	<i>The Life of Reason</i>	George Santayana (1863-1952)
1907	<i>Pragmatism</i>	William James (1842-1910)
1908	<i>The Philosophy of Loyalty</i>	Josiah Royce (1855-1916)
1922	<i>Tractatus Logico-Philosophicus</i>	Ludwig Wittgenstein (1889-1951)
1922	<i>Human Nature and Conduct</i>	John Dewey (1859-1952)
1923	<i>I and Thou</i>	Martin Buber (1878-1965)
1927	<i>Being and Time</i>	Martin Heidegger (1889-1976)
1929	<i>Process and Reality</i>	Alfred North Whitehead (1861-1947)
1930	<i>Civilization and Its Discontents</i>	Sigmund Freud (1856-1939)
1932	<i>The Two Sources of Morality and Religion</i>	Henri Bergson (1859-1941)
1932	<i>Moral Man and Immoral Society</i>	Reinhold Niebuhr (1892-1971)
1936	<i>Language, Truth, and Logic</i>	A. J. Ayer (1910-1988)

<i>Date</i>	<i>Work</i>	<i>Author</i>
1943	<i>Being and Nothingness</i>	Jean-Paul Sartre (1905-1980)
1944	<i>The Children of Light and the Children of Darkness</i>	Reinhold Niebuhr
1947	<i>Dialectic of Enlightenment</i>	Theodor Adorno (1903-1969) and Max Horkheimer (1895-1973)
1949	<i>The Second Sex</i>	Simone de Beauvoir (1908-1986)
1951	<i>The Rebel</i>	Albert Camus (1913-1960)
1952	<i>The Courage to Be</i>	Paul Tillich (1886-1965)
1953	<i>Philosophical Investigations</i>	Ludwig Wittgenstein
1960	<i>Truth and Method</i>	Hans-Georg Gadamer (1900-2002)
1961	<i>The Wretched of the Earth</i>	Frantz Fanon (1925-1961)
1962	<i>The Structural Transformation of the Public Sphere</i>	Jürgen Habermas (1929- )
1969	<i>The Possibility of Altruism</i>	Thomas Nagel (1937- )
1969	<i>Lenin and Philosophy</i>	Louis Althusser (1918-1990)
1971	<i>A Theory of Justice</i>	John Rawls (1921- )
1972	<i>Margins of Philosophy</i>	Jacques Derrida (1930- )
1975	<i>Discipline and Punish: The Birth of the Prison</i>	Michel Foucault (1926-1984)
1979	<i>The Claim of Reason</i>	Stanley Cavell (1926- )
1981	<i>After Virtue</i>	Alasdair MacIntyre (1929- )
1982	<i>In a Different Voice</i>	Carol Gilligan (1936- )
1985	<i>Ethics and the Limits of Philosophy</i>	Bernard Williams (1930-2003)
1990	<i>Love's Knowledge</i>	Martha Nussbaum (1947- )

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